

**To What Extent Do the News Media Influence Policy Making?
A Case Study of the Press and Policy Making in Hong Kong**

Bing Kwan CHAN

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University of East Anglia
School of Political, Social and International Studies

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Abstract

While it is not new to claim that the news media form an important part of the contemporary political systems, the role of the media is usually neglected in traditional study of public policy. At the same time, previous studies of media-policy relations do not take traditional policy theories into account. The objective of my thesis is to examine the possible role of the media in the policy process in order to establish the link between traditional policy theories and existing media-policy models.

Following previous studies of media-policy relations, in particular Robinson's (2002) study of the 'CNN effects' on US humanitarian interventions, this thesis uses data derived from framing analysis, process tracing and in-depth interviews to examine the influence of news coverage in four cases of domestic policy making in Hong Kong with particular reference to several factors, namely media consensus over framing and policy certainty measured by elite consensus and policy stage.

Comparison across the selected cases demonstrates that the influence of news coverage is specific to policymakers' institutional positions and policy stage. Media effects on policy are also enhanced by unfavourable long-term and short-term public attitudes towards the Government and its policy. However, news coverage does not exert an influence on policy all by itself. Rather, the media's influence on policy is created by the interactions between news coverage and a series of factors, including public views, institutions, and political actors' beliefs and strategies.

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Abbreviations

AAB	Antiquities Advisory Board
ACNBT	Advisory Committee on New Broad-based Taxes
ADN	Apple Daily News
ADPL	Association for Democracy and People's Livelihood
CCP	Chinese Communist Party
CE	Chief Executive
CFA	Court of Final Appeal
CP	Civil Party
CPPCC	National Committee of Chinese People's Political Consultative Conference
CRIII	Central Reclamation Phase III
CTU	Confederation of Trade Union
DAB	Democratic Association for the Betterment of Hong Kong
DC	District Council
DP	Democratic Party
Exco	Executive Council
FS	Financial Secretary
FTU	Hong Kong Federation of Trade Unions
GST	Goods and Services Tax
HAB	Home Affairs Bureau
HEC	Harbour-front Enhancement Committee
HKEJ	The Hong Kong Economic Journal
HKET	Hong Kong Economic Times
HKPA	Hong Kong Progressive Alliance
HKSAR	Hong Kong Special Administrative Region
HLC	Hei Ling Chau
HPLB	Housing, Planning and Lands Bureau
KMT	Kuomintang
Legco	Legislative Council
LP	Liberal Party
MPDN	Ming Pao Daily News
NPC	National People's Congress
NPCSC	National People's Congress Standing Committee
NSB	National Security (Legislative Provisions) Bill
ODN	Oriental Daily News
OSFP	Old Star Ferry Pier
PHO	Protection of Harbour Ordinance
PLW Panel	Panel on Planning, Lands and Works
PRC	People's Republic of China
PWSC	Public Works Subcommittee

QP	Queen's Pier
SAR	Special Administrative Region
SCMP	South China Morning Post
SEKR	Southeast Kowloon Reclamation
SETW	Secretary for the Environment, Transport and Works
SFCL	Star Ferry Company, Limited
SHA	Secretary for Home Affairs
SHPL	Secretary for Housing, Planning and Lands
SPH	Society for Protection of the Harbour Limited
STDN	The Sing Tao Daily News
TF	The Frontier
TPAB2003	Town Planning (Amendment) Bill 2003
TPB	Town Planning Board
TPO	Town Planning Ordinance
WCDC	Central and Western District Council
WDII	Wanchai Development Phase II
YMTPS	Yau Ma Tei Police Station

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Chapter 1

Introduction

1. Research Questions

Whilst it is not new to claim that the news media can influence policy making, traditional theories of public policy usually play down or neglect the role of the media. There are other studies focusing on media-policy relations but these seldom take traditional policy theories into account. It seems that neither type of study provides a satisfactory explanation of the role of the media in the policy process.

In order to address these issues, this thesis asks a research question: 'To what extent do the news media influence policy making?' The main objective of this thesis is to verify the media's influence on the policy process. If such an influence is verified, I will try to specify the nature of this influence and how it is related to other factors. At the same time, I will try to incorporate some elements of traditional policy theories into account in order to properly assess the role of the media in the policy process.

Hong Kong, a former British Colony, is selected as a case study as there have been increasing concerns over the media's influence on governance since Hong Kong's sovereignty was returned to the People's Republic of China (PRC) in July 1997. Some senior officials have claimed that they spend more and more effort dealing with media pressure in policy debate. Some members of the business elite and pro-government politicians have described this situation as 'mediocracy', commenting that it is the media that rule Hong Kong¹. Moreover, according to a survey of 2001, 35% of the public believed that the media had the greatest influence in setting the social agenda while only 28 % claimed that the Legislative Council (Legco) had such influence. Furthermore, 24% of the public perceived that the media had a greater influence on policy, although 61% took the view that the

¹ ADN, 21 January 2000, page B02; 8 June 2001, page A18; 28 November 2003 page E15; 23 November 2003, page A18; MPDN 21 January 2000, page B04; the Hong Kong Economic Journal 11 April 2002, page 30; 8 May 2003, page 23; 24 October 2003, page 12; the Wen Wei Po 5 January 2004, page A10.

Legco had more influence on government policy making. Of the journalists, an even higher proportion (40%) believed in the media's increasing influence on policy making while only 36% considered the Legco more influential (Chan and So, 2002: 265-7). From these perspectives, not only members of the social elite and the public, but also journalists themselves perceive the level of the media's influence on policy making in Hong Kong. Thus, the case of Hong Kong helps examine the media's influence on domestic policy making.

2. Conceptual Framework

The main hypothesis of this thesis is based on the arguments contained in previous studies of media-policy relations, in particular on Robinson's (2002) study of the 'CNN effect' on US military intervention in the humanitarian crisis. The thesis suggests that the news coverage of government policies or proposals can influence public opinion, putting pressure on policymakers. Consequently, government's actions or policies are changed. However, the level of pressure created by the media is associated with several factors. First, the media's pressure on policymakers is significant only if most of the media outlets criticise government policy simultaneously. In other words, the media is likely to influence policy only when there is consistency in negative framing among different media outlets. By contrast, policy is unlikely to change when news framing is supportive or divided among different media.

Second, in line with Robinson's (2002) arguments, when there is a high level of policy certainty measured by elite consensus over an issue, policymakers will try their best to promote their ideas. Thus, media coverage tends to follow official policy rather than criticise government's decisions. In an elite debate, however, the media can pick up on and magnify the ideas of particular groups. Critical coverage of government policy is possible in this case. In other words, there is a two-way interaction in which the media and policymakers influence each other. The media's influence is likely to come about only when there is a relatively high level of disagreement among policymakers.

Third, I hypothesise an inverse relation between the media's influence on policy and policy certainty measured by policy stage. According to this hypothesis, it is relatively easy for critical coverage to exert an influence on early stage policy, including that which is under consultation, already in legislation or under evaluation. By contrast, policy at a later stage, including that which is already implemented, is unlikely to be changed by the media.

In addition to these hypotheses, I assume that the media's influence on policy is associated with a series of factors related to long-term and short-term public views on the government and its policy. According to this assumption, when these factors are favourable to the government and its policy, the administration and pro-government politicians can afford to ignore critical news coverage. Conversely, when these factors remain unfavourable, policymakers will not only become sensitive to, but also proactively respond to, critical coverage in order to avoid being punished by their voters at elections. In other words, the media's influence is enhanced by unfavourable public opinion.

However, it is dangerous to take media coverage to be the only factor affecting policy change. In order to avoiding overstating the role of the media, I will examine several elements of traditional public policy theories, including institutions, which refer to the formal rules and organisational context of the policy process, and political actors' beliefs and strategies. I suggest that such factors not only influence policy, but also interact with news coverage. Thus, policy change is the result of interactions between these factors and media coverage.

The hypotheses of this study are tested by a triangulation of data derived from several approaches, namely framing analysis, process tracing, in-depth interviews, textual analysis and comparison across cases. Four cases with different levels of media consensus, elite consensus and policy stage are selected. After analysing the framing of news coverage on selected media outlets by means of article and keyword counts, I trace the time sequence of policy development. My assumption is that the media's

influence is possible only if there is critical coverage followed by policy change. If news coverage follows policy change, the influence of the media can be excluded.

However, process tracing, as a screening test, provides insufficient evidence of the media's influence. Thus, the considerations of policymakers, including government officials and Executive Council (the Cabinet) members and legislators, were examined using in-depth interviews and textual analysis of official documents and news materials. Finally, several cases with different levels of policy certainty and media consensus are compared in order to examine the media's influence under different conditions.

3. Chapter Organisation

The first part of this thesis reviews previous studies of public policy theories and media-policy relations. In Chapter 2, four major traditional public policy theories focusing on different aspects of analysis are reviewed. They are: Marxism with its economic perspective; institutionalism concentrating on structural influence; policy network, a sectoral level analysis; and rational choice theory, which emphasises the self-interest of individuals. Apart from these traditional policy theories, two synthetic models are studied, namely Kingdon's (1984) policy streams model and Baumgartner and Jones's (1993) punctuated equilibrium model. I suggested that most traditional policy theories either play down the role of the media, or fail to provide a satisfactory explanation of interactions between the media and other factors. Kingdon (1984) recognises the two-way interaction between the media and policymakers. However, his interview-based study provides insufficient empirical evidence, such as process tracing data of coverage and policy change. Baumgartner and Jones's (1993) study is based on framing analysis of news coverage and process tracing of policy change. Nevertheless, their work mainly focuses on the long-term effects of media coverage. The short-term influence of the media is not examined.

Chapter 3 reviews the literature on theories of mass media, in particular those concerning media-policy relations, including Linsky's (1986)'s interview-based study, the agenda-setting model (Cook et al., 1983), Herman and Chomsky's (2002) propaganda model and Robinson's (2002) 'CNN effect' model. I suggest that some of these studies overstate the media's influence on policy while some focus only on the government's influence on the media. Robinson's (2002) study recognises the two-way interactions between the media and government. However, since his model focuses on US foreign policy, its explanatory power needs to be tested in cases of domestic policy making.

In Chapter 4, I provide an introduction to the political context and press system in Hong Kong. Drawing insights from previous studies, in Chapter 5, I propose a conceptual framework of media-policy relations according to the context of the political and press systems in Hong Kong. This chapter also provides definitions of hypothesised variables and approaches for measurement. Alongside this, I discuss methodology and the criteria for the selection of case studies and sample media outlets.

Subsequent to this, four selected cases of policy debate are described and analysed in Chapters 6 to 13. These four cases include the legislation of Article 23 of the Basic Law, the debate on Central reclamation, the introduction of Goods and Services Tax and the demolition of the old Star Ferry Pier in Central. After analysing the data originating from in-depth interviews in Chapter 14, I compare these four cases in order to test the hypotheses of this study and examine the relations between the media and other factors. Finally, conclusions of this thesis are drawn in Chapter 16.

Chapter 2

Review of the Role of the Media in Policy Approaches

1. Introduction

Although it is not new to suggest that the mass media may influence the policy process, most traditional theories concerning the policy process do not take the media into account, and research into policy analysis usually neglects its role. The objective of this chapter is to review various policy theories and identify better accounts of the media-policy relation.

Among the numerous mainstream theories of the policy process, four are discussed in this chapter, namely Marxism, institutionalism, policy network approach and rational choice theory. These four approaches are selected because they represent different levels of policy analysis. Marxism takes an economic perspective; institutionalism concentrates on the influence of structures and rules; policy network is a group or sectoral level analysis and rational choice theory emphasises the self-interest of individuals. This chapter also discusses two synthetic models which integrate various elements from mainstream theories into a single policy model. These models include Kingdon's (1984) policy streams model and Baumgartner and Jones's (1994) punctuated equilibrium model. In discussing each theory, I go through the key arguments. The theory is then applied to examine the possible role of the media in the policy process. Subsequently, I comment on the limitations of the theory.

The argument of this chapter is that all policy approaches provide important insights about the role of the media in the policy process. However, none of these traditional policy theories explain how the media influence policy. In addition, each of these synthetic models has its limitations. Kingdon's (1984) argument concerning the role of the media lacks sufficient empirical evidence. Baumgartner and Jones (1993) argue that the changes in media framing are the result of the issues switching among various journalistic beats. However, they do not suggest reasons why the issues switch from one beat to another.

2. Marxist Approach

The first traditional approach to policy study discussed is Marxism, which emphasises the power of the capitalist class and economic system. According to the Marxist account, politics, including state and policy, reflects the mode of capitalist production and the power of the capitalist class. From this perspective, the policy process is structured by the power of the capitalist class and the logic created by the capitalist mode of production (John 1998:93).

In this chapter, three Marxist accounts focusing on different aspects are discussed. The first of these, instrumental Marxism, focuses on the power of the capitalist class, while the second one, functional Marxism, emphasises the state's role in supporting the interests of capitalism. Gramscian hegemony, the third one, not only focuses on the relationship between the state and the capitalist class, but also emphasises the importance of politics, culture and ideology.

2.1 Instrumental Marxism

As Marx, in his *Communist Manifesto* states, 'the executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie' (cited in Ham and Hill 1984:32-3). Following Marx's argument, Miliband suggests that the state is not a neutral agent. Rather, for three reasons, it is an instrument for class domination in capitalist society. First, both the bourgeoisie and state elites occupying senior positions in state institutions come from the upper and middle classes who have a vastly better prospect than the working class in gaining access to a better education. Thus, those people have a better chance of achieving elite positions in the state system. Studying the case of the US, Miliband found that most political decision makers, including senior civil servants, were born in the families of professionals, business owners and officials (Miliband 1969:59-61).

Second, through personal networks and business associations, the bourgeoisie is able to put pressure on social elites and influence their decisions. Third, since the state usually depends on a successful economic base for their survival, the economic interests of the private enterprise system should be taken into account when state officials make decisions on policies. Thus, the power of the government is constrained by the bourgeoisie (ibid: 75-8). As Miliband argues, 'it is the capitalist context of generalised inequality in which the state operates which basically determines its policies and actions' (ibid: 265). Thus, Miliband's approach has come to be known as 'instrumentalist Marxism' (Ham and Hill 1984:33).

2.2 Functionalist Marxism

The other Marxist approach, functionalist or structural Marxism, emphasises the state's role in reproducing capitalism rather than the power of the bourgeoisie. For example, Poulantzas argues that the capitalist state 'does not directly represent the dominant classes' economic interests, but their political interests: it is the dominant classes' political power centre, as the organising agent of their political struggle' (Poulantzas 1973:190). Thus, the class background of state officials is not important. Rather, it is the structural constraints on the state by the objective power, the objective relation between the bourgeoisie and the state, which explain the political supremacy of the economically dominant classes (ibid).

In addition, Poulantzas argues that the state is not simply the instrument of the dominant classes, but has relative autonomy. Since the bourgeoisie, or capital, is divided into different interests or fractions, the state, as a political organiser, may act against the interests of a particular fraction of the bourgeoisie in order to maintain the long term interests of the dominant classes (ibid:285). From this functional perspective, the capitalist state's main function is to create conditions to protect and reproduce capitalism. Thus, the state has to provide physical resources, such as industrial sites, for the business sector. At the same time, the state has to maintain order and control within society through repressive mechanisms such as the police and agencies like schools, which perform a legitimation function. In this view, state intervention in the provision of services such as

housing and health, is aimed at keeping the work force healthy in order to reduce labour costs for capital (Ham and Hill 1984:33).

2.3 Gramscian Hegemony

The other stream within Marxist accounts places its emphasis not only on relations between the state and the capitalist classes, but also on the importance of ideology in society. One of these accounts is Antonio Gramsci's concept of hegemony which refers to the capacity to create a high level of consensus within society. While recognising the importance of the economic basis of society, Gramsci emphasises the importance of politics, culture and ideology. As he states, 'a social group can, and indeed must, already exercise 'leadership' before winning government power (this indeed is one of the principle conditions for the winning of such power); it subsequently becomes dominant when it exercises power, but even if it holds it firmly in its grasp, it must continue to 'lead' as well' (Gramsci 1971:57-8). In other words, leadership cannot be based solely on coercion but also requires a large degree of consent. Those forces that hope to win state power must already play a leading role in civil society and must already be culturally, politically and ideologically dominant (Joseph 2006:54).

For Gramsci, hegemony is not predetermined by social or economic structures. Rather, hegemony is achieved by a 'homogenous politico-economic historical bloc, without internal contradictions' (Gramsci 1971:168). 'Historical bloc' is a way in which the dominant group allies itself with some groups to offer concessions and incentives to others. In this case, economic, social, and ideological forces are combined in a temporary unity to change society (Joseph 2006:53; McLellan 1998:202).

Gramsci suggests that a historical bloc is formed by structures and superstructures (Gramsci 1971:336). The superstructure refers to two major levels of society: one is 'civil society' that is 'the ensemble of organisms commonly called 'private''; another is 'political society' or 'the State' (ibid: 12). The dominant view of society is mediated by the dominant groups and social, political structures and the civil society. However, a historical bloc is

not a stable alliance. Rather, it is continuously developed through the interaction of political and economic forces, ideas and social structures (ibid: 182). Thus, the dominant status of some groups may be replaced by others that successfully ally themselves with other interests.

Comparing the revolutions in Russia and the West, Gramsci argues that hegemony is particularly important in countries where civil society is strong. In Russia where civil society was weak, it was easier to take state power by force, but it was more difficult to maintain it. In the West, by contrast, state power was difficult to obtain. Once won, however, it was easier to maintain social cohesion and consensus because of the influence of the institutions of civil society (Gramsci 1971:238; Joseph 2006:52).

For Gramsci, bureaucratic and technological rationalism analysed by Weber was part of capitalist ideological hegemony (McLellan 1998:203). Since the dominant view or social reality is dominated by the ruling classes, the policy process is economically, structurally, culturally and ideologically influenced at all levels by the dominant groups. From this perspective, force and coercion are not the normal practices. Rather, how problems are defined, how agendas are set, how policies are implemented, how decisions are made are all owing to hegemony.

Applying the concept of Gramscian hegemony, Gamble explains the rise and fall of the Thatcher government of the UK. His work was based on an analysis of the historical context and the structural constraints within which the Thatcherite project arose. For Gamble, hegemony means the exercise of political and moral leadership. The concept of Thatcherite hegemony has four main dimensions—electoral, ideological, economic and state (Gamble 1994:9, 207).

According to Gamble, support for Thatcher's Government was based on the achievement of a considerable degree of electoral and ideological hegemony. Electoral hegemony can be analysed in two perspectives, namely party management and vote winning. From the perspective of party management, Thatcher's image as an exceptional dominant leader was

established not only as a result of Thatcher's personal style, but also of her success in controlling personnel appointments in the party and the shadow cabinet. As a result, opponents were removed from the cabinet (ibid:212-4). From the perspective of vote winning, the Conservatives, through the sale of council houses and the promotion of wider share ownership of state owned enterprises, successfully defined the Conservative nation as a nation of property owners and consumers. This not only created a new identity, but also set up a mass of private-property interests willing to support market solutions for public policy problems (ibid:218-20).

Ideological hegemony also played an important role in the control of policy agenda. Despite a majority against privatisation and other policy shifts in welfare and social policy, conservative ideological hegemony was marked at the elites, including business organisations and the national media, in particular the newspapers (ibid:221-3). More importantly, Thatcher's ideological hegemony created irreversible change in national economic management and welfare programmes which Labour adopted as its own (ibid: 224-5).

Despite her success in establishing electoral and ideological hegemony, Gamble argues that Thatcher's economic and state hegemony was far from successful (ibid:254). The Thatcher government's strategy to encourage companies to prove themselves internationally competitive only favoured those industrial sectors that were already dominated by transnational companies as well as financial and commercial companies based in the City. This short-term strategy worked in 1980s. However, during a severe period of recession, and large fiscal and trade deficits between 1990 and 1993, the Conservative hegemony was put at risk (ibid: 247-9). From the perspective of state hegemony, Thatcher government's strategy to establish the image of a strong state was also of little use in dealing with long-term problems such as the control of public expenditure or refashioning the education system. Neither was it able to reverse the decay of the inner cities and public services (ibid: 250-4).

In sum, Gamble demonstrates the importance of hegemony to the success and failure of the Thatcher government. In the process of establishing hegemony, political actors' strategies, institutional context and economic and social factors were all crucial both to the success and failure of establishing hegemony.

2.3 Possible Role of the Media in Marxism

Within the Marxist account, the mass media in capitalist societies perform a highly 'functional' role in reinforcing the dominant political and ideological system. For example, Miliband argues that the media are both the expression of a system of domination, and a means of reinforcing it. Although values of freedom of expression are important, 'freedom has to be set in the real economic and political context of these (capitalist) societies; and in this context the free expression of ideas and opinions which are helpful to the prevailing system of the power and privilege' (Miliband 1969:220-1).

According to Miliband, regardless of their political tendency and market position, most newspapers in a capitalist society may be relied on to support the conservative side or at least to be deeply critical of the anti-conservative one. Thus, the press has proved itself to be a deeply committed anti-trade union force (ibid: 223). Miliband also suggests that the conservative and conformist direction of the media is influenced by three pressures. First, media ownership is dominated by a steadily declining number of large-scale capitalist enterprises. Thus, a general sense of conformity assures that the editorial and political line is kept within a conservative ideological framework (ibid: 227-30). Second, financially relying on advertisers, the media usually show exceptional care in dealing with the interests of advertisers and the business community (ibid: 230-1). The third pressure upon mass media comes from government and various agencies of the state system. Miliband suggests that the government's continuous and systematic supply of explanation of official policy to the media prevents a radical shift away from the opinions of the dominant interests (ibid: 233, 238).

A similar role of the media is suggested by Gramsci and Gamble. For Gramsci, the media are considered as ‘intellectuals’ which function as ‘the dominant group’s ‘deputes’ exercising the subaltern functions of social hegemony and political government’ (Gramsci 1971:12, 60). In this sense, the role of the media is to diffuse dominant groups’ ideas. Consequently, these views form the ‘social reality’ or ‘consent’ while the dissenting voices are marginalised.

Gamble also suggests that the role of the media was crucial in establishing ideological hegemony of the Thatcher government. Despite a majority of the public being against privatisation and other policy shifts in social policy, as the allies of the Thatcher government, the national media, in particular the newspapers, helped promote Thatcherite policies. On the other hand, the BBC which provided relatively objective and pluralist coverage was seen as the enemy of the Thatcher government. In order to deal with this enemy and eradicate dissent, Conservative chairman, Norman Tebbit, made strong efforts to influence the editorial and news criteria of the BBC (Gamble, 1994:222).

2.4 Comments on the Marxist Account

The Marxist account elaborates the relationship between the various sectors in capitalist society. Both the instrumental and functional Marxist schools not only explain the political, economic and ideological constraints on the media, but also specify how the media marginalise voices against the dominant interests. However, the Marxist account has at least two limitations. First, it presumes that all political actions are predetermined by the economic interests of the state and the capitalist classes. For example, Poulantzas (1973) argues that the state makes policy to assure the long-term interests of the capitalist economy. However, since the definition of ‘long-term interest’ may be ambiguous, it is difficult to verify the causal link between policy and economic interests in the long run. Thus, Marxist accounts fail to specify the mechanism of the policy process. As John states, ‘macro socio-economic approaches do not offer an all-encompassing theory of political action, they suggest sets of constraints on action that impact on

policy choice depending on the circumstances that decision-makers face (John 1998:115).’

Second, perhaps more importantly, focusing only on the functional role of the media, the Marxist account may oversimplify the relationship between the media and the dominant interests. The autonomy and diversity of the media are usually played down. Critical coverage of the government and other dominant interests are supposed to be ‘bogus’ (Miliband 1969:223). Although Gamble mentions that the BBC provided some relatively pluralist coverage of Thatcher policy, he highlights the national press’s support for the Thatcher government. In other words, the possibility that the news coverage criticises and changes official policy is played down or eliminated. Thus, the Marxist account does not provide a proper explanation for the media effect on the policy process.

3. Institutionalism

Institutionalism was the dominant tradition of political analysis both in Britain and the US. Traditionally, institutions are defined as formal rule and procedures and government organisations in which political behaviour takes place. Thus, the institutional approach focuses on the influence of institutions on political behaviour. As Rhodes states, the institutional approach ‘seeks to explain the relationship between structure and democracy and the ways in which rules, procedures and formal organisations succeed or fail in constraining political behaviour’ (Rhodes, 1995:54-5).

3.1 Old Institutionalism

Within the traditional or old institutional account, there are two prescriptive explanations for political behaviour. First, rules and procedures are considered to be the basic independent variables while the functioning and fate of democracies are seen as dependent variables. Second, rules prescribe political behaviour; that is, behaviour occurs as a result of a particular rule (ibid: 46).

Rhodes (1995) identifies three forms of institutional approach. First, the descriptive-inductive method explores specific events, eras, people and institutions in order to systematically describe and analyse phenomena that have occurred in the past. Contemporary political phenomena are then explained with reference to those past events. The second method is formal-legal inquiry, which focuses on the influence of public law and formal governmental organisations (ibid: 43-4). Although this method focuses on the ‘constitutional’ structure, as Eckstein claims, this ‘includes not just written constitutions but their equivalents: anything that explicitly prescribes rules for processes and organisations of authority.’ (Eckstein, 1979:2) The third approach is the historical-comparative method, which is used to examine the influence of institutions by means of a comparative, historical method. Using the example of Herman Finer’s work in 1932, Rhodes claims that the historical-comparative inquiry into institutions not only considers legal forms, but also an institution’s operations, and as it has evolved stage by stage (Rhodes, 1995:45).

3.2 New Institutionalism

The 1980s saw the rise of a new institutionalism which not only widened the definition of institutions, but also incorporated the insights of other political theories, while taking proper account of the role played by institutions. Two examples of new institutional studies are discussed in this chapter. One was carried out by March and Olsen (1984) while the other was a study by Peter Hall (1989).

3.2.1 March and Olsen’s Study

March and Olsen suggest that ‘it would probably be more accurate to describe recent thinking as blending elements of old institutionalism style with recent theories of politics’ (March and Olsen 1984:738). Thus, new institutional approaches have been able to contribute to modern political theory by extending the key notions of six political orders on which most modern political theories are based.

Firstly, March and Olsen argue that political history often overemphasises the unique significance of a particular sequence of events or choices, the impact of a particular campaign strategy or speech. However, history cannot be guaranteed to be efficient (ibid:737). Thus, March and Olsen suggest the examination of historical order. This involves studying the ways in which institutions learn from their experience, specifying the conditions under which the sequential branches of history turn back upon each other, characterising the role of standard operating procedures, professions and expertise in storing and recalling history (ibid:743).

Secondly, questioning the assumption that things are ordered by their consequential connections, March and Olsen argue that things are connected by virtue of their simultaneous presence or arrival. Thus, temporal order provides an alternative in which linkages are less consequential than temporal (ibid: 743). Regarding endogenous order, new institutionalism argues that internal institutional processes affect the distribution of political resources and preferences, which in turn affects the power of political actors, and thereby affects political institutions (ibid:739).

Fourthly, March and Olsen argue that political behaviour is often constrained and dictated by culture and social norms. Thus, it is necessary to examine the normative order which refers to ‘the relations among norms, significance of ambiguity and inconsistency in norms, and the time path of the transformation of normative structures’ (ibid: 744). Fifthly, March and Olsen suggest studying demographic order, that is, in order to examine the impact of individuals who make up political institutions, the importance of their career paths (ibid: 744). Finally, March and Olsen suggest the importance of an examination of symbolic order which is the consideration of myths, symbols and rituals with attention to ‘the dynamics of symbols, to the processes by which symbols shapes the behaviour not only of the innocent but of the society as a whole.’ (ibid)

3.2.2 Hall’s work

The other author, Peter Hall, further broadens the concept of institution. In his view, institution refers to an analysis of ‘the formal rules,

compliance procedures, and operating practices that structure the relationship between individuals in various units of the polity and economy' (Hall, 1986:19). In Hall's analysis, even markets are considered as institutions. As he states, 'the market setting in which entrepreneurs and workers operate is a complex of interrelated institutions whose character is historically determined and whose configuration fundamentally affects the incentives the market actors face' (ibid: 35)

Hall suggests two fundamental roles of institutional factors. First, the organisation of policy making affects the degree of power that any one set of actors has over policy outcomes. Second, organisational position also influences an actor's definition of his own interests, by establishing his institutional responsibility and relationship to other actors. From this perspective, 'organisational factors affect both the degree of pressure an actor can bring to bear on policy and the likely direction to that pressure' (ibid:19). Hall also proposes the notion of the role of institutions located within society and the economy, as well as less formal organisational networks, in the determination of policy (ibid:20). In addition, Hall takes account of the influence of structural context on ideas. He argues that organisations not only structure actors' rational actions within a particular social context, but also play an important role in the diffusion and magnification of ideologies among multiple social actors (ibid:277).

Studying the economic policies of Britain and France since the eighteenth century, Hall argues that such policies were determined not simply according to prevailing economic conditions, but also by a political dynamic including the role of the organisation of capital, labour and the state as well as the position of the country within the international system (ibid: 20-21). He concludes four aspects to the structural setting that exert a significant influence on British economic policy (ibid: 57). The first one is the British international position which was based on the experience of empire. This left Britain with financial institutions that were heavily oriented towards overseas lending, the financial institutions formed a lobby against devaluation and became proponents of deflation in the face of a

balance of payments crisis. This led to the rigidity of the exchange rate of pounds (ibid: 59).

The second aspect is the organisational configuration of British society. Hall argues that the internal weakness of union and employer organisations prevented the state from using these associations to impose industrial reorganisation (ibid: 60-1). The third aspect is the state structure, which resulted in the decline of manufacturing sectors. These structural factors included the Bank of England's dominant role in monetary policy, the Treasury officials' lack of familiarity with the progress of British industry and the decision making process with a high level of secrecy in the civil service system (ibid: 61-2). The final aspect is the political system, including the British party organisations' deeply rooted doctrines against state intervention and the closed ties between parties and particular interest groups. Hall claims that this aspect not only limited the parties' range of action, but also inhibited innovative economic policies (ibid: 64-5).

In short, new institutional approaches incorporate the insights of other political theories in order to examine the proper role of institutions. In the new institutional account, the concept of institutions includes both formal and informal rules and organisations. In some circumstances, even the market and international political and economic systems are considered to be institutions. Moreover, rules and procedures are not simply independent variables. Rather, relations between political actors and institutions may be dialectical. In addition, the influence of history and social and economic structures are specified. Problems, solutions and other elements within the policy process are not supposed to be ordered according to consequential connections. Rather, they can be linked by their simultaneous existence.

3.3 Possible Role of the Media in Institutionalism

Although most institutional analysis of policy making neglects the mass media, the institutional account offers some insights into the role of the media. First, media organisations operate within the legal framework. For example, in most western countries, broadcasting is licensed by the

government and its agencies. In some regions, such as Hong Kong, there is no specific law or regulations for print media. However, newspapers and magazines are constrained by laws against libel, obscenity or indecency.

In addition to exogenous legal constraints, the media are bound by two important institutions, namely, internal organisational norms and cross organisational professional norms. As Sparrow argues, news making is highly hierarchical. The news media consist of large, multitiered organisations in which top editors and producers fashion, edit and release news stories as they see fit. Reporters have to learn to write compelling stories that get published or broadcast. Pictures of reality are systematically distorted by organisational requirements (Sparrow 1999:103-37). Moreover, cross-organisational professional norms not only provide the media with ethical guidelines, but also influence the culture and daily operation of the media. For example, a consideration of what is important and interesting enough to constitute news is usually down to the professional judgment of journalists. As Cook states, 'news organisations are structures similarly to achieve similar goals, in part because of transorganisational norms of professionalism' (Cook 2001:183).

The other important insight provided by the institutional account is the influence of political context on the development of the media system. Comparing the media systems in Europe and North America, Hallin and Mancini argue that the characteristics of a media system are interrelated to the historical development and context of the political system. For example, the autonomy and professionalisation of the media is closely associated with rational-legal authority which refers to the political system with a form of rule based on adherence to formal and universalist rules of procedure. The characteristic institution representing rational-legal authority is a bureaucracy which is autonomous of particular parties, individuals, and social groups, acts according to established procedures and is conceived of as serving society as a whole. The other principal institutions of a rational-legal order are the autonomous judicial system and cultural components such as the degree to which citizens, businesses, and other actors are willing to follow rules (Hallin and Mancini 2004:55-6).

Although all bureaucracies have some degree of influence on the media, Hallin and Mancini argue that in countries such as Britain and the USA where rational-legal authority is strongly developed, civil servants and journalists, including those in of public broadcasting institutes, are likely to act in relative autonomy of control by government, parties, and particular politicians, and to be governed by clear rules and procedures. By contrast, in countries such as those in Southern Europe where rational-legal authority is less developed, there is a tendency for party control and penetration of public broadcasting and regulatory institutions to be stronger and deeper (ibid:56).

3.4 Comments on Institutionalism

Although the institutional account explains how political systems both structure policy and constrain political actors, there are several limitations to this approach. For example, there is the charge that institutionalism overestimates the role of formal rules and organisations but plays down the importance of individual interests and the social contexts which shape the institutions. More importantly, the institutional approach tends not to account for policy changes (John, 1998:49-57). As John claims, ‘institutionalism lacks a theory of human action as it tends to consider that rules and norms that constrain behaviour are reasons for action in themselves’ (ibid: 53). In my opinion, the same problem can be found in the institutional analysis of the media. Institutional arrangements explain whether relatively autonomous media and media influence on policy are possible. However, they do not explain how the media influence the policy process.

New institutionalism incorporates the insights of other political theories in order to provide a proper account of institutions. However, widening the definitions of institutions, new institutional approaches ‘include too many aspects of political life under one category. The resulting amalgam of processes appears to explain change under the rubric of institutions, but in reality it disguises the variety of interactions and causal mechanisms that occur between the contrasting elements of the political

system...Such an expansion robs institutions of their explanatory power.’
(ibid:64-5)

4. Policy Network Approach

The policy network approach is a variant of new institutional approaches which analyses organised social complexity, focusing on the organisational interdependence of public organisations and private interests (Rhodes 1997:11-2). The network approach originated in the analysis of some policy sectors in the US. A more explicit UK network approach was pioneered by Rhodes (1988), and extended by Marsh and Rhodes (1992). In the network account, the state is considered to be a set of institutions which provides the parameters for political conflicts between various interests over the use of resources and the direction of public policy (Smith 1993:2). Thus, a policy network may be defined as an arena for the mediation of the interests of governments and interests groups.

4.1 Traditional British Policy Network Approach

The traditional British policy network approach emphasises the need to disaggregate policy analysis and stresses that the relationship between groups and the government varies between policy areas. (Rhodes and Marsh 1992:1-4). As Rhodes states, ‘power-dependence’ is the central feature of policy networks. From this perspective, two features of networks are particularly important. The first one is political resources, including authority, financial resources, political legitimacy, information, and organisational resources. As far as these are concerned, actors can bargain with each other within the network. Actors without resources are usually excluded from the network (Rhodes 1988:90-1). If the government wants to achieve a particular policy goal with minimum conflict, assistance to groups under development and implementation of policy are needed. In this case, resources are exchanged among the members within a network. The second important feature is structure, which not only limits the actions of actors, but also influences the distribution of resources (Rhodes 1988:77-8, 1997:11). Different networks have different patterns of resource distribution and resource exchange (Rhodes 1997:43-5).

According to Marsh and Rhodes's model, policy network occurs at the sectoral or sub-sectoral level. For example, there may be a sectoral network in industrial policy and sub-sectoral networks which are concerned with policy in particular industrial sub-sectors. Thus, a network approach is a meso-level concept which deals with the pattern of interest group intermediation with particular attention to the structure of networks and the pattern of interaction within them (Marsh 1998:15; Daugbjerg and Marsh 1998:53).

In the network account, policy outcomes are affected by the existence, membership and characteristics of networks. For instance, distribution and type of resources within a network explain the power of its individual and organisational members. In this sense, the network is considered as an independent variable.

However, Daugbjerg and Marsh argue that policy outcomes are not only influenced by the interaction between groups within networks, but are also strongly affected by the economic, political and ideological context within which the network operates as well as individual behaviour within the network. Thus, they suggest that the meso-level policy network model needs to be integrated with both micro-level and macro-level analysis in order to explain membership of the network and their policy outcomes. (Daugbjerg and Marsh 1998: 54).

According to Daugbjerg and Marsh, macro-level analysis, dealing with the relationship between the state and civil society, helps explain both the membership of networks and how networks are constrained by the social, economic and political context within which they are located. The micro-level of analysis deals with individual actions and the decisions of actors within networks, a rational choice theory should operate with a conception of bounded rationality and subjective expected utilities. At the same time, policy networks shape preferences while the actions of agents change networks, which, in turn, form the context within which agents act. From

this perspective, the relationship between structures and agents is dialectical when integrating meso- and micro-level analysis (ibid: 54, 67-70).

Further developing the dialectical approach, Marsh and Smith suggest that the actors are not only constrained by the structural context of the network, but also learn strategically, in turn, to shape the agent's future actions. When considering the case study of British agricultural policy since the 1930s, Marsh and Smith (2000) propose three interactive or dialectical relationships between the structure of the network and the agents operating within it; the network and the context within which it operates; and the network and policy outcome. First, Marsh and Smith argue that the structure of the network and the agents within it can affect each other. Thus, policy outcomes cannot be explained solely by reference to the structure of the network. Rather, agents can change structures: 'Network structures, and the resource dependencies which they entail, are not fixed' (ibid: 6-7).

Second, Marsh and Smith argue that there is a dialectical relationship between the network and the broader context within which it is located. Moreover, networks may be influenced by other networks because in a complex polity, the context within which networks operate is composed, in part, of other networks. From this perspective, the relationship between sectoral and sub-sectoral networks is particularly important as sectoral networks provide a crucial aspect of the context within which sub-sectoral networks operate. Since exogenous factors are not only mediated through an understanding of agents, but are also interpreted in the context of the structure, rule and interpersonal relationships within the network, Marsh and Smith argue that any simple distinction between endogenous and exogenous factors is misleading. Finally, since policy outcomes may lead to changes in network membership, the pattern of resource dependency, the broader social structures and actors' strategies, Marsh and Smith argue that policy outcome interacts with the network (ibid: 7-9).

In short, Marsh and Smith argue that the link between policy networks and policy outcomes is much more complicated than many commentators have suggested. The relationships between the various factors,

including broader structural context, network structure, actors' resources and strategies, policy outcomes are mostly interactive or dialectical.

4.2 Possible Role of the Media in the Network Account

Most research into policy networks does not take the mass media into account. Some authors even claim that the media's influence on policy is unusual because policy making takes place in closed networks in most cases. For example, in their interview-based study of policy networks in the UK, Marsh et al. claim that the influence of the media on policy is exceptional. Having interviewed government officials, Marsh et al suggest that government departments are increasingly concerned with the demands of the media. The impact of the mass media on ministers and departments today has significantly increased compared to 25 years ago (Marsh et al. 2001:202, 206). However, Marsh et al. do not suggest media influence on policy is usual because 'most departments make policy in an environment marked by secrecy where there is little media interest.' (ibid: 207) In this sense, although the media's influence on policy is possible, it is the exception, rather than the rule.

Marsh et al's (2001) argument is, in my opinion, unfair. Actually, they did not examine the role of the media by using a network approach. Their interview-based study was merely based on the perceptions of government officials. Neither the political resources of the media, nor the relationship between the media and the network members was investigated. More importantly, there is no point arguing whether the influence of the media on policy is usual or not. When we study the possible influence of media on policy, the most important point is to verify the existence of a media effect and specify conditions in which such an effect arises.

Although network theorists do not take the media into account, I argue that the media play an important role in the policy network account. The organised interdependence that is highlighted in the network account is found in the relationship between the media and political actors. As Franklin (1994:21) suggests, politicians need to promote their ideas and gain popularity. Meanwhile, the media needs regular contact to get information

for news production. Even politicians' ability to perform well on television or their physical appearance are considered to be resources that can prove attractive to broadcasters and audience.

A recent study by Aeron Davis further demonstrates the interdependent relations between the media and the political and economic elites within a closed network although Davis did not really apply the network approach in his study. Interviewing journalists and elite news sources, he found that the media acts as communicators within the closed business community in which elites try to influence each other through media coverage (Davis 2003: 673-6). A similar situation can be found both in the Labour and Conservative Parties. In these circumstances, the media and journalists are used by politicians to influence the decision making of other party members and the cabinet (ibid: 679-81). Meanwhile, journalists need regular source contacts within the closed community in order to secure their companies' interests and their own careers (ibid: 682-3). From this perspective, there is an exchange of resources between the elites and the media.

4.3 Comments on the Policy Network Account

There are some criticisms of the explanatory power of the network approach. For example, in order to explain the network characteristics and membership, network researchers usually incorporate other factors in their study. Dowding argues that the policy network approach fails as a model 'because the driving force of explanation, the independent variables, are not network characteristics *per se* but rather characteristics of components such as membership and pattern of interdependence within networks. These components explain both the nature of the network and the nature of policy process' (Dowding, 1995: 137). Thus, the concept of the network itself does not make any contribution to an explanation of policy outcomes.

Marsh and Smith claim that their dialectical approach tends to outline the complexities involved and identify the relationships which need to be considered if any causal model is to be developed (Marsh and Smith, 2000:11). However, Dowding argues that the aim of scientific research is to

construct a model to discover the relative importance of different causal factors (Dowding, 2001:91). Marsh and Smith's dialectical approach provides a detailed description of history but fails to specify a model.

In my view, the network account provides insights into the media-policymaker interaction in policy communities. The characteristics of a policy network can explain the structural conditions in which the media may place direct pressure on policy makers and influence their decisions. However, the network accounts, including the dialectical approach, integrate numerous conditions in order to explain network membership and policy outcomes. Consequently, the policy process is explained by all those conditions rather than by the network characteristics. Although I agree with Marsh and Smith that political science can be done in a realist way to infer the underlying structures of a particular social situation (Marsh and Smith 2001:532), the explanatory power of the network idea per se is questionable.

5. Rational Choice Theory

Rational choice theory has become an important theory in political science since the 1950s. The early work was carried out largely by economists, applying the methods of microeconomics to explain political decision making. The key argument within rational choice theory is that individuals always tend to maximise their chances of getting what they want. Thus, policy outcomes result from the collective actions of different actors' strategies.

5.1 Mainstream of Rational Choice Theory

There are several core assumptions within the mainstream of rational choice theory. First, while recognising that human motivation is complex, mainstream rational choice theory assumes that individuals are self-interested. From this perspective, people are instrumental rather than expressive. Second, rational choice theory assumes that individuals all have the rational capacity, time and emotional detachment necessary to choose the best course of action, no matter how complex the choice is. Finally, individuals are assumed to be able to arrange the available options into a

coherent order of preference and make consistent choices among them (McLean, 1987:3, Ward, 1995:79).

Under the rational choice account, policy outcomes are considered to be the interactions between the choices of political actors. In this case, game theory is used to explain actors' strategies. In some circumstances, actors increase their level of utility by cooperating with other individuals. As a result, all actors gain. This is the assurance game. In other cases, however, actors choose not to cooperate as they worry that others will not cooperate, leading to inaction or policy disaster. This is what game theorists call the prisoner's dilemma (John, 1998:119).

However, political actors do not make decisions in a totally free environment. The pay-offs to actors within games are usually determined by the political structure and the rules of game. In other words, actors can only try to maximise their advantage within the existing rules. Thus, the influence of institutions should be examined within rational choice theory. This approach is considered to be an institutional rational choice account (ibid: 125-6).

5.2 Dunleavy's Bureau Shaping Model

One of the important studies of institutional rational choice theory is Dunleavy's (1991) 'bureau shaping model'. His work not only presents the structural influence on actors' pay-offs and strategies, but also demonstrates that a precise definition of variables is necessary to rational choice analysis. According to Dunleavy, the structural contexts of bureaus create major differences between agency types in the extent to which officials associate their welfare with the growth of the programme budget. In addition, bureaus are rank-structured environments. The costs of advocating a budget increment are also rank-structured. Thus, bureaucrats do not simply expand budgets, patronage and financial rewards. Rather, individual bureaucrats positioned at different levels of different agencies face different utility pay-offs, and follow different strategies to maximise their own utility. Budgetary change is the result of the collective action of those individuals located in different positions within different agencies.

Dunleavy's argument is also supported by the case of Next Step reform which consisted of two major administrative trends, privatisation and deinstitutionalisation in the late 1980s. Under the reform, routine government functions were transferred to various agencies while the high command of the civil service was retained. Despite the loss of direct control of large bureaucracies, senior officials supported and pushed through the reform. As Dunleavy claims, senior bureaucrats value individually innovative work with low exposure to public criticism, high-status and proximity to political power centres. Hence they support the reform which is consistent with reshaping their bureau into an optimum form for them (Dunleavy, 1991:237).

In sum, Dunleavy's bureau shaping model demonstrates the importance of the institutional context. Rational actors tend to maximise their personnel utility and minimise their cost within institutional constraints. In order to explain policy outputs, researchers have to precisely define individual actors' pay-off utilities and institutional contexts.

5.3 Possible Role of the Media in Rational Choice Theory

Most rational choice theorists do not consider the role of the media in their studies. However, I argue that the rational choice account provides some possible explanations for the media's influence on the policy from five perspectives. First, rational choice theory assumes that an actor can make the optimal choice based on available information. As Kingdon (1984:63) states, since actors inside and outside government are not always able to communicate effectively with each other, the use of the media is one way to spread information within the policy community. In this case, the media act as a communicator.

Second, the media not only influence policymakers' perceptions of public attitudes (Entman 2000:21-2; Kull and Ramsay 2000:105), but also affect public opinion (Cook et al 1983). When actors choose a strategy to maximise their utility or to minimise prospective damage, the impact of media coverage should be taken into account. Thus, actors may change their

agenda according to the quantity and the tone of news coverage. In this case, rational choice theory explains the agenda setting capacity of the media. Third, the tone of media coverage may influence public attitudes towards particular policy alternatives, consequently affecting the political cost and benefit of policy options. Thus, policymakers have to consider the tone of relevant coverage during decision making. In this case, rational choice theory explains the media influence on the choice of policy options.

Fourth, the media are not independent from policymakers. Since media coverage may influence the decisions of policymakers and voters, most political actors make an effort influencing media content in order to promote the policy alternatives in their favour. Meanwhile, journalists seek story credibility and personal recognition in order to enhance their career prospects. Thus, they are concerned with obtaining official reactions to their news stories. Consequently, journalists and policy makers may operate to influence public opinion in order to bring about policy change in a particular way. In this case, rational choice theory explains the collaboration between policymakers and journalists.

Finally, as Dunleavy states, rational senior bureaucrats tend to avoid public criticism (Dunleavy, 1991:237). This provides the important insight that political actors in different positions have different levels of exposure to the public and to the media. Those with low public exposure are less likely to face direct pressure from the media. In other words, institutional rational choice theory may explain the fact that the media's influence on political actors may vary according to different positions within the political system.

5.4 Comments on Rational Choice Theory

Although rational choice theory is likely to explain some possible aspects of the influence of the media on the policy process, it is usually claimed that rational choice theory focuses on individual choice, but plays down the importance of institutional arrangement, socio economic factors and ideas. In addition to these comments, in my view, there are some other problems with rational choice theory. First, individuals frequently act

altruistically or emotionally in the real world. There is no reason to assume that individuals always act from rational self-interest.

Second, rational choice theory assumes that political actors, with limited time and information, are always capable of arranging the available options into an order of preference and make optimal choices. The assumption may be problematic as sometimes even researchers find it is difficult to quantify pay-offs and decide the order of optimal choices. Third, because of the difficulty in quantifying pay-offs, measuring such pay-offs to actors may be extremely flexible and vague. In these circumstances, researchers can refine the measurement of payoffs according to their needs. The theory thus becomes implausible.

In an attempt to consider the problems mentioned above, Dunleavy (1991) provides a satisfactory explanation of public budgetary change based on the notion of the importance of institutional influence on actors and a precise definition of utility pay-offs. However, in my view, his model succeeds because there is major difference in utility pay-offs from budgetary changes according to different ranks. When the difference in pay-offs is minor or obscure, researchers may find it difficult to measure the difference.

6. Policy Streams Approach

The previous sections discuss mainstream theories through focusing only on one policy perspective. However, some researchers integrate several theories in order to develop a model for policy analysis. John (1998) refers to this kind of approach as the synthesis or synthetic approach. The first synthetic approach discussed in this chapter is Kingdon's (1984) policy streams model or policy windows model, which explains the governmental agenda setting and policy alternative selection.

6.1 Key arguments of Policy Stream Approach

According to Kingdon (1984), agenda setting and alternatives selection can be explained by interaction among three streams of processes:

problems, politics and policy. The first two are critical to governmental agenda setting, while the policy stream plays a major role in alternative selection. Policies can be changed only when all three streams are linked together by the opportunity for advocating policy proposals. In Kingdon's term, the three streams are linked by the 'opening of policy windows'.

The distinction between 'governmental agenda' setting and 'alternative selection' should be noted. Kingdon suggests that the former refers to a list of subjects to which officials, and people outside the government closely associated with those officials, are paying serious attention at any given time. Within the governmental agenda, there is also a 'decision agenda', which refers to the list of subjects that are up for an active decision. Alternative selection, on the other hand, is the screening of possible governmental actions which are under serious consideration by government officials and those closely associated with them (Kingdon, 1984:3-4).

Moreover, participants can be classified into visible and hidden participants. The visible ones, including elected politicians and their high level appointees and the media, receive considerable public attention. The relatively hidden participants with lower publicity include academic specialists, career civil servants and congressional staffers (ibid:208). Among these participants, there are 'policy entrepreneurs' who consist of people willing to invest their resources in return for future policies that they favour. They may be elected officials, career civil servants, lobbyists, academics or journalists. Entrepreneurs are motivated by a combination of concern about certain problems, self-interest, promotion of their policy values and pleasure in participating (ibid:129, 214).

6.1.1 Agenda Setting

Conducting 247 lengthy interviews with members of staff of congress and executive branches, lobbyists, journalists, consultants, academics, Kingdon studied 23 cases of policy initiation and non-initiation, covering many policy changes in health and transportation of US federal government (ibid:5). According to Kingdon, government agenda setting is

determined by problem and political streams. The problem stream is the process of problem recognition. The attention of officials can be drawn to problems by their large scale and magnitude and change, events or feedback from existing programmes. The chance of a given proposal being taken up on an agenda is markedly enhanced if it is connected to an important problem. Thus, policy entrepreneurs invest considerable resources bringing their conception of problems to the notice of officials in the attempt to persuade them to see problems in their own particular ways (ibid: 206-7).

The development of the political stream also creates new agendas. The political stream is made up of public mood, pressure group campaigns, elections results, partisan or ideological distribution in Congress or changes in the administration. In the political stream, participants build consensus by bargaining, trading provisions for support, adding elected officials to coalitions by giving them the concessions that they demand, or compromising from ideal positions that will gain wider acceptance (ibid:152, 207-8). In addition, visible participants such as elected politicians, usually play an important role in agenda setting as they have to respond to public pressure although they do not need to get their way in specifying alternatives or implementing decisions (ibid:152, 207-9).

6.1.2 Alternative Selection

In policy stream, policy alternatives are generated and selected. Kingdon describes this process as ‘policy primeval soup’ in which many ideas float around, bump into one another, encounter new ideas, and form combinations and re-combinations. Although the origins of ideas are haphazard, ideas will be selected according to particular criteria including technical feasibility, congruence with the values of policy community members, budget constraints, public acceptability and politicians’ receptivity. Relatively hidden entrepreneurs such as specialists, consultants and civil servants in the policy stream also try to promote their ideas in many ways. As a result, some ideas will become respectable while others are ruled out (ibid: 209-10).

6.1.3 Policy Windows

Although the separate streams of problems, policies and politics each have lives of their own, Kingdon argues that the three streams can be linked together when 'policy windows' are open. The policy window is an opportunity for advocates of proposals to push their pet proposals forward, or to draw attention to their special problems. Kingdon claims that windows are opened either by changes in the political stream (e.g., a change of administration, a shift in partisanship, or a move in public opinion) or by a new problem that captures the attention of officials. Thus, there are problem windows and political windows (ibid:176, 213).

According to Kingdon, windows do not stay open long. When the relevant windows are closed, policy entrepreneurs in and around government keep their policy proposals and their problems close at hand, waiting for a re-opening of windows. During the short duration of open windows, entrepreneurs try their best to promote their proposals and problems. If entrepreneurs are willing to invest sufficient resources, their problems can be resolved and their proposals enacted. Other problems and proposals with insufficient resources will drift away (Kingdon, 1984:210-1). Thus, policy changes are brought about in a particular way.

6.2 Possible Role of the Media in the Policy Streams Approach

Although Kingdon recognises the media as visible participants, he found that only 4% of policymakers interviewed claimed that the media were very important (ibid: 61). Kingdon argues that media effect on policy agenda is limited for two reasons. First, the press tend to give prominent cover to a story only for a short period of time before turning their attention to the next story. Consequently, media effect on policy is weakened. Second, both policymakers and journalists claimed that the media reported what was going on in government rather than having an independent effect on governmental agenda (ibid: 62). In other words, the media usually follow the existing governmental agenda rather than affect that agenda.

Nevertheless, Kingdon suggests that the media may play an important role in the policy process in some ways. First, the media not only act as a communicator within a policy community, but also pick up on some policymakers' ideas or movements, and then affect the agenda by magnifying these movements. Moreover, by affecting public opinion agendas, the media can re-direct the attention of policymakers, thus having an indirect effect on policy agendas (ibid: 63-4).

Kingdon also suggests that the importance of the media may vary from one type of participant to another. Key government decision makers or those who have easy access to those decision makers might have less need for media coverage. By contrast, others have less access and hence need to make a special effort to gain the attention of important government officials and might need media coverage more in order to exert their influence on policy (ibid:64). In other words, the media effects on political actors vary among different positions within the political system.

6.3 Comments on Policy Streams Approach

Although Kingdon recognises the possible influence of the media on the policy process, he did not trace the process of media coverage and policy change. The only empirical data is the interview-based data according to which only 4% of officials claimed that the media were very important (ibid: 61). In other words, Kingdon's argument about the media lacks empirical evidence. In addition, Kingdon argues that the media usually follow the exiting governmental agenda rather than affecting the agenda. Meanwhile, he claims that the media can pick up an idea put forward by some policymakers or some groups, and then affect the agenda by magnifying such ideas (ibid: 62-4). However, he did not specify either the conditions in which the media follow the official agenda, or those where the media influence it.

7. Punctuated Equilibrium Model

7.1 Key arguments of Punctuated Equilibrium Model

The other synthetic approach is the punctuated equilibrium model proposed by Baumgartner and Jones (1993). They argue that the American political system is a mosaic of continually reshaping institutional systems. Those institutions not only limit participation but also shape the images of policies in their favour. When issues emerge, particular institutional structures of policy development are created and remain in place for a long period. Baumgartner and Jones term this equilibrium. However, equilibrium may be punctuated by short periods of volatile change when disadvantaged groups successfully redefine the dominant understanding of the issues to their advantage. Where this is the case, institutions and their policies are destroyed and replaced by others. In Baumgartner and Jones's terms, equilibrium shifts from one point to another. The policy process is characterised as having long periods of stability, which are punctuated by periods of instability and major change.

7.1.1 Policy Image

Baumgartner and Jones suggest that punctuated equilibrium is driven by two interacting forces. The first force comes from policy image which refers to the public understanding of an issue or a policy problem. Since a single policy may affect groups of people in different ways, different people can hold different images of the policy. Proponents of a policy focus on one set of images, while opponents refer more often to another set of images. When the tone of stories in the mass media changes from positive to negative, opponents of the policy have an opportunity to attack existing policy arrangements. Thus, competing participants usually attempt to manipulate images to suit their own needs in order to attract the attention of government officials, the mass media and the public (ibid:25-9).

7.1.2 Policy Venue

The second force comes from institutional policy venues, which are the institutional locations where authoritative decisions concerning a given issue are made. Policy venues structure not only participation but also

mobilisation of bias towards the images of policy problems and policy alternatives that are favourable to venue members. Thus, policy image is generally better received among one group of people than another, image may be accepted or rejected depending on the institutional arena (ibid: 32).

7.1.3 Interaction between Policy Image and Policy Venue

According to Baumgartner and Jones, the equilibrium, i.e. the stability of policy and institutions is maintained over a long period of time by the existing policy venues and the policy image processed by the venues (ibid: 15). Since the members of existing venues tend to manipulate the policy image to their advantage, the interaction of image and venue may produce a self-reinforcing system characterised by positive feedback. Such a system can produce long periods of no change (ibid: 37).

However, there is continuous competition among various groups. Institutions of policy development are continually being created and destroyed. Disadvantaged interests often propose new interpretations of events and attempt to attract the attention of allies in other areas of the political system. Meanwhile, the advantaged fight back, attempting to reinforce their original view of the situation. If existing advantaged groups succeed, the policy image and venue can be maintained. When ‘losers’ outside existing policy venues successfully redefine issues to their advantage, thereby attracting previously uninvolved citizens (ibid: 8-12), the equilibrium may be punctuated by short periods of volatile change. In this case, institutions are destroyed and replaced by others. Policies are also changed dramatically. New policy images and new venues are maintained as a result of positive feedback and challenged by new disadvantaged interests. Thus, the equilibrium shifts from one point of stability to another.

It should be noted that stability of policy image is associated with the number and nature of institutions. A single issue may be simultaneously subject to the jurisdiction of several institutions, or it may be within the domain of only one set of institutions. Thus, some policies lie firmly within the jurisdiction of a single institution, while others face the competing influences of a number of jurisdictions (ibid: 32-3).

7.2 Possible Role of the Media in the Punctuated Equilibrium Model

Baumgartner and Jones argue that the media play a crucial role in the policy process ‘by directing attention alternatively towards different aspects of the same issues over time, and by shifting attention from one issue to another’ (ibid: 103). They suggest that a major source of instability in politics is the shifting attention of the media for three reasons. First, due to market competition, the media imitate each other. When issues become news, virtually all media outlets focus on them. Thus, new ideas and new understanding of issues often spread quickly once they become a focus of news interest (ibid: 50, 103).

Second, reporters are routinely divided into different ‘beats’ with different foci and interests. ‘When an issue is moved from one journalistic beat to another...the tone of the stories written on the topic may shift dramatically because the article are written by different journalists’ (ibid:50, 103). Third, in order to maintain sales and readerships, reporters not only have to simplify complex arguments, but also need to make news stories interesting and controversial. For this reason, media coverage of issues is highly selective and temporary. This media fascination with risk and conflict leads to a bias against particular aspects of issues and places pressure on policymakers (ibid: 118-9).

Tracing changes in policy image, policy venue’s agenda, and institutions, Baumgartner and Jones examined the long term development of numerous issues over decades, such as nuclear power, pesticides, smoking and tobacco and automobile safety. They studied the coverage in the New York Times, Readers’ Guides and a range of electronic media. The level of media attention paid to the issues was measured by article count while policy image was measured by counting positive and negative coverage. At the same time, changes in policy outputs are measured by alternations in the structure of policy making, expenditure patterns associated with agenda access and changes in the activities of government officials (ibid:48-54).

For example, nuclear power was considered to be a cheap fuel, a safe mechanism in 1940s and 1950s. The civilian use of nuclear power was controlled by a tight 'subgovernment' set up in the mid 1950s. Since science journalists were enthusiastic about the possibility of nuclear power, and their articles reflected the official optimism of this subgovernment, the positive image of nuclear power was reinforced. In the late 1960s and 1970s, however, there was an increasing dominance of negative news coverage over the positive, focusing on issues of waste and risk. This led to a series of change in congressional agenda, institutions and policy. Since 1969, the number of negative congressional hearings has exceeded the positive ones. Between 1974 and 1977, there was a series of structural reforms of the subgovernment relating to energy policy. Since then, no nuclear plants have been ordered in the US, and more than a hundred previously ordered plants have been abandoned or cancelled (ibid:59-81).

7.3 Comments on the Punctuated Equilibrium Model

One criticism levelled at Baumgartner and Jones is that they presume the 'bottom up' influence of the media on policy and institutional change. The policymakers' influence on media coverage is neglected (John, 1998:181). However, this criticism may be unfair. In their book, Baumgartner and Jones state that they do not imply any simple causation between news coverage and dramatic policy change. Rather, they found that media attention sometimes precedes and sometimes follows changes in attention on the part of government agencies. Thus, they argue that media coverage and policy institutions can affect each other, reinforcing the pattern of positive feedback and punctuated equilibrium (Baumgartner and Jones, 1993:125).

Nevertheless, I argue that there are problems with the punctuated equilibrium model. First, Baumgartner and Jones argue that the media imitate each other (ibid:50). In other words, they assume that different media tend to frame an issue in the same way. The possibility of mixed tone within the media is neglected. According to Hallin and Mancini (2004:208), however, many American newspapers have relatively consistent political orientation as reflected in their editorial stance. Previous studies also show

that American newspapers tend to spend more resources on news coverage that is consistent with their editorial policy (Nacos, 1990 cited in Hallin and Mancini 2004: 208). Thus, there is a possibility that different media are associated with different interests and different political tendencies frame the same issue in different ways. In this case, media pressure on existing policy and institutions may be weakened.

Second, perhaps more importantly, the punctuated equilibrium model argues that policy image changes because the issue moves from one journalistic beat to another (Baumgartner and Jones, 1993:103). However, Baumgartner and Jones did not specify the reason why issues move among different beats. Thus, the change in policy image is not explained.

8. Concluding Remarks

In summary, both mainstream theories and synthetic models provide some insights into media-policy relations. At the same time, each of those theories has its limitations. The key arguments and the strengths and limitations of these theories are listed in Table 2.1.

The Marxist and institutional approaches specify economic and structural constraints on the media. However, Marxism explains the influence of dominant interests on the media rather than the media effect on policy. Institutionalism explains the development of the conditions in which the media enjoy autonomy and exert an influence on the policy process. Nevertheless, it does not explain how the media may influence the policy process. The policy network account explains the structural characteristics of the policy community in which the media and policymakers influence each other. However, the network itself cannot explain how the media influence the policy process. Focusing on the individual's self interest, rational choice theory seems to provide some possible explanations of media influence on the pay-offs for actors, and on the choices of policy alternatives. However, because of the unrealistic assumptions of the theory and ambiguous measurement of pay-offs, the plausibility and explanatory power of the theory may be problematic.

The synthetic models provide relatively complete accounts for the relation between the media and policymakers. However, each of those models has its limitations. Kingdon (1984) argues that the media can influence the agenda setting and alternative selections by affecting public opinion and then placing pressure on policymakers. Kingdon also recognises the two-way interaction between media and policy makers. However, all these arguments about the media are based on interview-based research only. Other empirical evidence, such as data relating to process tracing of coverage and policy change, is provided.

Tracing the long term development of media coverage and policy change, Baumgartner and Jones (1993) demonstrate not only a systematic way to study media-policy relations, but also the importance of media effect on policy image, which is crucial to institutional and policy changes. The key limitation of Baumgartner and Jones is that they explain the change in tone of news coverage in terms of the issue switching from one journalistic beat to another. However, they do not specify the reason why the issue moves between beats. In this case, Robinson's (2002) model discussed in the following chapter provides an explanation by demonstrating the importance of policy certainty in terms of elite consensus.

Theories	Key Arguments	Possible roles of the media	Strengths	Limitations
Marxism	-Policy process is structured by the power of the capitalist class and the logic of capitalist mode of production	-Media perform a functional role in reinforcing the dominant political and ideological system	-Explains the political, economic and ideological constraints of dominant interests on the media	-Autonomy of media is downplayed -The media's influence on policy is eliminated
Institutionalism	-Policy outcomes are explained by the institutional influence on political behaviour	-Media system is developed and operates under the institutional constraints	-Explains the institutional constraints on the media 's operations -Explains the institutional influence on development of media system and the emergence of autonomous media	-Old institutionalism may overestimate the role of formal institution but play down human action. -New institutionalism integrates too many aspects of political life and provides vague definition of institution

Table continued on next page.

Theories	Key Arguments	Possible roles of the media	Strengths	Limitations
Policy Network	-Policies are affected by membership and characteristics of a set of sectoral and sub-sectoral institutions in which actors exchange their resources	-Media and network members are interdependent on each other. -Network members can influence each other through media coverage	-Explains the interdependent relations between political elites and the media	-Too many conditions are taken into account, consequently, weakening explanatory power of network per se.
Rational Choice	-Policy outcome is the result of the collective action of different rational actors who tend to maximise their personal utilities within structural constraints.	-Media may influence public opinion, consequently affecting pay-off of particular actors and actions -Media and actors may collaborate to promote policy -Media influence on actors may vary from different positions of institutions	-Provide some possible explanations for changes in agenda and actors' actions	-Assumption about actors' rationality is problematic -Definition of pay-offs to actors may be ambiguous
Policy Streams	-Policy can change dramatically only if the problem, policy and political streams are linked together by opportunity windows	-Acts as communicator within policy community -Influences policy agenda by picking up and magnifying ideas -Affects public opinion, then influences policymakers indirectly	-Recognises the different roles of the media in agenda setting and alternative selection	-Insufficient empirical data is provided to support the argument on the role of the media.
Punctuated Equilibrium	-Various groups continuously compete for the definition of policy image. -Policy and institutions can be destroyed and replaced when the policy image is refined	-Media coverage is crucial to change in policy image -Media coverage and policy institutions can affect each other	-Provides systematic ways to measure the possible media influences on the policy process -Two-way interaction between the media and policy is recognised.	-The switch of issue among various journalist beats is not explained -The possibility that the media share divided framing is neglected.

Chapter 3

Review of Media-Policy Relations Models

1. Introduction

Apart from studies on public policy, there is a huge literature relating to media-policy relations. This chapter will review these previous studies of media-policy relations from three perspectives. The first of these focuses on the possible influence of news coverage on the policy process. These studies cover early work on the influence of the media and the debate on the CNN effect which refers to the media's influence on western governments' foreign policies. The second perspective on media-policy relations highlights the influence of governments on media content. This view is represented by Herman and Chomsky's (2002) 'manufacturing consent theory' which argues that the media are locked into the government and other dominant economic interests, and thus media content is constrained by the government and businesses. Thirdly, there are some studies which suggest an interaction between news media and government. From this perspective, the media and government can influence each other. This argument is represented by Robinson's (2002) study of the 'CNN effect'.

This chapter argues that each of these three types of study has its limitations. The early study of media effect on policy highlights the one way influence of the media on policy, and neglects the possible influence of the government on the media. On the other hand, manufacturing consent theory downplays the autonomy of the media. Robinson's CNN effect model recognises the two-way interaction between the media and government. Robinson's methodological framework also demonstrates a systematic way to study media-policy relations. However, focusing on the case of US foreign policy, Robinson's model needs to be tested in other policy areas. In addition, in order to establish the linkage between media effect and existing theories of public policy, it is necessary to take account of elements in these theories, such as institutions, beliefs, political actors' interests and strategies.

2. Literature concerning the media's influence on policy

2.1 The Media's Influence on Domestic Policy

2.1.1 Linsky's Interview Based Study

One of the early studies of media influence on policy was undertaken by Linsky. (1986). On the basis of a survey of senior federal policymakers and interviews with prominent policymakers and journalists, Linsky studied six cases in the U.S., namely, the 1969 reorganisation of the postal department, Vice President Spiro Agnew's resignation, President Jimmy Carter's decision to halt deployment of the neutron bomb, the relocation of 700 families from the polluted Love Canal area, President Ronald Reagan's support of tax exemption for Bob Jones University and the 1984 suspension of Social Security disability reviews.

According to Linsky, five different types of media impact on policy can be identified. The first one is the influence on agenda setting. During interviews, officials claimed that their priorities are affected by news coverage (ibid:88). Secondly, the media can influence how issues are characterised. Thus, policymakers claimed that they found it difficult to control the framing of issues (ibid:107). Thirdly, news coverage can speed up the decision-making process. According to Linsky, 39% senior Federal officials responding to the survey said the positive press coverage accelerated their consideration or willingness to take action on an issue, and 36% claimed that negative coverage did the same (ibid:109). Fourthly, Linsky suggests that news coverage can move issues up the ladder in the government. The more intense and the more critical the press coverage is, the higher the level of the government that deals with the issue (ibid:109-10).

Finally, Linsky argues that the media can influence which proposals will lead to action. For example, in Post Office reorganisation, officials claimed that positive news coverage and favourable editorials were important, although not the only, elements contributing to the eventual passage of the administration's proposals. In this case, news coverage increases the government's chance of attaining policy goals. On the other hand, in the Bob Jones case and the neutron bomb deployment and

production case, negative coverage had the effect of stopping the process and providing the opportunity for, or forcing the officials to stand back and reconsider the policy. This argument is supported by the findings that 40% of the survey respondents said negative coverage caused them to reshape their policy options (ibid:114-6).

2.1.2 Cook et al.'s Study of the Media's Agenda Setting Capacity

Among numerous studies of the media's influence on policy, 'agenda settings capacity' of the media usually seemed to have most direct influence on the policy process. One of the early researches of the media agenda setting function was carried out by an interdisciplinary team at Northwestern University. For the research team, 'the 'agenda-setting capacity' of the mass media implies a causal connection between a temporal sequence of events: first, news media reporting occurs; second, these presentations influence perceptions of issue importance. The assumption is that these changed priorities will themselves influence policy choices.' (Cook et al 1983:17)

The study was carried out as a collaboration with investigative reporters from NBC in the US. The journalists conducted an extensive investigation into fraud and abuse in the federally funded Home Health Care Programme. The report was aired on a National television programme 'NBC News Magazine' on 7 May 1981. Six months before the airing of the investigative report, the research team was told the content of the report, and then started research work, including the sampling of respondents, and conducting interviews. The influence of the media on individuals was studied in non-laboratory experiments. Among 300 public respondents, half were asked to watch the 'NBC News Magazine' while the other half, the control respondents, were asked to watch another programme without an investigative report at the same time. After watching the programmes, the respondents were asked several questions related to Home Health Care Programmes in general, and several questions concerning fraud and abuse in such programmes. A similar experiment was conducted with policy elites,

including governmental officials and interest group leaders. They were randomly assigned to viewing either the NBC programme or the control programme. After the news media presentation, the elites were interviewed by researchers (ibid: 18-21).

The study found that the investigative report influenced public perception of the issue. Compared with the control group which watched an alternative programme, those who viewed the target programme considered home health care to be a more important programme, saw government help for the programme as more important, and saw fraud and abuse as a larger problem within the programme. Thus, the idea of the agenda setting function of the media for the general public is supported (ibid: 22-5).

However, the news media presentation did not significantly influence policy elites. The interest group leaders' perceptions of the issue's importance were not changed by the news programme. Although government elites watching the NBC programme believed that the issue became more important and policy action was needed, the issue of fraud and abuse in home health care remained last on the government elites' list of issue priorities. In other words, the study did not identify any media effect on the policymakers' agenda (ibid: 25-30).

In the study of the media influence on policy making, the research team analysed the transcripts of hearings in order to trace the time of the news report preparation and policymakers' actions. Conducting extensive interviews with officials and journalists to examine the working relations between them, the team found that the policy process was not simply influenced by the media. Rather, policy could be changed by active collaboration between journalists and policymakers. According to Cook et al., two months before the story was aired, the investigative journalists worked in collaboration with Senate staff members, planning a series of hearings on home health care fraud. When the news story was aired, the news programme concluded by announcing the forthcoming Senate hearings. Meanwhile, the newly elected Republican leadership of the Senate Permanent Investigations Subcommittee, headed by Senator William Roth,

wanted to utilise the news report to draw public attention to the issue of fraud and abuse in government programmes, and then promoted a new policy. During the hearing, some senators specifically cited the investigative report and gave the investigative journalists credit for their contribution. As a result of the hearings, the subcommittee proposed new laws to curb abuse in the Home Health Care Programme (ibid: 30-2). In other words, journalists cooperated with policymakers to promote particular ideas.

2.1.3 Comments on the Work of Linsky and Cook et al.

Although Linsky (1986) specifies how the news media influence the policy process in different ways, his work is based on surveys and interviews with policymakers and journalists. Thus, the data may be distorted by the incomplete or selective memory of the respondents as well as their inaccurate estimate of the media effect on policy. The reliability of his work may be problematic. Moreover, focusing on the one way influence of the media on policymakers, Linsky neglects the influence of policymakers on the media.

On the other hand, Cook et al.'s (1983) study attempts to explore the complexity of media-policy relationships. Media coverage may neither change policymakers' priorities, nor set up a one-way influence on policy choices. Rather, policymakers can at times neglect media coverage. Moreover, policy changes may not result either from policymakers' initiatives or media pressure. Policy may be affected by collaboration between journalists and policy makers.

However, Cook et al.'s work throws up at least two problems. First, their experimental study of the media's influence on individuals was based on the short term and immediate effect of only one news programme. However, it is generally believed that the media often significantly influence individuals' perceptions of issues only through intense and continuous coverage. The more intense the coverage is, the higher pressure placed on policymakers (Linsky 1986: 109-10; Robinson 2002: 37-9). Thus, it is not surprising that policymakers do not change their issue priorities after

watching a news programme. Second, like the study by Linsky, Cook et al., it does not integrate its findings into any existing theories of policy making, nor does it propose a model of media-policy relationships. In other words, both studies fail to establish the linkage between empirical findings and policy theories. Nor do they manage to develop a new theory of media-policy.

2.2 The CNN effect: the media effect on foreign policy

2.2.1 The Genesis of the CNN Effect

In the early 1990s, there was an increasing concern with the media's influence on foreign policy when the term CNN effect (or CNN factor) emerged. The CNN effect refers to the increasing influence of a particular type of news coverage on western government foreign policy. This type of coverage not only sympathises with the victims of humanitarian crises, but also criticises governments' policies of inaction. Some observers believe that such coverage can place pressure on governments and trigger US military actions. For example, in 1991, it was believed that sympathetic coverage of Kurdish refugees fleeing from Saddam Hussein's forces and the critical coverage of US government non-intervention caused the 'virtually unprecedented proposal for Kurdish safe havens' (Shaw 1996:88). Operation Restore Hope in Somalia quickly followed and, once again, it was believed that the ill-fated sorties into the Horn of Africa in 1992 were effectively forced upon the US by media pressure. The main concern of observers of international affairs is that elite control of foreign policy-making has been lost to the media. Hoge (1994), for example, questioned to what extent this 'media pervasiveness' impacted upon government – particularly the process of foreign policy-making.

Steven Livingston (1997:1) proposes two possible factors that bring about this media influence. First, since the 1980s, new technologies have enabled the news media to provide the public with a constant flow of global real-time news. This kind of real-time news creates pressure, forcing policymakers to accelerate their response to whatever journalists focus on. The second possible factor is the end of the Cold War which has caused the

collapse of the old anti-communist consensus and brought about change in media news framing. Framing, according to Entman (1993:52), is defined as selecting some aspects of perceived reality and making them more salient in a communication text, in such a way as to promote a particular definition of a problem, causal interpretation, moral evaluation, and/or treatment recommendation for the item described. Entman (2000) suggests a 'frame-contestation model' which highlights the interacting influence between the media, the public and the government in the post-Cold War era. According to Entman:

the Cold War frame served to anchor the administration's control over the problem domain. The demise of the Cold War created a void, an absence of associative links to threats against the United States that communism automatically provided...Without the dangerous direct enemies and certainties of the Cold War, foreign policy becomes more subjected than ever to the political gaming and strategising long dominant in domestic politics. Elites are emboldened, able to criticise problem definitions and policy options without seeming unpatriotic (Entman 2000:14).

Entman also suggests that the absence of the Cold War makes the media become more independently powerful in defining problems for foreign policymakers. Since the established media frames of the Cold War do not seem to apply any more, a cognitive and emotional gap is created. The media fill this 'vacuum' with their own understanding of international relations. As Entman comments, 'perhaps because they trade in narrative, journalists seem constantly in search of a coherent frame: problem definitions, causes, moral judgements and remedies that fall into a consistent pattern and yield consistent meaning'(ibid: 14). Thus, the US media impose a 'double bind' in their framing of policy choice: a simultaneous demand for assertive interventionist leadership by the 'world's only superpower', and chastisement of U.S. leaders when intervention turns costly (ibid: 17-9).

2.2.2 Debate on the CNN Effect

Despite increasing concerns over the media effect on foreign policy, Livingston (1997) argues that the CNN effect may at times be problematic for three reasons. First, there are few empirical investigations showing that

news coverage leads to military intervention. A majority of humanitarian operations were conducted without media attention. Comparing the populations at humanitarian risk in various countries and the coverage of US major media in 1996, Livingston found that the coverage of humanitarian crises was not uniform and was closely associated with the presence of US troops in the region. For instance, Afghanistan and the Sudan had more people at risk than Bosnia, but together they received only 12 percent of the total media coverage devoted to Bosnia alone. In addition, when considering the timeline of the Somalia crisis in 1992, Livingston found that most Somalia coverage followed rather than preceded official action (Livingston, 1997: 7-9).

Second, some post-Cold War U.S. humanitarian interventions were likely to have resulted from geo-strategic factors rather than from humanitarian concerns upheld by the news media. For example, the Persian Gulf War in the spring of 1991 was a response to the refugee crises along the Iraqi border with Turkey. Third, before using force, a series of strict conditions must be met, including a clear statement of US interests at stake in the operation, the approval of Congress, the availability of funding for the operation, a fixed date for the withdrawal of U.S. forces, and an agreement on command and control structure. News coverage is unlikely to be able to influence all such formal policy requirements (ibid: 9-10).

Nevertheless, Livingston does not completely deny the existence of the CNN effect. Instead, he criticises the imprecise use of this term and suggests that this has led to minimal success in clarifying the policy-media relation. He argues that 'different foreign policy objectives will present different types and levels of sensitivity to different types of media' (ibid:1). In order to develop the topology of the policy-media effect, Livingston suggests that the type of effect of news coverage and type of foreign policy should be specified with precision.

According to Livingston, three possible types of CNN effect can be found.

Media as accelerant

This is the potential effect of global, real-time media, which speeds up the decision making process. In Livingston's words, 'time for reaction is compressed' as intelligence agencies must compete with news organisations (ibid:3).

Media as impediment

Livingston suggests two types of media-related policy impediments. First, the media function as an emotional inhibitor or Vietnam syndrome that media coverage taking casualties has the potential to undermine public support for military operations and erode troop morale on the ground. Second, the media function as a threat to operational security. In this case, the media have the technological capacity to hinder or threaten some sensitive operations by exposing them (ibid:4-5).

Media as agenda setting agents

Although issues are not created by media content, Livingston argues that news coverage can influence the priorities and selection of national interests (ibid:6).

Livingston also puts forward eight types of military interventions and their relations with news media as shown in Table 3.1.

2.2.3 Comments on Livingston's Work on the CNN Effect

In sum, Livingston criticises imprecise definitions of the media's influence on policy. Since types of media effect may vary from case to case, when we suggest that the media influence policy, we have to specify which influence this is, and in what conditions this kind of media effect occurs.

Table 3.1: Military Intervention Types & Accompanying Media Considerations					
	Policy goals & Objectives	Likely media interest	Government policy	Likely media effect	Public Opinion
Conventional warfare	Destruction of enemy and his war-fighting capacity	Extremely high	High degree of attempted media control. 'Indexed' news	Accelerant, impediment (both types)	High public interest and attentiveness to it
Strategic deterrence	Maintains status quo. e.g. Cold War, Korean Peninsula	Moderate to high interest. Routinised coverage.	Routine news operation. White House, DoD, State briefings, etc.	During stability, little effect. Accelerates during periods of instability	Scrutiny only by attentive public. Expansion of base during instability
Tactical deterrence	Meets challenge to status quo. e.g. Desert Shield, PRC-Taiwan	Moderate to high interest but episodic	Controlled but cooperative. Force multiplier	All 3 effects, but necessarily injurious	Attentive public scrutiny. Latent public opinion a concern to policymakers
SOLIC	Counterterrorism, hostage rescue, specialised operations	High interest, particularly hostage situation, some terrorism	Secrecy. Barring of all access	Impediment (operation security risk)	Little to no public awareness in most cases
Peacemaking	Third party imposition of political solution by force of arms e.g. Late Somalia, Yugoslavia	High interest at initial stages of operation. Variation afterward dependent on level of stability	Volatile conditions Danger in reporting. Access with risk. Impediment (both types)	Attentive public scrutiny. Latent public opinion a concern to policymakers	
Peacekeeping	Bolsters and accepts political solution by presence of third party	Moderate interest unless accord is destabilised	Generally unrestricted access to theater of operation	Impediment (emotional impediment likely)	Attentive public scrutiny. Latent public opinion a concern to policymakers
Imposed humanitarian operations	Forceful, apolitical aid policy	Low/moderate interest unless violence ensues	Volatile conditions. Reporting risky	Impediment (emotional impediment likely) Attentive public scrutiny. Latent public opinion a concern to policymakers	
Consensual humanitarian operations	Agrees humanitarian assistance	Initial operation met by moderate to low interest	Unrestricted, even encourage media coverage	Media effect unlikely	Attentive public scrutiny

Source: Livingston 1997:11

In addition, Livingston's study of the timeline of the Somalia crisis in 1992 provides two important insights. First, Livingston found that media coverage can either follow or precede official actions. Thus, there is the possibility that the government may influence media coverage. In other words, there is a two-way interaction between media and government. Second, Livingston demonstrates that media-policy relations should be studied in a systematic way. In this case, process tracing and quantitative analysis of the media coverage can be used. Media's influence on policy is possible only if certain quantity of news coverage precedes government's decisions. If news coverage follows official policy, the media effect can be eliminated. However, time sequence does not provide sufficient evidence for media effect as policy can be affected by numerous factors. Thus, process tracing is a screening test for eliminating the myth of the CNN effect.

3. Government influence on the media

In addition to the debate about the media's influence on the policy process, there is a huge literature supporting the 'manufacturing consent' model which emphasises the government's influence on media content rather than media effect on government policy. This section examines the 'manufacturing consent' theory of Herman and Chomsky.

3.1 Manufacturing Consent:

The term 'manufacturing consent'¹ was first used in Herman and Chomsky's study published in 1988. In their book, Herman and Chomsky propose a 'propaganda model', which argues that the US media are interlocked with the government and dominant economic interests. Thus, the media 'serve to and propagandise on behalf of, the powerful societal interests that control and finance them' (Herman and Chomsky 2002: xi). According to the propaganda model, there are five successive filters or

¹ Herman and Chomsky take the title of their book *Manufacturing Consent* from the Lippmann (1922). In his book, *Public Opinion*, Lippmann argues that 'public opinion must be organised for the press if they are to be sound, not by the press as is the case today' (1922:19). He also suggests that 'manufacture of consensus is capable of great refinements...and opportunities for manipulation open to anyone who understands the process are plain enough' (Lippmann, 1922: 248).

essential ingredients that refer to a series of economic, political and ideological constraints on the US media. Herman and Chomsky argue that the 'raw material of news' must pass through these five filters, leaving only the 'cleansed residue fit to print'. As a result, dissent is marginalised whilst the government and dominant private interests can get their messages across to the public (ibid: 2). The contexts of the five filters are specified as follows.

3.1.1 Concentration of Media Ownership

The first filter of the propaganda, according to Herman and Chomsky (2002), is the increasing concentration of media ownership and the decreasing diversity of the media. These effects are the result of a rise in scale of media enterprises and associated increases in capital costs, based on technological improvements along with the owners' increased stress on reaching large readerships and chasing profitability. Because of free market competition, the loosening of rules limiting media concentration, cross-ownership, and control by non-media companies, small sized media are driven out or controlled by large enterprises (ibid:4-8).

Herman and Chomsky claim that large media companies have close relationships with the mainstream of the corporate community and the government through boards of directors and social links. Media companies are thus interlocked with those investors and forced toward strictly market objectives (ibid:8-12). In addition, radio and television companies and networks require government licenses and franchises and general policy support. This technical legal dependency is used as a club to discipline the media. The media also protect themselves through the cultivation of political relationships. As a result, the revolving door flow of personnel between regulators and regulated firms is created (ibid:13-4). Consequently, the choice of news is influenced by dominant interests. (ibid:4-5).

3.1.2 Advertising as a Controlling Mechanism

Second, advertising serves as a powerful mechanism weakening working-class press and controlling media content. Herman and Chomsky state:

With the growth of advertising, papers that attracted ads could afford a copy price well below production costs. This put the papers lacking in advertising at a serious disadvantage: their prices would tend to be higher, curtailing sales, and they would have less surplus to invest in improving the salability of the paper (ibid: 14).

In other words, advertisers' choices influence media prosperity and survival. In addition, advertisers not only select the media which can reach large number of consumers, but also choose ideologically 'right' media companies and content. Thus, unfriendly media institutions suffer from political discrimination on the part of advertisers. Large corporate advertisers also tend towards favouring content that fits in with their sales message, avoiding programmes that interfere with consumers' 'buying mood'. (ibid: 16-8). As a result, the advertising system not only reduces the diversity of media organisations, but also constrains the ideology of such organisations and their content. The working-class and radical press that do not fit in with advertisers' principles are eventually driven out or marginalised.

3.1.3 Reliance on Information Sources

Third, since only the administration and large corporations have resources to produce a steady, reliable flow of raw news material or news information, they become powerful and routine news sources have privileged access to the media. Although experts play the role of respectable unofficial news sources that give dissident views with great authority, those experts are 'co-opted' and funded by the government, business and their agents. In this way, bias may be structured, and the supply of experts may be skewed in the direction desired by the government and dominant businesses. Thus, the media not only rely on information provided by the government and businesses, but also follow the agenda of these powerful sources (ibid: 22-3).

3.1.4 Flak

The fourth filter, 'flak', is the negative response to media statements or programmes. According to Herman and Chomsky, flak issued by the powerful can be either direct or indirect. Direct flak would include direct interference in the media such as government officials or advertisers' threats of retaliation. Indirect flak would include funding right-wing monitoring or think-tank operations designed to attack the media. As a major producer of flak, the government regularly assails, threatens, and corrects the media, trying to contain any deviations from the established line. Thus, flak producers are given column space or air time while the position of dissent in the media is retrenched (ibid:26-8).

3.1.5 Anticommunist Ideology

The ideology of anticommunism, the final filter, serves as a national religion for ideological control of the media. Herman and Chomsky argue:

this ideology helps mobilise the populace against an enemy, and because the concept is fuzzy it can be used against anybody advocating policies that threaten property interests or support accommodation with Communist states and radicalism. It therefore helps fragment the left and labor movements and serves as a political control mechanism(ibid: 29).

Thus, opponents of dominant interests are usually identified as communists or radicals.

3.1.6 Marginalising Dissent

According to Herman and Chomsky (2002), the five filters in the propaganda model are not all controlling and do not always produce simple and homogenous results. However,

dissent and inconvenient information are kept within bounds and at the margins, so that while their presence shows that the system is not monolithic, they are not large enough to interfere unduly with the domination of the official agenda (ibid: xii).

Moreover, control of the media is not brought about by crude intervention. Rather, it is achieved 'by selection of right-thinking personnel and by the editors' and working journalists' internalisation of priorities and definitions

of news worthiness that conform to the institution's policy' (ibid: xi). Thus, journalists believe that they choose and interpret news objectively.

Despite the end of the Cold War, the authors argue that weakened anticommunist ideology is easily offset by the greater ideological force represented by belief in free market. This is because economic elites with an interest in privatisation and market rule have strengthened the grip of market ideology. Journalists have also internalised this ideology. As a result, the steady advance and cultural power of marketing and advertising have strengthened the applicability of the propaganda model and weakened the public sphere² (ibid:xvii-xviii).

3.2 Evidence Supporting Manufacturing Consent Theory

There is evidence to support the idea that governments influence media content. For example, Entman (1991) studied two cases of the destruction of civilian airliners, namely the shooting down of a Korean Airline plane by a Soviet fighter plane in 1983 and the shooting down of an Iran Air plane by a U.S. Navy ship in 1988. Although both cases involved the misapplication of military force and large loss of life, the U.S. media framed these two incidents in two different ways. The case of Iran Air was framed as a technical failure, while the Korean Airline incident was seen as a moral outrage. Entman argues that in these two cases, the dominant news frames coincided closely with the US administration's interests (Entman 1991: 24).

The other example that supports the government's effect on the media is Bennett's (1990) study of the press coverage between 1983 and 1986. Measuring the frequency, direction, and source of all opinions voiced in the *New York Times* in all Nicaragua-related stories and editorials, Bennett found that news media coverage was consistent with the frame of reference of foreign policy elites. Thus, he argues that 'journalists are more likely to 'index' the legitimate voices in the news according to the range of

² Herman and Chomsky define public sphere as the array of places and forums in which matters important to a democratic community are debated and information relevant to intelligent citizen participation is provided (Herman and Chomsky, 2002:xviii).

views expressed by prominent officials and members of institutional power blocs likely to influence the outcome of a situation' (Bennett, 1990:106-7).

However, Bennett suggests that the media are not always able to apply their 'indexing norm'. For instance, in cases where official opinion is in disarray for any reason, the journalistic process may be relatively more chaotic (ibid: 107). In this case, news coverage may highlight executive policy problems or failures. This phenomenon is understood as journalists' 'professional responsibility to highlight important conflicts and struggles within the centers of power' (ibid: 110). In other words, critical coverage is likely to occur only if there is disagreement among elites.

3.3 Procedural Criticism Versus Substantive Criticism

Despite the evidence of manufacturing consent and indexing theories, some critical coverage was found in some cases. In order to provide a better account of this problem, some studies distinguish between procedural and substantive criticisms. As procedural criticism relates to the implementation of policy (Robinson 2008:171), this kind of criticism is relatively mild. By contrast, substantive criticism relates to the underlying justification and rationale for a particular policy (ibid). Thus, the pressure created by this kind of criticism is relatively high. Some researchers suggest that most critical coverage of government policy is procedural rather than substantive when there is a consensus among policymakers. In this case, pressure created by critical coverage remains low. Thus, indexing theory is supported.

This argument is supported by Entman and Page (1994). Focusing on three media outlets, namely the New York Times, the Washington Post and ABC's nightly 'World News' programme, the authors examined the news coverage of US policy on Iraq in two nine-day periods prior to the beginning of the Persian Gulf War in 1990. The first period was between 8 and 16 November when the opponents responded to Bush's announcement of the massive increase in deployment of troops. The second period was between 27 November and 5 December when the Congress held hearings on Iraq policy.

In the first period, the number of critical articles in the two newspapers overwhelmingly outnumbered supportive coverage, whilst the opposite was true of ABC which ran more supportive than critical coverage. Nevertheless, most of the criticisms were procedural, focusing on Bush's failure to explain the policy and his duty to consult Congress. At the same time, the supportive coverage was heavily substantive, justifying the war policy (ibid: 87).

Although the procedural criticisms forced the administration to consult Congress, the policy opponents lost the basis from which to continue with their opposition when the administration followed the proper procedures and obtained the blessing of the UN and Congress. Consequently, the overall quantity of critical coverage declined in the second period. Moreover, throughout the two periods, nearly all the reported critics and supporters agreed that, if necessary, Iraq had to be unconditionally dislodged from Kuwait by force. There was very little coverage that challenged the fundamental aspects of the administration's war policy (ibid: 90). As the pressure created by the procedural criticisms was weak, the Administration could move on its plan to increase the deployment of troops.

Moreover, Entman and Page found that critical coverage was crucially dependent on elite disagreement, especially among members of Congress. The frequency of elite names, either as subjects or sources of news, also showed that the administration was receiving the highest levels of media attention. The president and the administration also made use of this ability to generate newsworthy events in order to distract journalists from the controversy and reduce critical coverage (ibid: 91-4). Thus, the authors suggest that critical coverage was unlikely to appear frequently when there was elite consensus. In this sense, Bennett's (1990) indexing theory is supported.

Further evidence of this argument is found by Althaus (2003). Like Entman and Page, Althaus focused on the case of the Persian Gulf war in 1990 and 1991. In his study, the full-text transcripts of three television news programmes of ABC, CBS and NBC were studied. Three types of discourse

were defined. The first is 'means discourse' which is in favour of or against a policy such as the use of military force against Iraq. The second is 'ends discourse' which relates to the justifications or intended outcomes of a policy, such as preventing the invasion of Kuwait. The final one, 'context discourse' defines the larger political context associated with a policy. In addition, debate on the Persian Gulf crisis was divided into three phases. The first one was the 'establishing phase' between the invasion of Kuwait on 2 August and November congressional elections in 1990. The second was the 'debate phase' between 9 November 1990 and 15 January 1991 in which officials debated Bush's announcement of troop escalations. The third stage, the 'war phase', was between the start of the air offensive on 16 January and the end of the ground campaign on 28 February 1991 (ibid: 388-90).

American officials were unified, divided and then unified again in the course of these stages. According to Bennett's (1990) indexing hypothesis, Althaus assumes that critical coverage should be more prominent in the debate phase. However, throughout the three periods, the ends discourse was overwhelmingly dominated by supportive coverage (87%) while only 9% challenged the administration. On the other hand, critical coverage was given prominent exposure in context (28%) and means (36%) discourses, although these discourses favoured the government's policy in general (ibid: 390). From these perspectives, although the media was relatively free to make procedural criticisms of the administration's policy options and the larger political context, there was very little substantive critical coverage of the administration's goals despite the debate among elites.

In addition, only means discourses expressed by officials of the administration and Congress members followed the predicted pattern of indexing. When these government sources provided high levels of criticism of government policies in the debate phase, the media only ran more critical means discourse than in the other two phases. Apart from this, none of the three discourses, expressed either by the government or by non-government sources, followed this predicted pattern. This was because the non-

government sources produced considerable levels of criticisms despite the elite consensus. Journalists themselves also contributed nearly half of the non-governmental context criticisms (ibid: 390-6). Nevertheless, nearly all the criticisms initiated by journalists criticised the Administration's preferred contexts but left the fundamental rationale of the administration's policies unquestioned (ibid: 396). In other words, although journalists themselves produced a high level of critical coverage independently, such criticisms were mainly procedural or tactical rather than substantive. In other words, the media did not make fundamental criticism of government policy. Thus, news coverage was unlikely to be able to influence policy, though the media did not completely follow the government.

3.4 Comments on Manufacturing Consent Theory

In sum, manufacturing consent theory highlights the political and economic elites' constraints on the media. From this perspective, the news media are not simply independent actors. Rather, the media propagandise on behalf of the powerful societal interests. Policies proposed by those dominant interests are thus enabled by the consensus created by the media.

However, the theory simply emphasises the media's reliance on powerful news sources and downplays the autonomy of the media and journalists. More importantly, critical news coverage of the government cannot be explained from this perspective. As Cook (1998) argues, journalists are not the passive recipients of official information but are active participants functioning as a political institution in their own right. As he states, 'political actors and journalists (and occasionally citizens) interact in a constant but implicit series of negotiations over who control the agenda, what can be asked, where and how, and what a suitable answer will be' (ibid:12). Thus, there is a continuous interaction between the media and policymakers.

In order to explain the occurrence of critical coverage, Entman and Page (1994) and Althaus (2003) suggest that most critical coverage, including that initiated by journalists, occurs as procedural discourse. In this case, fundamental policy goals and administration rationale remain

unquestioned. The media is thus unlikely to influence policy. However, Entman and Page and Althaus's works were completely based on the content analysis of news coverage. Neither policymakers' understanding of news coverage nor their considerations during the policy process was studied. Thus, the causal relation between policy outcomes and different types of critical coverage remains unknown.

In addition, most studies on manufacturing consent and indexing theories are based on foreign policies. The situation may be much different from that of domestic policy. As Lang and Lang (2004:97) argue,

when something happens in some faraway place, there is often no one with the requisite area knowledge, language skills, or even contacts to get an accurate sense of the situation. This deficiency increase the dependence of journalists on embassy personnel and on other experts, many of whom have connections, past or present, to be government. These constraints, consistent with the propaganda model, would be less limiting when it comes to covering events at home.

Thus, the validity of manufacturing consent theory needs to be tested in the case of domestic policy making.

Furthermore, during the debate on war, policy goals (peace-keeping or preventing invasion) are clear while policy options are usually the use of force or not. Thus, it is relatively easy to distinguish between substantive and procedural discourses. In the case of a domestic policy debate, however, the context and goals of policy are usually complex. The borderline between substantive and procedural discourses may be unclear. Thus, I argue that the substantive-procedural classification is not applicable to this study. This point will be discussed in Chapter 5.

4. Robinson's CNN Effect Model

4.1 Developing a Theory of Media Influence

Recognising the limitations of previous studies of media-policy relations, Robinson suggests a 'two-way understanding of the direction of influence between the news media and the state' (Robinson, 2002:16). According to Robinson, overall news coverage is consistent with the

interests of the government when there is a consensus among the political elite³. However, during elite debate the news media, either consciously or unintentionally, can take sides and become promoters of particular elite groups. In this case, there is the possibility that news media coverage might be critical of executive policy and might place pressure on the government (ibid: 14-15).

Robinson suggests two important factors of media-policy relations. The first one is policy certainty. News coverage can influence policy only when policy is uncertain. If there is certainty of policy, the media is unlikely to exert an influence. In other words, there is an inverse relationship between policy clarity and media influence (ibid: 26). The second factor is news framing. Robinson argues that the influence of the media is greatest when coverage is framed so as to criticise existing government policy and empathise with the plight of suffering people in a humanitarian crisis. Conversely, if coverage is framed so as to produce an emotional distance from the plight of suffering people, the media effect will be weakened (ibid: 28).

4.1.1 Defining Policy Certainty

According to Robinson, three types of policy uncertainty can be identified:

- ‘Inconsistent or undecided policy’ which occurs when sub-systems are in disagreement with each other.
- ‘No policy’ which happens when unexpected events occur
- ‘Wavering policy’ which refers to the situation that policy changes frequently when there is a lack of commitment among policy sub-systems relevant to that policy.

In Robinson’s model, policy uncertainty is defined as a function of the degree of consensus and co-ordination of the sub-systems of the executive with respect to an issue. The level of policy certainty is assessed by means of a consensus among policymakers and political elites.

³ Robinson defines political elites as people in the executive, legislative or any other politically powerful position in society (Robinson, 2002:14).

Comparing the content of press briefings of policymaking institutions and conducting interviews with relevant officials, Robinson examined whether there was consensus or a consistent policy line among the three core sub-systems of US foreign policy, namely the White House, Pentagon and State Department. (ibid: 27).

4.1.2 Defining Media Framing

Regarding media framing, Robinson argues that news coverage of humanitarian crises tends to fall in one of two distinct directions. The first one consists of two modes. One is a narrative template of distance which can be laid over the subject matter of diplomacy or politics; dispassionate documentation as a reporting style; a target audience of elites; there is an emphasis on what is complex or difficult. The other mode is a narrative supporting official policy. Robinson argues that if there is an elite consensus over an issue, there is unlikely to be a significant level of coverage that challenges or criticises official policy. Robinson thus labels these two modes of reporting:

- Distance framing in that the style of coverage creates emotional distance between the audience and the people suffering in a conflict;
- Support framing in that official policy is supported.

Distance and support framing are implicitly supportive of a government policy opposed to military intervention and as such either implicitly or explicitly promote a policy of non-intervention (ibid:28).

The second way of framing focuses on the victims of crises. There are two possible modes of reporting:

- Empathetic framing in that coverage tends to focus on individual suffering, identifying individuals as victims in need of help.
- Critical framing where existing government policy of inaction is criticised.

Policymakers invoke this kind of framing when seeking to justify intervention during a humanitarian crisis. In the situation where no government action is forthcoming, empathising coverage will often be accompanied by strong criticisms of policymakers (ibid: 29).

In order to measure media frames, Robinson analysed a selection of CNN transcripts and CBS evening news segments as well as two daily newspapers, the *Washington Post* and the *New York Times*. He combined interpretative analysis and analysis of systematic keywords. Particular keywords relating to empathetic/distance framing and critical/support framing were quantified (ibid: 137-40).

4.1.3 Assumptions of Robinson's Model

Robinson makes a series of assumptions of his policy-media interaction model. On the basis of manufacturing consent theory, Robinson assumes that when there is a high level of policy certainty within an executive department and there is elite consensus over an issue, government officials try their best to promote their ideas in order to influence media output. Thus, the news media are expected to follow the official policy line rather than challenge the elite consensus. Conversely, when there is elite disagreement, news coverage reflects this debate and a variety of critical and supportive framing in news reports is expected to occur. If the news media reflect the reference frames of one side of an elite debate, they can become promoters of the policy preferences of particular elite groups and place pressure on official policy (ibid: 30).

If policy uncertainty in the government combines with elite disagreement and critical and empathetic framed news coverage, the conditions exist where the CNN effect might emerge. The government is expected to take action to respond to news coverage as the government is confronted with the possibility that negative news coverage might influence public opinion and be detrimental to government image (ibid:31-32).

4.1.4 Robinson's Classification of the CNN effect

Revising Livingston's (1997) classification of the media's influence, Robinson suggests five possibilities types of CNN effect as follows:

Strong CNN effect

Strong CNN effect refers to the situation where news coverage helps drive or push policymakers down a particular path. In terms of the level of coverage necessary in order to exert pressure on policymakers to act, Robinson suggests that a reasonable benchmark would be at least one front-page newspaper story per day and a major news segment in the evening news run within the opening ten minutes of the news. This level of coverage would have to be sustained over at least three or four days in order to force executive attention (ibid: 37-8).

Robinson's strong CNN effect overlaps with Livingston's (1997:6) agenda-setting effect. However, Livingston's agenda-setting effect occurs only during a 'problem identification stage' where news coverage helps put an issue on the policymaking agenda. Robinson's strong CNN effect may also emerge after an issue enters the policy agenda. In other words, this may occur when policymakers are developing and sorting out possible responses and solutions (Robinson, 2002:38).

Weak CNN effect

In contrast to shocking events in the news headlines, the publication of a few news stories is unlikely to have any major effect on the policy process. Robinson describes this type of coverage as weak CNN effect whereby media coverage might incline policymakers to act rather than create a political imperative to act. In this case, news coverage plays only a marginal role in the policy process (ibid: 38-9).

Impediment effect

The impediment effect, also labeled the 'body-bag effect' and Vietnam syndrome, refers to policymakers' fears that, once there are casualties in a campaign, public support for an intervention will rapidly wane. This type of effect urges caution against intervention in a humanitarian crisis. Robinson also argues that the impediment effect operates at two levels. The first relates to concerns over the effect of media coverage of US casualties on domestic opinion. The second relates to the

simple fact that US casualties undermine public support regardless of media attention (ibid: 39-40).

Potential CNN effect

The potential CNN effect is the possibility that policymakers might consider potential future news coverage when formulating policy. Robinson claims that the impediment effect may operate at a potential level, with policymakers being deterred from intervention owing to fears of potential negative news coverage of casualties. On the other hand, policymakers might decide to intervene because they believe that inaction will ultimately lead to negative media publicity and public reactions (ibid:40).

Enabling Effect

According to Robinson, the enabling effect is the possibility that news coverage enables policymakers to pursue a particular course of action. Unlike strong CNN effect, the enabling effect explains the case where policymakers can do a great deal to set the media agenda when they wish to act in particular crises and are not hostage to whether or not the media choose to cover a conflict. This type of effect is likely to occur when there is policy certainty in favour of intervention and empathetic framing in the absence of criticisms of government (ibid: 40-1).

4.2 Testing the CNN effect

4.2.1 Case Selection

In order to test his media-policy interactive model, Robinson selected several cases for comparison. The core cases studies included 'easy cases' of media-driven crisis intervention, and 'hard cases' in which the media did not appear to influence policy. The easy case refers to the cases where intervention was widely believed to be triggered by the media. In hard cases, news coverage was unlikely to be a major influence. In addition, some secondary cases were selected according to their comparability with core case studies in order to identify the pattern across cases and test the inferences made in primary cases. In those secondary cases, both primary research and secondary sources were involved (ibid: 44).

As far as the easy case was concerned, Operation Restore Hope in Somalia (involving ground troop) in 1992 was selected as a core case because of the absence of geo-strategic and national interest motivations that might otherwise have accounted for the intervention. In addition, Operation Provide Comfort in northern Iraq in 1991 was also chosen as a secondary easy case. (ibid: 143-5). Air power intervention in Bosnia (involving the threat to use air strikes) in 1995 was selected as a core hard case because factors concerning strategy and national interests were believed to have underpinned policy making in this case. The second hard case was the decision to defend Sarajevo (involving the threat of air strikes) following a mortar bombing of the market place in 1994 (ibid:145-6).

Finally, two non-influence cases were selected to observe the variation of the level of policy uncertainty and media framing in the case of the media's failure to influence policymakers. These cases showed non-intervention in the Rwandan genocide in April 1994 and the failure to intervene with ground troops in the face of widespread criticisms of the adequacy of the air offensive during the 1999 air war against Serbia (ibid:145-6).

4.2.2 Process Tracing

In addition to measuring policy certainty and news framing, Robinson traced the time sequence of news coverage, policy uncertainty and intervention in each case, and then estimated when policymakers decided to take action. Although details of some official meetings were not available, Robinson analysed official documents including press statements, press briefings, policy documents and new media reports. The chronology established by this process tracing was used to assess whether news coverage had been a factor in a given policy process. Despite the limitations of the interview based method, Robinson conducted primary telephone interviews with officials involved with the relevant policy making process in order to counter check the chronology established and to identify any other possible influences on policy. In addition, he examined secondary data

from the written accounts of commentators, academics and policymakers (ibid: 43).

4.2.3 Robinson's Findings

Robinson's findings are summarised in Table 3.2. In the case of Somalia, Robinson found that significant levels of news coverage occurred only after Bush's decision to deploy ground troops. In addition, this news coverage following the government's decisions was supportive of the government's decision. Thus, news coverage was found not to be a significant influence on government actions. Rather, media coverage reflected elite decisions and manufactured consent for official policy (ibid: 53-62, 121).

Case	Type of intervention	Media framing	Policy certainty	Media-state relationship
Bosnia (Gorazda 1995)	Air power	Critical and empathetic	Uncertain	Strong CNN effect
Bosnia (Feb 1994)	Air power	Critical and empathetic	Uncertain	Strong CNN effect
Intervention in Somalia in 1992	Ground troops	Supportive and empathetic	Certain	Manufacturing Consent plus enabling effect and weak CNN effect
Northern Iraq in 1991	Ground troops	Critical and empathetic	Certain	No strong CNN effect; enabling effect
War against Serbia in 1999	Non-deployment of ground troops	Apr: mixed but empathetic also May: supportive and empathetic	Certain	No strong CNN effect; impediment effect dominated whilst empathetic framing had enabling effect
Rwandan genocide in 1994	Non-deployment of ground troops	Supportive and distance	Certain	Manufacturing consent; impediment effect dominated
Modified from : Robinson 2002:118				

In the case of northern Iraq, despite intense critical news coverage of Bush's non-intervention policy, the administration insisted on a non-intervention policy until geo-strategic concerns propelled first air power, and then ground troop deployment, in order to resolve Turkey's refugee's crisis. At this point, the empathetic-framed coverage had an enabling effect by helping justify the US government's intervention (ibid: 63-71).

On the other hand, a different phenomenon was identified in the two instances of intervention in Bosnia. A combination of critical and empathetic-frame news coverage and policy uncertainty was found before the US government's threat to use force in 1992. Thus, news media were likely to influence the decision to intervene (ibid: 78-84). In the case of Gorazde, Robinson found similar patterns of policy-uncertainty. Critical and empathetic-framed media coverage was followed by air power intervention in February 1994 market-place bombing. Thus, news coverage influenced these two cases (ibid: 86-92).

In addition, Robinson argues that policy certainty is the stronger variable compared to media framing (ibid: 119). This argument is supported by the case of Kosovo in 1999. Although the overall coverage was mixed in April, there was critical and empathetic-frame newspaper coverage which did not alter the government's non-intervention policy. The case of Iraq also showed that policy certainty was more important than media framing. Despite the presence of critical and empathetic-framed coverage, the Bush administration avoided intervention until geo-strategic concerns surrounding the NATO ally, Turkey, and its Kurdish 'problem', forced policymakers to take military action (ibid: 119-21).

Comparing the two incidents of Bosnia and the two cases of Somalia and northern Iraq, Robinson also found other conditions of the media influencing policy. In the two cases relating to Bosnia, news coverage was able to trigger the deployment of air power. However, in the Somalia and Iraq cases, news coverage did not influence ground troop operations. Since air power intervention is less costly both politically and in terms of the risk of casualties within US forces than the deployment of ground troops,

Robinson concludes that actions that are less costly and less risky are more likely to be influenced by news coverage. Conversely, news coverage is unlikely to be a major factor in bringing about high cost and risky operations (ibid: 121-6).

In sum, Robinson argues that the existence of the CNN effect in contexts relating to foreign policy depends on two conditions. First, news coverage may influence policy only where there is policy uncertainty measured by elite disagreement. During elite debate, the news media may take sides and end up promoting particular elite groups. In this case, critical coverage of existing policy puts pressure on the government and triggers policy change. However, where there is policy certainty measured by elite consensus, critical coverage is unlikely to influence policy. Rather, media coverage will become supportive of official policy because policymakers and elites try their best to promote their decisions.

The second condition of the CNN effect is the fiscal and political cost of policy. Only relatively less costly and less risky decisions (air power) may be influenced by news coverage. In high cost and high risk operations (ground troops), news coverage is unlikely to be a major factor in decision making.

4.3 Limitations of Robinson's Work

Robinson notes a series of limitations of his work. First, in order to test the robustness of the policy-media interaction model, Robinson suggests that further cases should be researched (ibid: 126-7). Second, only the strong CNN effect was likely to be captured by Robinson's policy-media interaction model. Other effects such as weak CNN effect, the impediment effect and potential CNN effect could not be clearly verified in his study. Robinson thus suggests that further research on systematic and theoretically informed approaches to measure these types of effect are necessary (ibid: 127). Third, Robinson focused on a consensus among three policy sub-systems of US foreign policy making, namely the White House, Pentagon, and State Department. Non-elite groups were ignored. Thus, Robinson

suggests that other models concerning non-elite groups and agenda setting may be considered in further research (ibid: 129).

Finally, and perhaps most significantly, Robinson tried to establish causal links between policy certainty, media framing and policy change by means of process tracing. Although he conducted primary interviews with officials, he was not able entirely to eliminate other possible factors such as direct interaction among political elites and geo-strategic concerns in times of humanitarian crisis. Neither is he able to put forward multiple factor explanations for the intervention (ibid: 127-8). Thus, the causal relationship between news coverage and policy change remains unclear. Nevertheless, Robinson's study, as a first step in verifying media's influence on policy, identifies the main factors relevant to policymakers' decisions. (ibid: 42).

4.4 Comments on Robinson's Work

Robinson not only recognises the two-way interaction between the media and policy makers, but also suggests the importance of media framing and policy certainty measured by elite consensus. However, there are some limitations of his work. First, Robinson did not study the influence of divided framing among different media outlets. In the case of Kosovo, Robinson found mixed framing in media accounts. Newspapers criticised the government's non-deployment of ground troop while CBS and CNN showed mixed and supportive framing of existing policy.. Nevertheless, Robinson did not need to measure the influence of this divided framing as the government had a clear policy of non-deployment of ground troop in this case. However, it is hard to imagine that different media outlets always frame issues in the same way. As I mentioned in the following chapter, divided news framing can be found among media with different political stances during policy debate. Therefore, the influence of inconsistent framing in media coverage should be considered.

Second, perhaps more importantly, Robinson's model focuses on media effect on US foreign policy. As John (1998) states, one of the difficulties in policy studies is variability in the policy process in different

policy sectors. Even in the same political system of a state, different policy areas consist of different issues, different patterns of bargaining and different structures, opportunities and constraints. The relative influence of politicians, bureaucrats, interest-groups and other actors may differ in different policy sectors (John 1998:5-6). Thus, the explanatory power of Robinson's model needs to be tested by cases in a range of different domestic policy areas.

Finally, Robinson's study mainly focuses on the role of media. In my view, in order to make a further contribution to policy study, it is necessary to take account of existing policy theories in order to develop the connection between the role of media coverage and public policy theories.

Despite its limitations, Robinson's model offers a systematic means of measuring policy certainty and media framing, as well as establishing causal links between them by means of process tracing. Even though Robinson is not able completely to eliminate the possible influence of other factors, his methodological framework can be used as a screening test for possible media influence.

7. Conclusion

In conclusion, early studies of media-policy relations stress the one-way influence of media and government, and downplay the possibility that media and government may influence each other. Robinson's CNN effect model recognises the two-way interaction between media and government. Although Robinson's model, which is based on US foreign policy, needs to be tested in domestic policy areas, Robinson made at least two contributions to the study of media-policy relations. First, Robinson's methodological framework demonstrates a systematic way to study media-policy relations. Second, Robinson demonstrates the importance of two conditions in which CNN effect on policy occurs, the first of which is policy certainty and the other is media framing.

Chapter 4

Political Context and Press System in Hong Kong

1. Introduction

As mentioned in Chapter 1, this study focuses on the case of Hong Kong. This chapter provides a brief introduction to the political context and press system in Hong Kong in order to develop a conceptual framework. Tracing the development of the political and press systems over the past decades, I suggest that the ideological differentiation of the press system parallels that of the political spectrum in society. In addition, owing to the institutional design that fits in with the ‘executive-led’ principle, the Administration led by the Chief Executive (CE), with the support of the pro-government camp, has overwhelming control over the policy process. Nevertheless, the Administration is still constrained by some factors such as its sovereign state, the legal system, foreign governments and the consensus inside the pro-government camp. These features will be used to support the development of a conceptual framework and definitions of some variables in Chapter 5.

2. Political Context of Hong Kong

Hong Kong is situated at the southeastern tip of China. With a total area of 1,104 square kilometres, it covers Hong Kong Island, the Kowloon peninsula just opposite, and the New Territories, the more rural section of Hong Kong, which also includes 262 outlying islands. After the Opium War, Hong Kong Island and Kowloon Peninsula were ceded to Britain in perpetuity in 1842 by the Treaty of Nanking and in 1860 by the Treaty of Peking. On 1st July 1898, the New Territories were leased by China to Britain for 99 years by the Convention of Peking. According to the Sino-British Joint Declaration on the Question of Hong Kong in 1984, however, sovereignty of Hong Kong was returned to the People's Republic of China (PRC) on 1 July 1997. Since then, Hong Kong has become a Special Administrative Region (SAR) of the PRC. Under Hong Kong's mini-constitution, the Basic Law, and the concept of ‘one country, two systems’, the existing economic, legal and social system in Hong Kong will be

maintained for 50 years. Also, the SAR enjoys a high degree of autonomy except in matters of defence and foreign affairs (Ma 2007:136-7).

At the end of 2008, Hong Kong's population was about 6.98 million of which over 95% are Chinese. The average population density was 6,406 people per square kilometer¹. However, actual population density is much higher than this as only 25% of the land area of Hong Kong has been developed. Given such a highly compact living environment, politicians can reach their voters through community networks. This point will be discussed later.

2.1 Colonial Era

Traditionally, the British colonial government did not attempt to follow Western democratic models. King (1975:424-31) considers the art of colonial government and politics as a 'synarchy', which implies a joint administration by British and non-British rulers, the latter being mainly Chinese leaders, for the most part men of wealth. The political stability of Hong Kong was thus based on the 'administration absorption of politics', which was the process British governing elites co-opted or assimilated the non-British socio-economic elites, into the political-administrative decision making bodies, including the Executive Council (Exco, the cabinet of the colonial Governor) and the Legislative Council (Legco). On the other hand, the development of counter-elite groups was prevented (King 1975:437-8).

Before the 1980s, the most powerful and resourceful political groups in Hong Kong were those related to the Kuomintang (KMT) of Taiwan and the Chinese Communist Party (CCP) of the PRC. Thus, there was a political spectrum of pro-Beijing-pro-Taiwan. However, apart from the 1956 and 1967 riots, both parties seldom mobilised their followers to participate in Hong Kong politics. Some local groups, including the Reform Club and the Civic Association, pushed for democrat reform in Hong Kong before 1980s. However, the mobilisation power of those groups was little. Neither did

¹ Website of Hong Kong SAR Government: <http://www.gov.hk/en/about/abouthk/facts.htm>

such groups enter the political establishment such as the legislature (Ma 2007:136-7).

Since the Sino-British negotiations over Hong Kong future in the early 1980s, however, the colonial administration had developed a representative government, holding district board elections. Some social activists formed political groups to run for office in order to increase their political influence. Despite limited resources and small memberships, these groups were regarded as embryonic political parties. Political reform before and after 1997 was a focus of debate at that time. Of these political groups, some fought for a democratic political system after 1997. Thus, they formed an alliance Joint Committee for the Promotion of Democratic Government (JCPDG) in 1986, demanding introduction of direct elections to the Legco in 1988 and a more democratic formula in the Basic Law.

However, the PRC leaders intended to retain the colonial government's undemocratic bureaucratic polity in order to maintain political stability and effective governance. In addition, because of opening up the Mainland market, there was a vast investment of Hong Kong tycoons in the Mainland and an increased economic presence of Chinese enterprises in Hong Kong. Consequently, the PRC Government wielded a considerable influence over the Hong Kong business and professional sectors. Following Beijing, business elites, together with the local leftists and conservative community leaders, formed other alliances against the democrats. Since then, a political spectrum of pro-Beijing-pro-democracy had formed in Hong Kong (Holliday et al, 2004:206-7, Ma 2007:137-8).

Subsequently, these political groups transformed to political parties with a different political stance in order to run for office. The following parties belong to the pro-democratic camp: the Democratic Party (DP), the Association for Democracy and People's Livelihood (ADPL), the Confederation of Trade Unions (CTU) and The Frontier (TF) which merged with the DP in 2009. In 2006, some barristers, together with some professionals and scholars also founded the Civic Party (CP). Meanwhile, in addition to the Hong Kong Federation of Trade Unions (FTU) which was

founded in 1948, the pro-government camp includes the Democratic Alliance for the Betterment of Hong Kong² (DAB), the Liberal Party (LP) founded by business elites and the Hong Kong Progressive Alliance (HKPA).

2.2 Institutional Contexts of the Post Colonial Era

2.2.1 The Administration

Hong Kong SAR is headed by the Chief Executive (CE) who is advised on major policy decisions by the Exco, and is assisted by the principal officials³. As Li summarises, the powers of the CE can be divided into legislative power, including the introduction of legislation, budgetary powers, a package on power of veto (overriding), and non-legislative powers, including cabinet formation and dismissal and appointment of the principal officials and dissolution of the legislature (Li 2007:26).

According to the Basic Law, the CE is returned by an election committee and is appointed by the Central Government of the PRC. The first CE election committee formed in 1996 had 400 members. However, the election committee has expanded to 800 members since 2001. The Committee is composed of four 200-member sectors, each is further divided into numerous subsectors. Each of these subsectors returns a fixed number of election committee members by election or negotiation (ibid: 25). The voters of these subsectors are mainly interest groups and professional institutes such as chambers of commerce, business owners, trade unions, professionals, religious leaders, teachers and social workers. Since a majority of these groups is dominated by the pro-Beijing elites, the PRC Government has an overwhelming influence on the CE election.

Assisting the CE, the principal officials are responsible for the policy formulation and supervision of the subordinate executive department with

² In 2005, the DAB merged with HKPA and the name was changed to Democratic Alliance for the Betterment and Progress of Hong Kong, acronym DAB.

³ The principle officials consist of the Secretaries and the Deputy Secretaries of Departments, the Directors of Bureaux, the Commissioner Against Corruption, the Director of Audit, the Police Commissioner, the Director of Immigration and the Commissioner of Customs and Excise (Basic Law Article 101).

their portfolios. Before 2002, the principal officials were employed according to civil service terms. Nevertheless, according to the Article 48 (5) of the Basic Law, principal officials are nominated by the CE and appointed by the Central Government of PRC. Thus, the PRC plays a decisive role in the appointment of these officials. With the implementation of the principal official accountability system in July 2002, the principal officials are political appointees who are directly responsible to the CE. Nevertheless, the PRC Government's role in the appointment of principal officials remains unchanged.

Although the Exco had been regarded as the cabinet of the CE since the colonial era, it was made up of some principle officials and public figures who were part-time amateurs in the first five year subsequent to 1997. Thus, policy was mainly formulated by the civil service, while the Exco played a limited role at that time. However, since the implementation of the accountability system in 2002, the Exco has included all principal officials and the leaders of the three pro-government parties, namely DAB, FTU and LP, as well as some public figures. Since then, the Exco has become a key policy making body (Burns 2004:78). The consensus inside the Exco is thus crucial to policy making,

2.2 The Legislative Council

Since the colonial era, the Legco has been responsible for the enactment, amendment or repeal of laws, the examination and approval of government budgets, and the monitoring of performance within the Administration. Most of these functions and powers remained unchanged after 1997. In order to help it carry out its duties, the Legco also set up a number of panels to study policy in different areas. In addition, two committees are particularly important. The first is the Public Accounts Committee, which considers reports of the Director of Audit on the accounts of government departments and public bodies. The second is the Financial Committee, which scrutinises and approves public expenditure proposals put forward by the Administration. The Committee's two subcommittees, namely the Establishment Subcommittee and the Public Works Subcommittee (PWSC), also examine the Administration's proposals for the

creation of new civil service posts and proposals for projects in the public works programme respectively.

Since the early 1990s, some legislators have been returned by geographical constituencies (GCs) and functional constituencies (FCs) by direct election. According to the Basic Law, the ultimate aim is the election of all legislators by universal suffrage. However, the actual method for forming the Legco should be determined by the 'actual situation' in Hong Kong and in accordance with the principle of 'gradual and orderly progress'⁴. During the period before universal suffrage, the composition of the Legco was constantly changing.

The methods for forming the Legco before 2007 are stated in Annex II of the Basic Law. The Legco is composed of members returned by three types of constituency, namely, the GCs, FCs and the Election Committee (EC). The composition and the partisan distribution of the first three term of the Legco (1998-2008) are specified in Appendix I. Since the first term of the SAR Legco, pro-democracy politicians have maintained a majority of the seats returned by the GCs while the pro-Beijing or pro-government camp has dominated the FCs and EC. As shown in Appendix I, from 1998 to 2000, 40 out of 60 legislators belonged to the CE's governing coalition. From 2000 to 2004, 38 legislators were supporters of the Administration. From 2004 to 08, the number of pro-government legislators was 35. In this case, regardless of the pro-democrat camp's position, government proposals, with the support of the pro-government legislators, could be endorsed by the Legco.

In addition, any changes to the composition of the Legco after 2007 are to be decided by a two-thirds majority of legislators with the consent of the CE. Any such changes are to be reported to the Standing Committee of the National People's Congress (NPCSC) for record⁵. In other words, the

⁴ Article 68 of the Basic Law:

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_4.html#section_3

⁵ Basic Law Annex II: http://www.basiclaw.gov.hk/en/basiclawtext/annex_2.html

composition of the Legco cannot be changed without the endorsement of Beijing. Thus, constitutional reform is still under debate in Hong Kong.

2.3 Policy Process

The policy process varies from case to case. However, the formulation of policies and legislative proposals typically begin with discussions between the Administration and the relevant Legco panels, the relevant advisory committees, and in many cases, interest groups. Public consultation may be entered into by the Administration before or after these discussions. During the course of these discussions and consultations, which may last from a few months to a few years, the original proposals may be revised, suspended or withdrawn by the Administration. The executive branch then submits its proposals to the Exco and seeks the CE in the Council's approval to introduce the bill into the Legco. After endorsement by the Exco, the bill will be published in the Gazette and introduced into the Legco⁶. If the bill is passed by the Legco, it will be usually signed by the CE and gazetted. The bill then becomes the law. Similar considerations apply to the Government's budget presented to the Legco in the form of an Appropriation Bill. In some emergency cases, however, the CE and the Exco may introduce the bill into the Legco without consultation.

Since the colonial era, one of the key features of the Hong Kong Government is the 'executive dominant' or 'executive-led' principle. Although this principle is neither well defined nor clearly stated in the Basic Law, it is a central sprite of the Basic Law's political design. In short, 'executive-led' refers to vesting most of the decision making power in the CE and the executive branches while the power of the legislature is relatively limited (Ma 2007:58). As Lau (2000:4-6) and Ma (2007:58-9)

⁶ When the bill is introduced into the Legco for its First Reading, the official in charge of the bill will move the bill's Second Reading with a speech explaining the merits and principles of the bill, the Second Reading debate on the bill will normally be adjourned. The bill will then be referred to the House Committee of the Council where the members will decide whether it will be considered by a Bills Committee or in other manner. A Bills Committee thus formed will examine the detailed provisions of the bill and may consider any amendments. At the conclusion of its deliberations, the Bills Committee will report back to the House Committee to prepare for the resumption of debate on the bill. When the bill returns to the council its Second Reading debate is resumed. If the bill receives a Second Reading, it will then go through the committee stage, at which amendments can be moved, and be given a Third Reading.

conclude, there are five basic features of the ‘executive-led’ SAR Government.

1. Except for the policy entailing changes to laws or extra financial appropriations, most government policies do not need the approval of the Legco. Thus, the CE and the principal officials can manipulate their policies.
2. The CE has a wide range of powers concerning appointments, including the power to appoint judges, members of the Exco, principal officials, members and chairs of policy commissions, boards of public corporations, advisory committees and some District Council members. Except for the appointment of judges, the approval of the Legco is not required⁷. In other words, the CE can influence policy making through the control of key personnel of key policy making bodies.
3. According to Article 72 (2) of the Basic Law, Government bills have priority for inclusion in the Legco agenda. Moreover, all bills passed by the Legco are effective only after they have been signed and promulgated by the CE⁸. By contrast, the powers of the Legco are limited. Legco members can introduce private bills which do not relate to public expenditure, political structure or the operations of government. If the CE considers a bill ‘not compatible with the overall interests’ of Hong Kong, he can return it to the Legco for reconsideration. The CE can dissolve the Legco if he refuses to sign a bill passed the second time by the Legco, or the Legco refuses to pass the annual budget or any important government bills⁹. Thus, not only can the CE intervene in the Legco agenda, but he also has to power to reject bills passed by the Legco and can dissolve the Legco when there is a strong disagreement between the Administration and the Legco.

⁷ Article 73 and 89 of the Basic Law:

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_4.html

⁸ Article 72 (2) of the Basic Law:

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_4.html

⁹ Article 49 and 50 of the Basic Law:

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_4.html

4. Legislators' private bills relating to government policies cannot be introduced until written consent of the CE is provided¹⁰. Even if a private bill passes over all these hurdles, it is unlikely to be passed by the Legco without the support of the pro-government camp. According to Annex II of the Basic Law, on the passing of bills introduced by the Administration, a simple majority vote of the legislators present is required. However, the passing of motions, bills or amendments to government bills introduced by individual legislators requires a simple majority vote of each of the two groups of legislators present: those returned by FCs and those returned by GCs and by the EC¹¹. Although the pro-democrat camp continues to have a majority of GC legislators, most FCs and the EC are both dominated by the pro-government camp. In these circumstances, it is difficult for the democrats to propose any private bills and amendments to government bills.
5. As mentioned above, the CE is returned by an election committee and is appointed by the PRC. Although the election committee consists of the 60 legislators, including those from the pro-democrat camp, they are just a minority in the committee. Thus, the Legco have little influence on the election of the CE.

2.4 Constraints on the Administration

Although the CE, together with the Administration, has the overwhelming advantage of the institutional setting, some constraints are placed on their powers. Among these constraints, I suggest four to be of particular importance.

2.4.1 Legal System

Since the colonial era, the common law system as found in Britain has been applied to Hong Kong. Under the principle of common law jurisdiction, members of the judiciary are independent of the executive organ of government in the performance of their judicial duties. The

¹⁰ Article 74 of the Basic Law:

http://www.basiclaw.gov.hk/en/basiclawtext/chapter_4.html

¹¹ Annex II of the Basic Law: http://www.basiclaw.gov.hk/en/basiclawtext/annex_2.html

exercise of power to govern is itself accountable to the law. According to the principles of the Rule of Law, the SAR Government may only exercise those powers that are authorised by law and in the manner laid down in law. The other principle of the Rule of Law is judicial independence where the judiciary is independent of the executive authorities, the legislature and all external bodies in adjudication (Tai 2007:60-1). In addition, despite the political, economic and social impacts of rulings, courts are concerned only with what is legally valid with reference to the relevant constitutional and statutory provisions and applicable common law principles¹².

Judicial independence is evidenced in previous studies. Having considered several politically controversial court cases in the aftermath of Hong Kong's transition to Chinese rule, Chan (2002:94-5) suggests that, on the whole, Hong Kong courts have retained their impartiality and independence. Thus, the Administration is constitutionally constrained by the court's rulings which are supposed to be made impartially. From this perspective, despite its institutional power provided by the executive-led system, the Administration is constrained by the legal system. The influence of the legal system on policy will be further discussed in the case of Central Reclamation.

2.4.2 Consensus inside the Pro-government Camp

The Administration, together with the pro-government camp, has overwhelming power to manipulate policy. However, each of the pro-government parties and individuals has different interests and different political stances. As Chu (1995 cited in Ma 2007: 60) suggests, the diverse backgrounds of the pro-government parties make elite integration difficult. For example, although the LP, representing the interests of various business sectors, usually supports the government, they oppose any policy which may damage business interests. As a loyal supporter of the Administration, the DAB mainly targets grass-roots voters. However, one of the DAB legislators, Choy So-yuk is eager on environmental and heritage issues, and seldom follows the DAB in cases related to these areas (interview on 21

¹² Overview of Hong Kong's judicial system, website of the HKSAR Judiciary: http://www.judiciary.gov.hk/en/publications/pdf/hk_jud/chapter1.pdf

May 2007). The FTU and the DAB have similar political positions and voter bases. However, the FTU plays particular attention to cultural, heritage and labour issues (interview with Chan Yuen-han on 23 May 2007). Thus, the FTU's views on these issues may be different from those of the DAB. If there is a high level of disagreement between the Administration and the pro-government parties, government proposals can never be endorsed by the Legco.

2.4.3 Sovereign State

Under the Basic Law, and the concept of 'one country two systems', the Hong Kong SAR enjoys a high degree of autonomy except in defense and foreign affairs. However, as mentioned above, the CE, the principal officials and the Chief Justice of the Court of Final Appeal are all appointed by the PRC Government. Under the Basic Law, unofficial members of the Exco are appointed by the CE. In practice, however, nominations are submitted to Beijing beforehand. Only people of the right political persuasion who have the blessing of Beijing will be selected. Thus, the top level personnel in the SAR Administration are tightly controlled by the government of the PRC. In addition, the right to amend the Basic Law, guiding the interpretation of its most sensitive sections, and to enact national law legislation that is applicable to Hong Kong belong to the National People's Congress (NPC), its Standing Committee (NPCSC), and the PRC Government.

The PRC Government also continues to deal with pro-Beijing groups in Hong Kong such as the flagship pro-Beijing party, the DAB and the FTU. The Liaison Office of the Central Government in Hong Kong also plays an active role in liaison with local communities and unions in Hong Kong. Every time the SAR Government proposes a new policy, these communities and unions will be mobilised to support the government. Thus, even though the SAR Administration always stresses its autonomy, it is believed that any important policies proposed by the SAR Government have to be endorsed by Beijing beforehand. This point will be further discussed in the case of Article 23.

2.4.4 Foreign Governments

As an international financial and business centre in the region, foreign investors traditionally have played a critical role in Hong Kong since the colonial era. Western pressure is found not only in relation to political issues, but also concerning economic interests. According to the 'World Investment Report 2004', by the United Nations Conference on Trade and Development (UNCTAD), Hong Kong retained its position as second to Mainland China in foreign direct investment (FDI) inward stock, with a total higher than the next five Asian markets combined. The FDI flow to Hong Kong in 2003 reached US\$13.6 billion¹³. Of this, over half came from western countries¹⁴.

Western countries are concerned about the decline of 'continuity' including liberty and autonomy following Hong Kong's handover. For example, the European Parliament is concerned not only about fair competition, but also human rights in Hong Kong. Defending its enormous political and economic interests in Hong Kong, Washington also stresses the importance of export controls and law enforcement by Hong Kong and pays a high level of attention to the economic status, rule of law and human rights conditions of Hong Kong. In fact, surveys conducted by the SAR Government in 1999 and 2000 showed that a number of multinational companies, that set up their regional offices in Hong Kong, were concerned about the possible deterioration in government economic policy, political climate and rule of law (Ting and Lai 2007:272-7). Hong Kong's image relating to these issues is particularly significant in terms of foreign investors' confidence in Hong Kong. Although the views of western countries may only have a limited influence on domestic public attitudes, the western business elite's confidence in Hong Kong may be influenced by comments made by western governments. This influence will be discussed in the case of Article 23.

¹³ Administration press release on 24 September 2004:
<http://www.info.gov.hk/gia/general/200409/23/0923106.htm>

¹⁴ Website of Invest Hong Kong: <http://www.investhk.gov.hk/pages/1/350.html>

2.5 Summary

In sum, since the development of representative government in the 1980s, the political spectrum in Hong Kong has transformed from pro-Beijing and pro-Taipei to pro-Beijing and pro-democracy categorisation.

Thanks to institutional design in accordance with ‘executive led’ principle, the Administration led by the CE has overwhelming powers in the policy process. Most government policies, except from those entailing change in laws or extra financial appropriations, do not need the approval of the Legco. In addition, government proposals can be endorsed by pro-government legislators regardless of the pro-democrat camp’s position. In other words, government policy, which has been endorsed by the Legco or is under implementation, can be completely manipulated by the Administration. Government proposals can be endorsed by the Legco when there is a consensus between the Administration and the pro-government parties. The pro-democrat camp, as a minority of the Legco, plays a relatively limited role.

Nevertheless, the Administration is constrained by at least four factors, namely, the independent judiciary and rule of law, the PRC Government, pressure from foreign governments and the consensus between the Administration and the pro-government camp.

3. Media System in Hong Kong

3.1 Overview

The media system in Hong Kong is dominated by privately owned companies. The television, radio and newspaper industries are all highly developed and these three strands of the media provide the most important sources of information. The broadcasting service is licensed and monitored by the government and government agencies. Whilst numerous channels are provided by satellite and cable television, the television market in Hong Kong is dominated by two commercial television organisations, namely the Television Broadcasts (TVB) and the Asia Television (ATV). These two companies focus on the local market and enjoy a huge audience. The Radio

Television Hong Kong (RTHK), the only public broadcaster in Hong Kong, is a government department. However, because of not having its own television channel, the RTHK plays a relatively limited role in the television market as its programmes are shown on channels operated by the commercial broadcasters. The TVB and ATV also provide some news and public affairs programmes and provide the most important information sources for the general public¹⁵. However, television adheres closely to the principle of political neutrality (Chan and So 2002: 254-6).

There are also three radio broadcasters in Hong Kong. While the RTHK is owned by the government, Commercial Radio and Metro Radio are private enterprises. All these organisations provide a fair amount of news and public affairs programmes. A previous study also shows that, among these, radio phone-in talk shows are particularly important. Programme hosts representing particular points of view on political issues debate on air with the callers from the general public, thus influencing public opinion (Lee 2002). Nevertheless, as mentioned in Chapter 5, most policymakers interviewed considered newspapers as their most important news source. Thus, the study focuses on the press's influence on policy making.

The market for printed media enjoys almost complete freedom. There are over 50 local and foreign newspapers available in Hong Kong. In 2009, there are 15 major local daily newspapers. In terms of political tendency, they can be categorized as Pro-Beijing papers, pro-democrat papers and the number of 'centrist' commercial papers in between. In terms of market position, they can be classified as popular and elitist papers. The market positions and political tendencies of these 15 newspapers are summarised in Appendix II.

¹⁵ According to the regular survey conducted by the Public Opinion Programme of the University of Hong Kong, in the period between 1994 and 2008, the percentage of people claiming television was their main source of news remained higher than those giving newspapers as their news source. In 2008, for example, 34% and 30% of respondents claimed that their main sources of news were television and newspapers respectively. (<http://hkupop.hku.hk/chinese/popexpress/press/main/yr/datatables.html>)

3.2 Development of the Press in Hong Kong

The development of the press system in Hong Kong is associated with changes in the political spectrum. In the first one hundred years of British rule, the Hong Kong government concerned itself primarily with the affairs of the British and the non-Chinese community, even though this community never exceeded a small percentage of the total population (Tsang 1997: 65-66). While the senior officials were British expatriates, media elites, especially owners of the press, were mainly Chinese intellectuals who spoke different languages in touch with different social networks. Moreover, the press in Hong Kong was highly involved in mainland China and Taiwan rather than Hong Kong affairs. Partisan newspapers, including the pro-Beijing 'leftist' papers and pro-Taipei 'rightist' papers were controlled by the CCP and the KMT respectively, not by local parties in Hong Kong. As the political ideology was divided according to the Mainland and Taiwan continuum, rather than on Hong Kong issues, there was no need for the colonial Administration to intervene in the press (Kuan and Lau 1999: 278-80).

As mentioned above, the most important political groups in Hong Kong before the 1980s were those related to the KMT and CCP. From this perspective, the political spectrum in society is consistent with the media's ideological differentiation. In Hallin and Mancini's (2004:26-30) words, there was a political parallelism.

Following large-scale and politically inspired riots in 1967 which was an overspill of the Cultural Revolution in China, the colonial Government took a series of initiatives such as the creation of the District Officer system and the substantial expansion of the network of advisory committees (Cheung and Louie 2000:64). The Government also took initiatives to improve relations with the public and the media. Subsequently, the focus of the press shifted from Chinese politics to the local community by providing greater coverage of local news. A group of popular-centrist newspapers also emerged and quickly occupied a centrifugal position in the market in the 1970s (Kuan and Lau 1999: 280; Lee 2000: 292). Those centrist papers, represented by the Sing Pao Daily News (SPDN), the Ming

Pao Daily News (MPDN) and the South China Morning Post (SCMP) were usually pro-Hong Kong, supporting social stability and prosperity (So and Chan 1999:10). Since then, the left-centre-right political spectrum of the press was formed in Hong Kong.

Since the rise of the problem of Hong Kong's future in the mid-1980s, both the British Hong Kong Administration and the PRC authorities had adopted a policy of co-optation to gain the support of the local media. The PRC authorities, through politicians, agents and other information sources, offered trips to the mainland and invitations to insider briefings to proprietors and heads of news desks. The colonial government also gave special honors to news proprietors and senior journalists. At the same time, the newspapers increasingly focused on local affairs, particularly the centrist-popular press while the partisan newspapers were further marginalised (Lai 2007:10; 14-5). Nevertheless, the left-centre-right spectrum of the press basically remained unchanged at that time.

At this time, most family owned newspapers underwent changes: incorporation and extension to non-media businesses. These diversified family run businesses also extended into various markets including mainland China. Since entry to the mainland market was highly restricted by the government, the newspaper owners avoided criticising the PRC authorities in order to secure investment on the mainland (Fung 2003: 197-8).

In addition, the press market in Hong Kong was isolated from free competition, pre-stipulated and structured by the three best selling centrist-popular-centrist newspapers, namely the Oriental Daily News (ODN), the SPDN and the Tin Tin Daily News (TTDN), which together had two-thirds of the market and half of the total advertising profit. These newspapers, alongside other newspapers and distribution agents, established the Joint Newspaper Society of Hong Kong, which constituted a cartel to regulate their retail prices, sharing their advertising profits, dividing and targeting different niche markets. Under the shelter of the cartel, the market was

highly segmented and stable as the newspapers competed in concert with each other (Fung 2003:193-6).

However, this stable market was upset in mid-1995 when Jimmy Lai, the owner of Next Media Group, launched a popular newspaper, the Apple Daily News (ADN) which successfully attracted readers with its eye-catching graphic design, gossip, sex and crime-related stories and relatively low selling price. As a result, the newspaper soon built up a daily circulation of 300 thousand and cut into the leading positions of the ODN and other popular papers. In response to this, other newspapers, including leading ones, became engaged in a price war. In this case, the cartel was broken. Although the price war led to an overall increase in newspaper circulations, newspapers' profits fell dramatically. Newspapers also modified their layouts in order to mimic the ADN's format which required huge capital expenditure. In 1996, the price war was stopped when all newspapers, including the ADN raised their prices to their original levels although some papers occasionally offered special prices. However, only the capital rich newspapers survived, while several publications, including some rightist papers, with low circulations, closed down (Fung 2003:207-10).

This price war not only promoted free competition in the press market, but also changed the political spectrum of the press. Some previous studies consider the ADN as a 'pro-Hong Kong' centrist paper (Chan and So 2000:255) or liberal pro-Hong Kong paper (Chan and So 1999:14). However, Jimmy Lai is well-known for his anti-Communist stance. Treating political agenda and anti-Communist feeling as salable items, the ADN took advantage of the weaknesses of its competitors, which had been recoiling from confronting Beijing. The ADN also supported the pro-democrat camp and criticised some other politicians and business tycoons (Lee 2000:306-7). After 1997, the ADN became even more critical of the SAR Administration and the CE, Tung Chi-hwa (Lee 2004: 222). Thus, in this study, the ADN is regarded as a pro-democrat paper. At the same time, after 1997, the PRC authorities continued their co-optation policy. For example, the owners of the ODN and the STDN were appointed as the members of National Committee of Chinese People's Political Consultative Conference (CPPCC).

Since then, these centrist papers have become relatively conservative, avoiding clashes with the PRC Government, although they have not become markedly pro-Beijing or pro-Government.

From this perspective, since the rightist newspapers faded away after the price war, the left-centre-right group within the press has been replaced by the pro-Beijing (or pro-Government)-centrist-pro-democrat classification. As mentioned above, a political spectrum of pro-Beijing-pro-democracy has formed in Hong Kong since the late 1980s. In this sense, since the launch of the ADN, the structure of the press system has again paralleled that of the political spectrum.

3.3 Organisational Influence on News Framing

It can be argued that journalists uphold 'professional ethics'. According to the joint code of professional ethics promulgated in June 2000 by four major journalists' associations¹⁶, freedom of speech is a basic human right. As an integral part of freedom of speech, press freedom should be upheld by journalists. They should stand up to political pressures or financial inducements and not succumb to self-censorship. Owners and executives, especially of media organisations, also have the responsibility to encourage and require staff to adhere to these principles¹⁷.

In this sense, despite the political standpoints of news organisations, journalists may decide on news framing according to their values and their 'professional code'. This argument is supported by a survey carried out in 2001. According to this survey, about 79% of journalists believe that it is important for the media to monitor the government, while 78% claim that it is important for the media to be the mouthpiece of the people (Chan and So 2003: 259-61). As Chan and Lee (2007:158-9) suggest, the survey shows that most journalists hold a liberal-democratic conception of the press which

¹⁶ The four major journalists' associations are the Hong Kong News Executives' Association (HKNEA), the Hong Kong Federation of Journalists (HKFJ), Hong Kong Journalists Association (HKJA) and Hong Kong Press Photographers Association (HKPPA).

¹⁷ Website of the Hong Kong Press Council: www.presscouncil.org.hk

emphasises a watchdog function of the media in monitoring political leaders and other power holders.

However, news coverage is not the result of journalists' personal preferences. Rather, news media are based on large, multitiered organisations in which top editors and producers fashion, edit, release news story as they see fit. Thus, journalists have to learn to write compelling stories that get published or broadcast (Sparrow 1999: 103-37). In this case, journalists have to adopt the norms of their organisations. This organisational influence is supported by interviews with four journalists working for three selected newspapers, namely the MPDN, the ODN and the ADN. According to all four journalists, when they decide on framing news articles, the chief considerations are 'news values' which refer to the latest developments of issues, the impact on people, human interest and moral and political values. In most cases, the mid-level management and front-line journalists decide on the framing of news stories on their own. Top level management, including chief editors, deputy chief editors as well as newspaper owners, seldom interferes with mid-level and front-line journalists' judgments (interview with Journalist A on 29 January 2008; Journalist B on 30 January 2008; Journalist C on 30 January 2008, and Journalist D on 10 February 2008).

Nevertheless, the degree of this autonomy depends on two factors, namely the significance of particular news issues, and the political stance and culture of specific organisations. If an issue is controversial or associated with the newspapers' standpoints, top management will play particular attention to news framing, giving instructions and deciding on the quantity and the tone of relevant news articles. Sometimes, journalists are ordered to rewrite their articles in order to meet these requirements (*ibid*).

At the same time, journalists do not simply follow the instructions from top level management. Rather, they search out a space where they can insist on presenting their own views. As far as such matters are concerned, organisational culture is crucial. In some newspapers such as the MPDN, according to Journalist A and D, disagreement among front-line journalists

and top management is not unusual. At times, frontline journalists follow the instructions of their bosses while at other times top management follows the advice of their subordinates. On the other hand, according to journalists A, B and C, in some newspapers, top management plays a decisive role in most cases. Sometimes, the newspaper owners even revise the news titles on their own, giving very clear instructions via mid-level management to support some areas of policy or criticise particular politicians. In these circumstances, the tone of news coverage is mainly decided by top management (ibid).

The other consideration affecting news framing is market pressure. Although journalists seldom have direct contact with their readers, all the four journalists claimed that they always take account of target readers' preferences. Journalist A and B claimed that the ODN readers were mainly from the grassroots. Thus, their articles are usually short, clear and shallow. Political stance, however, is seldom considered if no instructions are issued by the top level. Readers of the ADN, according to journalist C, are relatively young, well-educated and pro-democrat. In this case, coverage usually supports pro-democrat politicians and their movements although the paper intends to run short, straightforward articles (ibid.).

The tension between front-line journalists and top management is further supported by interviews with politicians. Politicians such as Chan Yuen-han (interview on 23 May 2007), Choy So-Yuk (interview on 21 May 2007), Selina Chow (interview on 16 January 2008), Jasper Tsang (interview on 17 January 2008), Tam Yiu-chung (interview on 16 January 2008) said that coverage was beyond their expectations though they believed that frontline journalists understood and accepted their views. A typical example is the inconsistency between news text and title. In such cases, politicians felt that news articles reflected their views accurately while the title was framed in a completely different way. Although this could be the result of technical errors, politicians believed that the views of top management and editors were crucial in some cases.

Taking all of these factors into account, despite professional ethics and journalists' own values, frontline journalists do not always decide on news framing independently. Rather, the top management of news organisation plays a crucial role in the formulation of news framing, particularly when an issue is under debate or relevant to the organisations' own views. Journalists also consider the newspaper's target readers when they make decisions on the journalistic style of news articles. In this sense, the market positions of newspapers and the political stances of organisations are both crucial to news framing.

3.4 Summary

In short, the development of the press system in Hong Kong basically parallels that of the political spectrum in society. When the pro-democrat parties emerged and the pro-KMT groups faded away in the 1990s, the pro-democrat paper, the ADN successfully entered the market and the pro-KMT press closed down. The left-centre-right spectrum of the press was replaced by the pro-Beijing – centrist – pro-democracy paradigm.

Moreover, there is evidence to show that the market positions and political stances of newspaper companies are crucial factors affecting news framing particularly when an issue is under debate and related to the newspaper company's views. Thus, it is expected that news framing varies between newspapers with different market positions and political stances.

Chapter 5

Conceptual Framework and Methodology

1. Introduction

Drawing on insights from previous studies, in this chapter, I put forward a conceptual framework which incorporates various elements of public policy theories into Robinson's (2002) CNN effect model. According to this framework, the media's influence on policy is specific to a series of conditions, namely news framing, the consistency in framing among media outlets, and policy certainty measured by elite consensus and policy stage. In addition, I suggest examining several factors, including long-term and short-term public views on the Administration and its policy, institutional context of policy, and policymakers' beliefs and strategies.

In order to test the hypotheses of this framework, I define the hypothesised conditions of media effect, and then propose some research methods, namely framing analysis, in-depth interviews, process tracing and comparison across cases. Data derived from these methods is triangulated in order to ensure the validity of the findings. Finally, the criteria for the selection of the media outlets and case studies are discussed.

2. Conceptual Framework

This thesis hypothesises that news coverage of government policies or proposals can influence public opinion, and place pressure on the policymakers. Consequently, government's actions or policies can be changed. However, the level of media pressure is associated with several factors. Two of these factors were borrowed from Robinson's (2002) CNN effect model. First, media pressure on policymakers is significant only when news framing is critical of the policy under debate. By contrast, policy is unlikely to be influenced when news framing is supportive or mixed. Second, in an elite debate, the media can pick up on and magnify the ideas of particular groups. In this case, the media run critical coverage of government policy, triggering policy change. In other words, media

influence is likely to occur only when there is a relatively low level of policy certainty measured by elite consensus. By contrast, when there is a high level of policy certainty measured by elite consensus over an issue, policymakers will try their best to promote their ideas. Thus, media coverage tends to follow official policy. In Robinson's (2002:14-15) words, there is a two-way interaction in which the media and the policymakers may influence each other.

As mentioned in Chapter 3, some studies of war policy (Entman and Page, 1994; Althaus, 2003) suggest distinguishing between substantive and procedural criticisms. However, I argue that this classification is not appropriate for this study for two reasons. Firstly, due to the complexity of domestic policy debates, the borderline between substance and procedural criticisms is unclear. For example, in the case of Article 23, although criticisms rarely challenged the administration's goals for national security, media coverage described the government's proposal as a 'draconian law'. Similarly, during the debate on Goods and Services Tax (GST), news coverage rarely questioned the narrow tax base problem. However, the coverage completely opposed the introduction of the new tax. In the cases of Central Reclamation Phase III (CRIII) and the old Star Ferry Pier (OSFP), the situations were even more complicated as there were a few subjects under debate at the same time. On the one hand, critical coverage emphasised the administration's inadequate level of consultation, rarely challenging the need for resolving traffic congestion. These criticisms seemed to be procedural. On the other hand, the criticisms presented fundamental a challenge to existing town planning policy and consultation mechanisms. Thus, these criticisms were substantive. In this sense, it is difficult to distinguish between substantive and procedural criticisms.

Secondly, this study finds that policymakers' understanding of critical coverage is usually much more complex than the procedural-substantive classification. For example, during the debate on Article 23 legislation, some critical coverage focused on the inadequate level of consultation of the government's proposal, urging the administration to launch re-consultation by issuing a white bill. From these perspectives,

these criticisms were procedural rather than substantive. However, the administration felt that the media tended to topple legislative plans (interview with Cheng Yiu-Tong on 2 January 2008) and that the opponents' arguments were merely strategies to play for time and magnify the voices opposing legislative plans¹. In the case of the OSFP, the administration also doubted that the opponents had initiated the campaign against the government project because they hoped to attack the administration before the Chief Executive election (interview with a government official requesting anonymity on 22 January 2008). From these perspectives, the substantive-procedural classification may over-simplify the context of the domestic policy debate. The validity of this classification is thus problematic.

The third hypothesised factor of media influence is policy certainty measured by policy stage. This factor is developed from Robinson's idea that policy uncertainty can be defined by the absence of policy or wavering of policy (ibid: 26-7; 135-6). I suggest that absence and wavering of policy are caused by the stages of policy. It is because the institutional contexts of policy vary from stage to stage. At a relatively early stage such as consultation and legislation, policy is uncertain because there is an opportunity for politicians and the public to express their views on policy. Thus, it is relatively easy for critical coverage to put pressure on policymakers, triggering policy change. There is also room for the Administration to adjust the policy at relatively low fiscal and political costs. By contrast, policy becomes relatively certain when it has been endorsed by the Legco or is being implemented. In this case, there is no official channel for legislators to influence late-stage policy. Moreover, since adjustment of existing policy may affect other relevant policies, the fiscal and political costs of change are relatively high.

In addition, some researchers, such as Baumgartner and Jones (1993) play down the possibility and influence of divided framing among different media. However, it is dangerous to assume that different media always frame an issue in the same way. According to Hallin and Mancini

¹ MPDN, 25 December 2002, page A04.

(2004:208), although partisan papers are not common in the U.S, many American newspapers have relatively consistent political orientations as shown in their editorial stances. A previous study also shows that American newspapers tend to allocate more resources on news coverage that is consistent with their editorial policy (Nacos, 1990 cited in Hallin and Mancini 2004: 208). In this case, inconsistency in news framing among media outlets with different political stances is possible during a policy debate.

Therefore, I hypothesise that media influence is associated with media consensus on negative framing, which refers to consistency in framing among different media outlets. This hypothesis is based on Entman (2000:21-2) and Kull and Ramsay's (2000:105) findings that members of the Senior Executive Service and other policymakers tend to get a sense of public opinion from the media. Thus, when all the media outlets with different political stances and market positions run critical coverage of a particular issue simultaneously, policymakers will perceive a high level of public pressure.. In this case, it is relatively easy for news coverage to trigger policy change. By contrast, when news framing is inconsistent among different media outlets, policymakers will perceive mixed or divided public opinion. Thus, media effect on policy is limited.

In addition to these hypothesised factors, I draw some insights from existing public policy theories. The first of these is policy image according to Baumgartner and Jones's (1993) punctuated equilibrium model. As mentioned in the previous chapter, policy image refers to the public understanding of a particular policy or issue. According to Baumgartner and Jones, when there is a negative image of an existing policy, any criticisms can easily be magnified by the opponents. Following this argument, I hypothesise that government officials become particularly sensitive to negative coverage when there is a long-term negative image of an issue which has existed for years before the policy debate. Otherwise, opponents will take the opportunity to magnify their voices in order to attack government policy.

According to Baumgartner and Jones, policy image is not an independent variable. Rather, it is changed by the shifting attention of the media (Baumgartner and Jones, 1993:50, 103). In this sense, policy image is a dependent of the tone of media coverage in the long run. However, this study mainly focuses on short-term media effect on policy over a period of months. Thus, I suggest that long-term policy image can be considered to be an independent variable in a short-term policy debate.

In addition to the long-term image, two kinds of short-term public opinion in a policy debate are examined. The first one is government popularity, which relates to public attitudes towards the government during a policy debate. The second is the public's attitude towards the policy or issue under debate. I hypothesise that policymakers become relatively sensitive to critical coverage where there are unfavourable public attitudes towards either the Government or its policy. Similar to long-term policy image, short-term public views during policy debates are not independent variables. Rather, these views can be influenced by numerous factors such as news coverage, the economy and political events. Policymakers also try to influence public views by all means. In this case, public views may fluctuate during policy debates. However, it is reasonable to suggest that policymakers proactively monitor these two kinds of public views during a policy debate. When any one of these views is unfavourable at a particular time, the Administration and the pro-government camp will become relatively sensitive to the criticisms, including those by the media, in order to avoid being further attacked. Otherwise, politicians will be punished by their voters at elections.

Although this study aims to examine the media's influence on policy, it is dangerous to assume that all changes in policy are triggered by news coverage. In order to avoid overstating the importance of media coverage, I suggest examining several factors of policy change. The first one is policymakers' ideas and beliefs. Beliefs refer not only to values and understandings of an issue, but also to political tendency. This factor is examined because the data derived from interviews with policymakers

shows that belief is the chief consideration of most policymakers during policy debates. This point will be returned to later in the thesis.

Previous studies also demonstrate the significant role of beliefs in the policy process. For example, according to Sabatier's Advocacy Coalition Framework, political actors achieve their objectives in the policy process. Thus, policy can be conceptualised in the same way as a belief system, 'including value priorities, perceptions of important causal relationships, perceptions of world state, perceptions of the efficacy of policy instruments' (Sabatier 1988:131-2). Shared beliefs not only provide the principal 'glue' allying political actors within a policy subsystem², but also determine the direction in which the subsystem will seek to move governmental programmes (ibid:141-3). In other words, beliefs not only determine the direction of actors' actions, but also enable cooperation among actors from various sectors.

The other factor to be considered is institution. As new institutionalism suggests, institution refers not only to formal rules and compliance procedures, but also operating practices that structure the relationship between individuals in various units of the polity and economy (Hall, 1986:19). However, political actors are not simply constrained by institutional factors. Rather, according to institutional rational choice theory, actors usually act tactically in order to maximise payoffs within their institutional positions (John, 1998:125-6). Thus, the strategies of policymakers in different institutional positions are examined.

In short, this thesis hypothesises that the media may influence policy process only under particular conditions, including substantial critical news coverage, a high level of media consensus on framing, a relatively low level of policy certainty measured by elite consensus and policy stage. Moreover, when short-term or long-term public attitudes towards government and its

² Sabatier suggests that the most useful aggregate unit of analysis for understanding policy change is a policy subsystem, which is the coalition of actors from a various public and private sectors who are actively concerned with an issue. A policy subsystem includes actors at various levels of government active in policy formulation and implementation, as well as journalists, researchers, and policy analysts (Sabatier 1988:131).

policy remain unfavourable, the government will become relatively sensitive to critical coverage. Media influence will be enhanced in this case. In addition to media effect, I suggest examining several possible factors affecting policy, including institutions and policymakers' beliefs and strategies.

3. Methodology

3.1 Defining Variables

In order to test the hypotheses of this study, it is necessary to define the factors or variables of the conceptual framework and the approach to measuring. The classification and measuring approaches of these variables are summarised in Table 5.1.

3.1.1 Policy Change

The first variable is policy change. In his study of the CNN effect, Robinson recognises that policy outcome can be classified into low change (air power) and high cost (ground troops) changes. However, in his study of US military interventions in cases of humanitarian crisis, the policy outcomes are basically considered to be action and inaction (Robinson 2002:121-6). In the case of domestic policy changes, however, there are many kinds of policy outcome. For example, as Baumgartner and Jones suggest, policy change can be classified as change in the agenda of policy making institutes, such as parliament and government committees, alternations in structure of policy making, expenditure patterns and changes in activities, including the routine operations of government agencies and officials (Baumgartner and Jones, 1993:54).

Following the definition by Baumgartner and Jones, I relate policy change to actual changes in the actions of government and policymakers. In addition, I suggest that policy change can be classified into two major categories according to the fiscal and political costs involved. Changes to the agenda of the government, the Legislative Council (Legco) and other policymaking bodies usually involve limited fiscal and political costs. Thus, these are considered to be low cost changes. Sometimes, the Legco also

passes a motion for or against a government policy. Although pressure on the Administration may be created, such motions have no legal force. Thus, they are also considered to be low cost changes. By contrast, some policy changes involve relatively high fiscal and political costs. Such initiatives include changes in routine operations and agency budgets, alternation of policymaking structures, and the amendment and withdrawal of government policy and proposals. In this study, policy change is traced by studying government and parliamentary documents as well as news materials.

Variable/factor	Classification	Approach to Measuring
Policy change	<ul style="list-style-type: none"> • Low Cost change <ul style="list-style-type: none"> ○ Agenda change ○ Motions passed by Legco • High cost change <ul style="list-style-type: none"> ○ Routine action change ○ Budgetary change ○ Withdrawal/amendment of official policy/proposal ○ Alternation of policy making structures 	<ul style="list-style-type: none"> • Textual analysis of government & parliamentary documents as well as news materials
Media Framing	<ul style="list-style-type: none"> • Supportive or Critical or Neutral 	<ul style="list-style-type: none"> • News article and keyword count
Policy certainty measured by elite consensus	<ul style="list-style-type: none"> • High or Low 	<ul style="list-style-type: none"> • Comparative approach
Policy certainty measured by policy stage	<ul style="list-style-type: none"> • High or Low 	<ul style="list-style-type: none"> • Comparative approach
Media consensus	<ul style="list-style-type: none"> • High or Low 	<ul style="list-style-type: none"> • Comparative approach
Long-term policy image	<ul style="list-style-type: none"> • Positive or negative 	<ul style="list-style-type: none"> • In-depth interviews with politicians • Textual analysis of official's speeches
Short-term government popularity	<ul style="list-style-type: none"> • High or Low 	<ul style="list-style-type: none"> • Survey data of independent institutes
Short-term public attitude toward government policy	<ul style="list-style-type: none"> • Positive or Negative 	<ul style="list-style-type: none"> • In-depth interview with politicians • Survey data of various parties

However, some actions of the government and the Legco are not considered to be policy changes. Such actions include legal proceedings and the implementation of government decisions. Also, press and verbal

statements involving no actual actions of the government are not considered to be policy changes.

3.1.2 Media Framing

The definition and approach to studying news framing have been adapted from those found in Robinson's (2002) study. In this study, there are three basic kinds of news framing:

- Supportive or positive framing refers to the way in which government policies or proposals are supported while the role of opposition is downplayed.
- Critical or negative framing refers to a narrative in favour of opinions expressed against government policy or proposals being emphasised while supportive voices are marginalised.
- Neutral or descriptive framing is the narrative in which supportive and critical voices are balanced. Descriptive narratives concerning technical or procedural issues are also considered to be neutrally framed.

In this study, media framing is analysed through a combination of qualitative and quantitative analysis of news coverage. News articles concerned and keywords in those articles from the selected media outlets are searched and then coded according to different framings. The overall framing of news coverage is determined from the combined results of the article and keyword counts.

In each case study, a coding frame for the article count was designed according to the arguments put forward by the proponents and opponents of government policy. The framing of coverage can be determined only if at least half of articles are coded with a particular frame. Otherwise, the framing is considered to be mixed. Similarly, a keyword list is developed according to words related to positive and negative framing. News framing is determined only if the keywords related to a particular framing outnumber those of the other framing. The overall framing of the coverage is determined only if the result of the article count is consistent with that of the

keyword count. Otherwise, the overall tone of the coverage is considered to be mixed.

This approach to measure framing is different from the commonly used bi-coder approach. In traditional content analysis, coding is done by different researchers separately or by an individual coder over time. The two sets of data are then tested by statistical reliability tests in order to confirm the reliability of the framing analysis (Hansen et al., 1998:120-1). However, as Robinson suggests, even if a dual coder liability test is carried out, the precise criteria by which coders reach their consensus remain opaque. By contrast, for keyword count, the exact criteria are clearly stated in specific keywords (Robinson 2002:138-9).

News articles and editorials of selected newspapers are searched on Wisers³, a commercial online database of news articles in Greater China, using keywords associated with the debate. The sample period is basically defined by the duration of the controversy. The keywords used in the article search, the exact sampling period, and the coding framing and keyword list are designed for a particular policy debate. Thus, these criteria are specified in the analysis of each case study.

Some articles containing the keywords in an article search may be irrelevant to the issue. It is hard to imagine that policymakers take these articles into account during a policy debate. In this case, only the texts containing at least one paragraph concerning the issues are counted while the irrelevant articles are screened off. It is also possible that at times selected keywords are used in the narratives which are irrelevant to the issue under debate. In order to avoid contamination of the findings, only the keywords used in relation to the debate are counted. Those used to refer to irrelevant issues are excluded.

It is also hard to imagine that the level of media pressure on policymakers is high enough to influence policy if critical coverage remains

³ Website of Wisers Information Limited:
<http://www.wisers.com/corpsite/global/en/home/index.html>

scattered and intermittent. As Robinson suggests, a reasonable benchmark is a three or four day period in which there are at least one front-page newspaper story per day and a major news segment in the evening television news (Robinson 2002: 37-8). Thus, this study assumes that the level of media pressure is high enough to influence policy only if there is a continuous period of no less than three days in which each of the selected media outlets runs at least one article per day. Intermittent coverage, on the other hand, is not considered to be influential. It is possible that there is an interruption between two continuous periods of coverage. If this interruption lasts for less than three days, I suggest that these two continuous periods can be considered as one period.

3.1.3 Media Consensus

There is a possibility that different media may frame issues in different ways. For this reason, I suggest considering the concept of media consensus which refers to the level of consistency in news framing among different media. In this study, media consensus is measured by a comparative approach. In order to examine the influence of media consensus, cases with different levels of media consensus are compared in this study.

3.1.4 Policy Certainty Measured by Elite Consensus

In this study, policy certainty is defined as the level of consensus among policy sub-systems and political actors. Due to the large number of groups and actors involved in a domestic policy community, absolute consensus in society is rarely found. Moreover, as former DAB Chairman Jasper Tsang (TsangYok-sing) claims, the pro-government camp, as the opposition, usually presumes that there are problems with the government's proposals (interview on 17 January 2008). In this case, it is not unusual to find that the pro-democrat camp criticises government policy or proposal.

However, as mentioned in Chapter 4, the pro-government camp has been in the majority at the Legco since 1997. Regardless of the democrats' criticisms, government policy can be endorsed with the support of the pro-

government camp in most circumstances. Thus, I suggest that elite consensus is considered to be high when there is a high level of consensus between the Administration and a majority of the pro-government camp. By contrast, when there is a debate between the Administration and the pro-government parties, elite consensus is considered to be low.

As mentioned in Chapter 4, because of the diverse backgrounds of the pro-government parties, it is not surprising that some pro-government politicians oppose government policy in some cases. Thus, I suggest a comparative approach in which cases with different levels of elite consensus are compared.

3.1.5 Policy Certainty Measured by Policy Stage

As Hogwood and Gunn (1984) argue, it is dangerous to assume a clearly defined sequence of the policy stage because 'policy is often a seamless web involving a bewildering mesh of interactions and ramifications'. Policy stages are not completely self-contained. The policy process frequently 'loops' between stages. However, Hogwood and Gunn suggest that the process framework can be used as at least a way into the analysis of policy, provided that the limitations of the model are borne in mind (ibid: 10, 26). Thus, I argue that policy stage provides a useful measurement of policy certainty.

As mentioned above, there is no official channel by which the Legco and other groups can change a policy when it has been endorsed by the Legco. The certainty of this late stage policy is considered to be high. On the contrary, early stage policy refers to a policy under consultation, legislation or evaluation. At these early stages, there are opportunities for legislators and other groups to criticise and amend the policy through official channels, such as public consultation and scrutiny of legislative proposals. In this case, early stage policy is considered to be relatively uncertain. In this study, cases with these two policy stages are compared in order to demonstrate media effect on policy at different stages.

3.1.6 Long-term Policy Image

As mentioned above, long-term policy image refers to long-term public understanding of a particular policy or issue, which has pre-existed for at least a few years before the commencement of the debate. When there is a generally unfavourable public perception of a particular policy, negative policy image exists. In this case, I hypothesise that media influence is enhanced. There is also the possibility that an issue is completely ignored by policymakers, the public and the media. In this case, no policy image exists. Thus, both the proponents and opponents are relatively free to define the image of an issue. Media influence is neither enhanced nor weakened.

In Baumgartner and Jones's (1993) study, policy image is based on the long-term framing analysis of news articles over a number of years. Due to the problems of availability of news materials and time limitations, it will be impossible to conduct such a long-term analysis for this study. However, it is possible to study policymakers' perceptions of long-term policy image through in-depth interviews and textual analysis of official statements and news materials.

3.1.7 Short-term Public Attitudes towards Policy

Different from long-term policy image which pre-exists before a controversy arises, short-term public attitudes towards policy refer to public views on the policy during a debate. Although the Administration usually conducts opinion polls during a policy debate (off the record briefing by an official on 23 January 2008), the data is not published. Also, independent institutes seldom conduct opinion polls for a particular policy debate. In this case, the only available data sources of short-term public views on a particular issue are surveys carried out by political parties. However, not all of these survey results are published. Thus, some data is also obtained from in-depth interviews with politicians.

3.1.8 Short-term Government Popularity

Short-term government popularity refers to the level of short-term public satisfaction with the government during a policy debate. This

satisfaction rate can be measured by the data from regular surveys conducted by independent institutes, including the Public Opinion Programme (POP) of the University of Hong Kong. However, it is difficult to define an objective standard for high and low level of popularity. Thus, popularity is measured through a comparative approach in which cases with different levels of government popularity are compared.

3.2 Testing the Hypothesis

3.2.1 Process Tracing

Livingston (1997) and Robinson (2002) demonstrate that process tracing is an important screening test for the media effect on policy. If changes in policy or policymakers' decisions precede critical news coverage, media effect can be eliminated. By contrast, if there is policy change subsequent to substantial critical coverage, media influence on policy is possible. In this study, the chronologies of cases are established in order to trace the time sequences of changes in all the variables mentioned above. This process tracing is mainly done by examining statements by government officials and politicians, documents of the Legco and government committees and news materials.

3.2.2 In-depth Interviews

In addition to framing analysis and textual analysis, I will carry out in-depth interviews with government officials, Legco and Exco members, journalists and other political actors. There are two objectives for the interviews. First, the process tracing of the developments of the selected cases is limited by the availability of raw materials. In this case, in-depth interviews with elites can help in interpreting documents and the personalities involved in the relevant decisions. Also, elites at times can help to explain the outcome of events and provide information not recorded elsewhere (Richards, 1996:200) even though these interpretations may be biased and unsystematic. In other words, in-depth interviews can help gain an understanding of the development of policy debate.

Second, the objective of elite interview is not to establish ‘the truth’. Rather, its function is to explore the key actor’s mind-set, including perceptions, beliefs and ideologies in policy making and selected cases (Richards, 1996:199-200). As the discussion during interview flows naturally, it is possible to understand the logic of an interviewee’s arguments and the associative thinking that led them to a particular conclusion (Devine, 1995:138). In this case, in-depth interviews can help explore policymakers’ considerations and their perceptions and uses of the media in policy making.

In this study, elite interviews are carried out using a semi-structured approach. An interview guide with a list of open-ended questions is used to ensure that specific issues can be addressed. Questions that are not included in the guide may be asked if I pick up on things mentioned by interviewees. As Bryman (2001:314-5) suggests, semi-structure not only provides the interviewee a great deal of freedom in how to reply, but also ensures cross-case comparability by the structured guide. This sort of interview is particularly useful when there are fairly clear focuses in the study.

Nevertheless, qualitative interviews have shortcomings. One of the limitations is the issue of unrepresentative sampling (Richards, 1996:200). In order to address this problem, only key actors who played an important role in selected cases are invited for interview. Such people include officials managing relevant policy areas, Exco members and party leaders, party spokespersons on the relevant policy, as well as other people playing an active role. In order to study the influential factors for news framing of the selected newspapers, experienced journalists working at the frontline or in mid-level management are invited for interview.

Taking all of these factors into account, I have designed two interview guides. The detailed guides are provided in Appendix 4 and 5. The first one is for interviews with policymakers, including government officials, legislators and Exco members. This guide is in two parts. The first covers general issues regarding policy making and the use of media as follows.

1. What are your considerations during policy making or policy debate?
2. How do you get to know news coverage?
3. Which media outlets do you use most?
4. In your experience, is there any case where your decision or your party's decision was influenced by media coverage?

The second part focuses on specific issues regarding the interviewee's role in the selected cases. The case-specific questions are designed to fit in with the institutional positions of the policymakers.

The second guide is designed for the interviews with journalists in order to study the roles of journalists and news organisations in news production, and journalists' perceptions of media effect on policy. The four basic questions are listed as follows:

1. How do you decide on the framing of news articles?
2. What is the role of news organisations in news production?
3. Do you get feedback from policymakers?
4. Do you expect that policymakers consider the comments highlighted in your articles?

Because of incomplete or incorrect memory, the reliability of the interviewee is sometimes questionable (Richards, 1996:200). This problem is particularly significant as far as case-specific questions are concerned. Moreover, some interviewees may, either intentionally or unintentionally, disclose their ideas selectively in order to maintain their public image. For example, some policymakers may deny the media's influence on themselves in order to stress their independent thinking. In order to ensure the reliability of interview results, the data derived from in-depth interview is triangulated with data from other sources such as official documents and news materials.

3.2.3 Focused Comparisons across Cases

As mentioned above, some variables in media influence are measured through a comparative approach. As Mackie and Marsh (1995: 173-6) conclude, comparative analysis is essential for two reasons. First, comparative analysis helps researchers avoid ethnocentrism, which refers to

overemphasis of the generality of a single case. Second, a comparative study plays an important role in testing concepts across time and space, and subsequently developing theories and hypotheses.

In order to examine the hypothesised conditions for media effect, it is necessary to apply a variable-oriented approach which aims to examine the relationship between factors across a series of cases (Hague et al 1992:273). Thus, I employ what Hague et al (1992:280-2) called a 'focused comparison' which concentrates on the intensive analysis of certain aspects across a small number of cases. However, it is difficult to control all the hypothesised variables in the real world. As Hague et al (ibid: 274-5) suggest, 'comparison in political science can never become a full equivalent of the experiments in natural scientists' laboratory.' Thus, in this study, focused comparative analysis mainly considers policy changes, media framing, media consensus and policy certainty measured by elite consensus and policy stage. The criteria for case selection are also based on these variables.

I also examine other hypothesised conditions of media effect, including long-term and short-term public attitudes towards the Government and its policies. Other factors affecting policy change, including institutions and policymakers' strategy and beliefs, are tested by comparing the cases. However, because of the limited number of cases, the comparative study of these factors is relatively less systematic.

3.2.3.1 Criteria for Case Selection

In order to make a focused comparison across cases, a series of criteria are established to ensure that appropriate cases are selected. It is usually argued that media influence on policy is limited by the press's short attention span (Kingdon 1995:58-9). As issues are given prominence for a short period of time, the pressure placed on policymakers may be limited. However, Robinson's (2002) study shows that policy changes can be triggered as a result of media coverage sustained for weeks or months. This study assumes that the media effect on policy can be identified only if there

are substantial levels of news coverage of an issue. Thus, the first criterion for case selection is the quantity and duration of coverage. Only cases where the media ran substantial coverage of a particular issue for at least three days are selected.

The second criterion for case selection is accessibility of news materials. In this study, news framing is examined by counting the relevant news articles and key words related to a particular type of framing. Thus, news articles from selected newspapers are searched. All early copies of major daily newspapers in Hong Kong are available in microfilm form at libraries. However, it is inefficient and fallible to search news articles and count keywords from microfilm. Rather, it is more convenient and reliable to search news stories from a computer database, and then to count the keywords from the softcopies of articles. The most comprehensive newspaper database in Hong Kong is provided by Wisers. However, the database did not cover all major Hong Kong newspapers until late 2001. In order to ensure that all the relevant articles can be searched, only the issues after late 2001 are selected.

Moreover, this study asks whether the media's influence on policy is conditional on a number of factors. Thus, the third, the most important criterion for case selection is that cases should cover the conditional factors of media influence, namely media consensus and policy certainty measured by elite consensus and policy stage.

3.2.3.2 Selection of Cases

According to the criteria mentioned above, four cases have been selected as shown in Table 5.2. The first two cases are the debates on the Central Reclamation Project Phase III (CR III) and the demolition of the old Star Ferry Pier (OSFP) in Central. These two development projects were under implementation during the controversies. At the same time, the pro-government camp supported the Administration during the debate on these two cases. Thus, in terms both of the elite consensus and the policy stage, the certainty of these two projects remained high. Although the CR III

project and the OSFP were handled by the Tung Chi-hwa and Donald Tsang's governments respectively, both projects were mainly managed by the Housing, Planning and Land Bureau (HPLB) of the Administration, and by the same main official, Michael Suen (Suen Ming-yeung) who was the Secretary for Housing, Planning and Lands from July 2002 to June 2007. The major difference between these two projects was the level of media consensus. In the case of CR III, only one of the selected newspapers criticised government policy while the framing of the other two newspapers remained mixed. By contrast, during the OSFP debate, all the selected newspapers criticised the government. Comparing these two cases, the influence of media consensus is examined.

Cases (Time)	Elite Consensus	Policy Stage	Media Consensus on Negative Tone
Article 23 (2002-03)	High; became low subsequently	Early	Medium
CR III (2003-04)	High	Late	Low
GST (2006)	Low	Early	High
OSFP (2006)	High	Late	High

The other case is the introduction of the Goods and Services Tax (GST) or the so-called 'sales tax', which has been discussed for years in Hong Kong. During the nine-month consultation on broadening tax base in 2006, the possibility of introducing GST was highlighted by the Administration. Similar to the OSFP project, GST consultation was handled by Donald Tsang's government and the Legco in the third term. In addition, all the selected newspapers criticised the Administration in both cases. In other words, the media consensus level remained high in both cases. However, there are two major differences between these two cases. First, both the pro-government and the pro-democrat camp opposed the GST proposal. Second, the idea of GST, as a proposal under consultation, was at an early stage. In this sense, in terms both of elite consensus and policy stage, the GST proposal was more uncertain than the OSFP project. Making a comparison between these two cases can help explore the importance of policy certainty measured by elite consensus and policy stage.

The final case is the Legislation of Article 23 of the Basic Law in 2002 and 2003. In this case, the Administration proposed to enact national security laws. However, after a large-scale anti-government protest on 1 July 2003, the Administration deferred legislative work, and subsequently withdrew the proposal. The case of Article 23 is selected for two reasons. Firstly, as with the cases of CRIII and OSFP, there was a high level of elite consensus during the Article 23 debate prior to 1 July 2003. However, as a policy proposal, the Article 23 proposal was more uncertain than CRIII and OSFP. Thus, the importance of the policy stage can be examined when comparing these cases.

Second, after 1 July 2003, elite consensus on Article 23 declined dramatically. In this case, the Article 23, like the GST proposal, had a low level of policy certainty in terms both of elite consensus and policy stage. However, the media consensus on Article 23 was lower compared to that of the GST debate. Thus, the importance of media consensus can be tested when comparing these two cases.

3.3 Selection of Media Outlets

As mentioned in Chapter 4, for the general public, television is the most important source of news in Hong Kong⁴. It is also believed that the two free Chinese television channels are particularly important as the penetration rate of the cable television is relatively low⁵. However, all the officials, legislators and Exco members interviewed claimed that they were too busy to watch the news broadcast by the free television channels. In addition, as mentioned above, the selection of sample media is based on the accessibility and availability of data. Although some news scripts from some broadcast media are available from Wisers, but this data is not comprehensive.

⁴ According to a regular survey conducted by the Public Opinion Programme of the University of Hong Kong, in the period between 1994 and 2008, the percentage of people claiming television was their main source of news remained higher than those who mentioned newspapers. In 2008, for example, 34% and 30% of respondents claimed that their main sources of news were television and newspapers, respectively. (<http://hkupop.hku.hk/chinese/popexpress/press/main/yr/datatables.html>)

⁵ According to the Annual Report 2007 of the Cable Television Limited, there were about 882 thousand subscribers (about 13% of total population) in 2007. (http://www.i-cablecomm.com/ir/annual/2007/07eng_businessR.pdf)

By contrast, from in-depth interviews with policymakers, newspapers are their major news sources. For example, Michael Suen claimed that he usually relied on two sets of news clippings prepared by support staff. One set covers all the articles concerning policy areas managed by their own Policy Bureau, while the other covers all the important issues raised by newspapers (interview on 22 January 2008). All the legislators interviewed claimed that they learned of news coverage mainly from the online service provided by Wisers which presents all the headlines, editorials, and news articles from all local daily newspapers. In addition, as mentioned above, since 2001, news articles of all the major local newspapers have been made available by Wiser.

As the Wiser website lists all the news titles, policymakers usually select news articles according to titles rather than media outlets. Nevertheless, it does not mean all the papers have the same level of influence on policymakers. Of the fourteen Exco and Legco members interviewed, nine claimed that they paid relatively high attention to certain newspapers because of its political stance and market positions. This study assumes that media consensus is high only when there is a consistency in framing among media outlets with different market positions and political tendencies. Thus, three newspapers are selected for framing analysis according to their market positions and political stances.

The first newspaper selected is the Oriental Daily News (ODN), the best selling newspaper with a circulation of over 1.6 million readers⁶. In terms of market position, the ODN is a popular newspaper or mass-circulation press, whose readers are mainly grassroots and working class (interview with Journalist A on 29 January 2008 and Journalist B on 30 January 2008). Some previous studies considered the ODN as a politically centrist paper as its relationship with the PRC Government was ambiguous. However, this newspaper is anxious not to offend Beijing (Lee 2000:305-6). In the period between 2003 and 2008, the owner of the ODN, C. K. Ma was

⁶ A survey by AC Nelson in 2004, cited in Next Media Limited Annual Report 2004/05, page 2

also appointed as a member of National Committee of Chinese People's Political Consultative Conference (CPPCC), the highest level consultative body of the PRC Government. Thus, in this study, the ODN is considered to be a popular pro-government newspaper, although sometimes it criticises the SAR Government and its policies.

The other selected newspaper is the Apple Daily News (ADN) which is the second best selling newspaper with a circulation of over 1.2 million readers⁷. Like the ODN, the ADN is a popular newspaper which treats the audience to vivid, vulgar, and sensational accounts of crime stories and daily titbits of soft pornography. As mentioned in Chapter 4, the ADN and its owner Jimmy LAI have well-publicised anti-Communist stances. In this case, the ADN is considered as a popular pro-democrat newspaper.

The Ming Pao Daily News (MPDN), the third selected newspaper, is different from the ODN and ADN in two respects. First, the MPDN is the best selling intellectual-oriented newspaper with 304 thousand readers⁸, mainly professionals, intellectuals and middle class. Second, the MPDN is considered to be politically neutral. According to journalist A, the top management of the MPDN, including the Chief Editor and Deputy Chief Editors are slightly pro-democrat. However, they usually intend to demonstrate neutrality of coverage. Thus, the overall framing of the newspaper paper remains generally neutral (interview on 29 January 2008). Thus, the MPDN is considered to be an elitist centrist paper.

These three newspapers have been selected not only because of their market positions and political stances, but also because nine of the Exco and Legco members interviewed paid particular attention to at least one of these papers (see Table 5.3). In this case, as far as policymakers are concerned, they are considered as the relatively influential papers. For example, Choy So-yuk of DAB claimed that she paid relatively high attention to the ODN and the MPDN because the ODN had the highest circulation in Hong Kong while most of the readers of the MPDN were middle class and intellectuals

⁷ Ibid.

⁸ Ibid.

(interview on 21 May 2007). James To of DP claimed that he paid high attention to the ODN and ADN because of their high circulations. He also read the MPDN as he considered it as the most politically neutral paper (interview on 31 January 2008).

Politicians	MPDN	ODN	ADN	Others
Bernard Chan			√	-
Selina Chow	√	√	√	HKEJ, STDN
Choy So-yuk	√	√		-
Kwok Ka-ki	√		√	SCMP ⁹ , HKEJ
Lee Wing-tat	√	√	√	SCMP, STDN
Alan Leong			√	
Sin Chung-kai	√	√	√	HKEJ, STDN, HKET, ODN, SD
Jasper Tsang	√			SCMP, HKEJ, STDN
James To	√	√	√	SCMP, STDN

Politicians also aim to read newspapers with different political stances in order to be informed of their opponents' actions and different views in society. For example, Sin Chung-kai of DP said that the ADN, the MPDN and the Hong Kong Economic Journal (HKEJ) were his 'must-read' newspapers. Since most DP supporters read these newspapers, their views may be influenced by them. However, Sin also read the Hong Kong Economic Times (HKET), the Sing Tao Daily News (STDN), the ODN and the SUN Daily (SD). As those newspapers usually criticise DP, but he ought to read them in order to be informed of different views in society (interview on 11 November 2008). Lee Wing-tat of DP also claimed that he paid relatively high attention to the ODN and STDN as the views of these two newspapers usually contained different opinions from those of the pro-democrat camp (interview on 23 January 2008). Tam Yiu-Chung of DAB also claimed that he learned of the opposition's movements including their activities and arguments from the ADN (interview on 16 January 2008).

The subject under debate may be referred to many different articles in newspapers. However, most Exco and Legco members interviewed

⁹ South China Morning Post (SCMP) is the leading English newspaper in Hong Kong

claimed that they mainly focused on the editorial, headline and local news sections. Other sections, including commentaries, supplements, financial and international news, are read only occasionally. Thus, only the articles of editorial, headline and local news sections are used in the framing analysis.

4. Summary

In sum, this study hypothesises that media influence on policy is conditional on a series of factors, namely media consensus on critical framing and policy certainty measured by elite consensus and policy stage. It is also hypothesised that media pressure on government officials may increase when long-term and short term public views on the government and its policies remain unfavourable. In order to avoid overstating the role played by news coverage, I also examine other factors affecting policy change, namely institutions and policymakers' strategies and beliefs. These hypotheses are examined in focused comparisons across four selected cases in Hong Kong, namely Article 23 legislation, CRIII, GST and OSFP. As newspapers are the most importance news sources of policymakers in Hong Kong, the coverage of three newspapers with different market positions and political stances are analysed.

Chapter 6

Narrative Account of the Case of Article 23 Legislation

1. Introduction

The first case study in this thesis is the debate on the legislation concerning Article 23 of the Basic Law regarding national security offences. This case was selected because it demonstrates the media's influence on a policy with a high level of elite consensus and a medium level of media consensus. This chapter provides a narrative account of the development of the debate on Article 23.

2.1 Background of Article 23

The sovereignty of Hong Kong was returned to the PRC on 1 July 1997. The Hong Kong SAR, according to the concept of 'one country two systems', exercises a high degree of autonomy. The previous capitalist system and legal system also remain unchanged in Hong Kong. Thus, during the drafting of the Basic Law, the mini-constitution of Hong Kong in the late 1980s, it was considered unacceptable to make the PRC's laws applicable to Hong Kong, including those regarding national security. However, Hong Kong, as a part of the PRC, should be bound by these laws. The compromise was that it would be up to Hong Kong to legislate such laws on its own. Article 23 of the Basic Law was thus born.

However, following the Tiananmen Square incident in 1989, which triggered a protest by one million Hong Kong citizens against the PRC government's bloody suppression of the student movement on the mainland, Article 23 was made much harsher with the inclusion of new prohibitions against subversion and against foreign political bodies conducting political activities in Hong Kong, and political organisations in Hong Kong establishing ties with foreign political bodies¹ (Cheung 2005: 37). On other

¹ The Basic Law of the HKSAR, Article 23:
http://www.basiclaw.gov.hk/en/basiclawtext/chapter_2.html

hand, since 1989, the pro-democrat camp and some human rights groups have described Article 23 as a threat to human rights and freedoms in Hong Kong, and Article 23 has become a controversial issue.

As a security issue, Article 23 legislation was mainly managed by the Security Bureau and the Department of Justice, which is responsible for drafting bills. As is different from the local security policy, Article 23 covers offences regarding national security. Thus, the PRC Government played an active role in supporting the SAR Government even though it was supposed that the SAR Government should enact this law on its own.

A chronology of the main events in the Article 23 debate is summarised in Appendix 6. The controversy over Article 23 arose from the time of the drafting of the Basic Law in the 1980s. However, the debate on Article 23 mainly took place when the Administration initiated the legislative work in the 20-month period between February 2002 and September 2003. According to the timing of policy changes and significant events, the development of the debate can be divided into six periods.

1. In the period before 25 February 2002, the Administration avoided disclosing any ideas concerning Article 23 legislation.
2. In the 3-month period between 26 February and 23 September 2002, the PRC and SAR governments stressed the necessity for Article 23 legislation.
3. Between 24 September and 24 December 2002, the SAR Administration conducted a public consultation on its proposals to implement Article 23.
4. The fourth period is between 25 December 2002 and 13 February 2003. In this period, the SAR Administration announced the analysis of consultation results and proposed several amendments to its proposals.
5. In the period between 14 February and 31 August 2003, the official legislative process was initiated and moved on in the Legco.
6. The final period was between 1 July and 5 September 2003. After half a million people joint the anti-government protest, the Administration proposed three critical amendments to the proposed laws, subsequently deferring the legislation. Finally, the plan to enact Article 23 was withdrawn.

2.2 Before 25 February 2002

The SAR Government made no initiatives concerning Article 23 legislation in the first four years following the handover of Hong Kong. In July 1999, a spiritual group, Falun Gong was outlawed and branded as an ‘evil cult’ who threatened national security by the PRC Government. Subsequently, the sect members in Hong Kong stirred up controversy through a series of protests against the PRC Government. In early 2001, some pro-government politicians suggested that the SAR Government should enact Article 23 in order handle the Falun Gong issue in Hong Kong² while some human rights groups and foreign governments expressed their concerns about freedom of Hong Kong³. In February 2001, the CE, Tung Chee-hwa, claimed that Falun Gong more or less exhibited some of the characteristics of an ‘evil cult’ (heterodox religions)⁴. However, Tung stressed that the Administration would not expedite legislation relating to Article 23⁵.

Although the Administration avoided discussing Article 23, the opposition tried to put this subject on the agenda. For example, in response to the CE’s speech concerning Falun Gong, the DP legislators argued that the concept of an ‘evil cult’ was not covered by existing laws in Hong Kong⁶. The Hong Kong Human Rights Monitor, a pro-democrat group also urged the Administration to abolish Article 23⁷. In addition, the United Nations Human Rights Committee, the US State Department and the British’s Foreign and Commonwealth Office expressed their concerns about Article 23⁸. However, the PRC and SAR Governments did not take any initiatives regarding Article 23.

² MPDN, 1 February 2001, page A01; 4 February, 2001, page A02.

³ MPDN, 5 February 2001, page A07; 8 February, 2001, page A01; 28 February 2001, page A04.

⁴ The Administration’s press release on the speech by the CE:
<http://www.info.gov.hk/gia/general/200102/08/0208139.htm>

⁵ The Administration’s press release on the speech by the CE:
<http://www.info.gov.hk/gia/general/200102/08/0208178.htm>

⁶ MPDN, 9 February 2001, page A02.

⁷ MPDN, 20 August 2001, page A13.

⁸ MPDN 10 February 2001, page A10; 28 February 2001, page A04; US State Department, Bureau of Democracy, Human Rights, and Labor: Country Reports on Human Rights

In sum, before February 2002, although some parties, including domestic parties and foreign governments, tried to put issues relating to Article 23 on the agenda, the PRC and SAR governments kept a low profile, avoiding any discussion on Article 23. Thus, the discussion subsequently faded out of the picture.

2.3 From 26 February to 24 September 2002

In late February 2002, Tung Chee-hwa was elected uncontested in the second CE election⁹. Since then, both the PRC and the SAR governments dramatically changed their attitudes towards Article 23, stressing that this law should be enacted. On 26 February 2002, two days before nominations for the CE election closed, the SAR Secretary for Security, Regina Ip (Ip Lau Shuk-ye) claimed that it was the duty of the CE in his second term to enact the laws against treason and subversion¹⁰. Subsequently, the SAR Secretary for Justice, Elsie Leung (Leung Oi-sie) also disclosed that Article 23 was discussed in her meeting with Li Peng, the chairman of the National People's Congress (NPC) of the PRC. Meanwhile, the vice-chairman of the NPC's Legislative Affairs Commission, Qian Xiaoyang, stated that the SAR should introduce a subversion law as soon as possible¹¹.

In the subsequent months, the SAR officials kept claiming that enacting Article 23 would not affect human rights and freedoms in Hong Kong¹². Meanwhile, top level PRC leaders, including President Jiang Zemin and Vice-Premier Qian Qichen and the SAR CE, Tung Chee-hwa further emphasised the requirement to enact Article 23, describing this legislation as the constitutional duty of Hong Kong¹³. On the other hand, the pro-democrat camp, including the DP, the Hong Kong Human Rights Monitor and the Bar Association, together with a pro-Taiwan trade union, expressed

Practices - 2001 China (Includes Hong Kong and Macau):

<http://www.state.gov/g/drl/rls/hrrpt/2000/eap/686.htm>

⁹ Results of the CE election 2002: <http://www.eac.gov.hk/en/chief/result.htm>

¹⁰ MPDN, 27 February 2001, page A02.

¹¹ MPDN, 28 February 2001, page A04.

¹² MPDN, 14 July 2001, page A10; 15 July 2002, page A10.

¹³ MPDN, 26 June 2002, page A04; 2 July 2002, page A12; 3 July 2002, page A08.

their concerns about Article 23¹⁴. In late July 2002, Margaret Ng (Ng Ngoi-ye), a pro-democrat legislator returned by the legal constituency, first suggested that the Administration should publish a white bill¹⁵ for consultation before issuing the blue bill for legislation¹⁶.

A month later, freedom of speech became the focus of the debate when government officials disclosed some ideas concerning the legislative proposal. On 13 September 2002, the MPDN disclosed that some expressions of opinion in words might give rise to criminal liability according to the proposed anti-sedition law¹⁷. On the following day, Elise Leung further claimed that at times people had to accept legal responsibility for their words¹⁸. In response to this, the pro-democrat camp claimed that the proposed laws would be a threat to the freedoms of speech and the press. Meanwhile, about 30 pro-democrat groups, including human rights groups, pressure groups and Christian societies, set up a coalition against the proposed anti-subversion laws¹⁹.

In short, over this seven month period, when the SAR Administration moved the legislative work forward, PRC and SAR officials tried to describe Article 23 legislation as a constitutional duty of Hong Kong. However, the opposition expressed their concerns about the proposed laws. When the Administration disclosed some ideas concerning the proposed anti-sedition laws, the democrats further highlighted possible threats to the freedom of speech, and formed an anti-Article 23 coalition. The proposal for issuing a white bill was also first made by the pro-democrat camp.

¹⁴ MPDN, 27 February 2002, page A02; 19 July 2002, page A14; the Speech by the Chairman of the Bar Association, Alan Leong: http://www.hkba.org/whatsnew/chairman-corner/speeches/2002/chinese_speech_060402.doc.

¹⁵ When the Administration issues a blue bill, the legislature will initiate the formal legislative process. In contrast, demonstrating how a policy proposal is translated into legal language, a white bill is published for public consultation, but not yet received by the legislature. Thus, publishing a white bill means a second round of consultation before the legislative process is initiated by the publication of the blue bill.

¹⁶ ADN, 22 July 2002, page A13.

¹⁷ MPDN, 13 September 2002, page A02.

¹⁸ MPDN, 14 September 2002, page A04.

¹⁹ MPDN, 9 September 2002, page A08.

2.4 From 24 September to 24 December 2002

On 24 September 2002, the Administration released a consultation paper on Article 23 and launched a three-month public consultation. According to the paper, the proposed laws would prohibit activities in seven areas, including treason, secession, sedition (including dealing with publications that would incite persons to commit substantive treason, secession and subversion offences), theft of state secrets (including the unlawful disclosure of information relating to the PRC Authorities and the SAR), prohibited organisations including those affiliated to a mainland organisation which has been proscribed on the mainland by the PRC Government in accordance with national laws on the ground that it endangers national security and the operation of foreign political organisations in Hong Kong²⁰.

In addition, the Administration proposed some extra-territorial application of the laws. The offences of treason, secession, sedition, subversion, and the theft of state secrets could be applied to all permanent residents of Hong Kong in respect of their actions inside and outside Hong Kong. The offences of secession, sedition and subversion could be applied to all other persons in respect of their actions outside Hong Kong. For the investigating power, the Administration proposed that an emergency entry, search and seizure power should be made available to the police for investigating some Article 23 offences. The powers could be exercised by a police officer with a certain level of seniority, such as a superintendent. The Administration also suggested that there was no time limit for bringing prosecutions against treason or sedition²¹. After announcing the consultation document, Regina Ip first disclosed the timetable of the legislation, claiming that she hoped the proposed law would be passed by July 2003²². In other words, the Administration hoped to complete the legislation within 10 months.

²⁰ Security Bureau of the HKSAR (2002) Consultation Document on Proposals to implement Article 23 of the Basic Law: <http://www.info.gov.hk/archive/consult/2002/bl23-e.pdf>

²¹ *ibid*

²² MPDN, 26 September 2002, page A06.

In response to the consultation document, the pro-democrat camp described the proposed laws in a negative way, highlighting potential threats to human rights and freedoms. For example, the pro-democrat camp and some media described the seven areas covered in the government proposals as the ‘seven sins’²³. The proposed definition of sedition was considered to be an ‘offence committed by speech’²⁴. The proposal to remove time limits for bringing prosecutions was also described as a means of ‘imposing punishment subsequently’²⁵. Alan Leong, the Chairman of the Bar Association even claimed that government proposals were like ‘a revived mummy plus terminator’²⁶, and that Article 23 legislation would erode the rule of law gradually, like ‘death by slow boiling’²⁷.

Various organisations which might be affected by the proposed law also expressed their concerns. Such groups included the Hong Kong Alliance in Support of the Patriotic Democratic Movement in China²⁸, the Hong Kong Catholic Church, Falun Gong, the pro-Taiwan groups, the libraries of universities and the Hong Kong Journalists Association (HKJA), the largest trade union for journalists in Hong Kong²⁹. Meanwhile, the pro-democrat legislators together with the Bar Association, the Law Society³⁰ and other pro-democrat groups demanded a white bill with actual provisions for further public consultation on the provisions³¹.

²³ MPDN, 25 September 2002, page A01; ADN, 25 September 2002, page A01.

²⁴ MPDN, 21 September 2002, page A12; 1 October 2002, page A12; 19 November 2002, page A13; 23 November 2002, page A10; ADN, 15 November 2002, page A04; 25 November 2002, page A05; 6 December 2002, page A08.

²⁵ MPDN, 27 September 2002, page A08; 6 October 2002, page A06; ADN, 25 September 2002, page A01.

²⁶ ADN, 8 November 2002, page A04.

²⁷ MPDN, 11 December, 2002, page A05

²⁸ The Alliance was established by pro-democrat politicians during the 1989 Tiananmen Square incident. Aiming at ending the one-party dictatorship in China, the Alliance organises commemorative activities for the Tiananmen Square incident and liaises with Chinese dissidents on the Mainland and overseas.

²⁹ MPDN, 25 September 2002, page A01; 26 September 2002, page A12; 27 September 2002, page A08; 4 October 2002, page A06; 16 October 2002, page A17; The HKJA’s press release dated 24 September 2002: <http://www.hkja.org.hk/portal/Site.aspx?id=A1-574&lang=en-US>

³⁰ The Law Society is a professional association for practicing solicitors in Hong Kong. Traditionally, the Society is a pro-government body.

http://www.hklawsoc.org.hk/pub_e/about/

³¹ ADN, 27 September 2002, page A10; 13 October 2002, page A04; MPDN, 29 September 2002, page A08; MPDN 8 October 2002, page A23.

Despite the criticisms, the Administration was satisfied with its work. Regina Ip claimed that she was happy with the positive feedback from the public and the relatively mild comments and coverage by the media³². Within a few days of the publication of the consultation document, some principal officials also praised Ip for her strategy of promoting the government proposals³³. Moreover, the Administration resisted publishing a white bill for consultation³⁴. In the following weeks, Regina Ip and Elsie Leung attended numerous public forums, explaining that the proposed laws would neither become a threat to the human rights and freedoms, nor restrict the activities of any existing groups in Hong Kong. At the same time, the PRC Vice-Premier Qian questioned whether opponents of Article 23 had a ‘devil in their hearts’ (had a guilty conscience)³⁵. All the pro-government parties in the Legco also expressed their support for the enactment of Article 23³⁶. Although some of them pointed out some technical problems with the government proposals³⁷, their criticisms were relatively mild.

Subsequently, the debate became a street campaign with both the Administration and the democrats trying to bypass the media, delivering their own message to the public in pamphlets. In early November, 2002, the Administration published a booklet ‘Myths and Facts’ to explain its proposals, distributing them to schools, institutes, community centres and non-government organisations³⁸. Subsequently, some pro-democrat legal experts, including barristers, solicitors and academics formed an ‘Article 23 Concern Group’, distributing a series of booklets in the street, which criticised the ‘seven sins’ in the national security law proposals³⁹. In response to this, the Administration brought out a new series of leaflets called ‘Myths and the Truth’, retorting upon the Article 23 Concern Group⁴⁰.

³² MPDN, 26 September 2002, page A06.

³³ MPDN, 30 September 2002, page A16.

³⁴ ADN, 27 September 2002, page A10

³⁵ MPDN, 26 October 2002, page A02.

³⁶ MPDN, 25 September 2002, page A04.

³⁷ MPDN, 4 October 2002, page A12.

³⁸ MPDN, 7 November 2002, page A10.

³⁹ MPDN, 9 December 2002, page A17; 23 December 2002, page A06.

⁴⁰ MPDN, 18 December 2002, page A04.

In addition to the ‘pamphlet war’, both sides in the debate tried to mobilise mass movements. Around thirty pro-democrat groups formed a coalition called the Civil Human Rights Front, launching a campaign against the enactment of Article 23⁴¹, including a protest against the proposed law on 15 December 2002, ten days before the end of the consultation period⁴². Some Catholic and Protestant groups and the HKJA also called on their members or followers to sign a petition opposing the enactment of Article 23⁴³. In support of this campaign, the pro-democrat legislators initiated a motion debate against Article 23 legislation at the Legco meeting in December 2002⁴⁴.

In response to the anti-Article 23 campaign, 70 pro-government groups formed a ‘Hong Kong Coalition for National Security Legislation’, launching a series of activities in support of the enactment of Article 23⁴⁵. These included advertisements in newspapers and a rally backing the proposed laws⁴⁶. With both proponents and opponents trying their best to mobilise their supporters to submit their views or petitions during the three month public consultation period, the Administration received a record number of 90 thousand submissions and 300 thousand signatures when the consultation period ended on 24 December 2002⁴⁷.

In addition, the issue was brought to the attention of the international community when the former chairman of DP, Martin Lee, visited the US and Europe, lobbying politicians and senior officials against Article 23 legislation⁴⁸. In response to this, some officials of the SAR Department of Justice visited the US, explaining the Administration proposals to the media, politicians and officials there⁴⁹.

⁴¹ MPDN, 13 October 2002, page A08.

⁴² MPDN, 16 December 2002, page A02.

⁴³ MPDN, 13 November 2002, page A08; 25 November 2002, page A10

⁴⁴ MPDN, 26 November 2002, page A08

⁴⁵ MPDN, 29 October 2002, page A06.

⁴⁶ MPDN, 11 December 2002, page A05; 17 December 2002, page A06; 19 December 2002, page A08; 23 December 2002, page A03.

⁴⁷ MPDN, 25 December 2002, page A04.

⁴⁸ MPDN, 25 October 2002, page A10; 13 November 2002, page A08.

⁴⁹ MPDN, 14 November 2002, page A16; 27 November 2002, page A12.

Meanwhile, some western governments and foreign organisations in Hong Kong expressed their concerns over Article 23. For example, after meeting with PRC President Jiang Zemin, US President Bush expressed his concerns over human rights in China and Hong Kong⁵⁰. In the British Parliament, a Conservative MP, Howard Flight, the chairman of the Hong Kong committee also called a debate on the implementation of Article 23. Some MPs expressed concerns over Article 23, urging the SAR Government to publish a white bill for further public consultation⁵¹. In addition, some international human rights groups in Hong Kong urged the Hong Kong Government to withdraw the plan to enact Article 23⁵². David Li (Li Kwok-po), a pro-government legislator returned by the Financial Constituency, also claimed that at least 10 foreign banks in Hong Kong were concerned about freedom of information, and called on the Administration to publish a white bill before enacting Article 23⁵³.

In short, during the three month consultation period, the PRC and SAR governments defended the legislative proposals and resisted publishing a white bill, while the democrats, together with other groups who might be affected by Article 23, highlighted the potential threat of the government proposals. The debate not only took place in the legislature, but also became a public campaign when its proponents and opponents started a ‘pamphlet war’ and mobilised mass movements. In the meantime, the issue was brought to the attention of the international community when some western governments and international organisations in Hong Kong expressed their concerns about Article 23.

2.5 From 25 December 2002 to 13 February 2003

Following the public consultation, the Administration and the democrats queried the truthfulness of each other’s comments on the proposed laws. Moreover, the focus of the debate shifted to Ip’s attitude and the Administration’s analysis of the results of the consultation. Although the

⁵⁰ MPDN, 27 October 2002, page A02.

⁵¹ Lords Hansard, Volume 641, Part 9, 27 November 2002:
http://www.publications.parliament.uk/pa/ld200203/ldhansrd/vo021127/text/21127-02.htm#21127-02_head0

⁵² MPDN, 18 November 2002, page A14.

⁵³ MPDN, 3 December 2002, page A04.

Administration suggested some amendments to its proposals, the democrats challenged these suggestions.

The debate on Ip's attitude was triggered by her criticisms of the opposition. In a press conference on 14 January 2003, Ip claimed that the opposition's comments on the proposal laws had misled the public⁵⁴. At a Legco Panel meeting the following day, when questioned by the pro-democrat legislators, Ip further defended herself, claiming that some exaggerated and untruthful comments were deceiving people. In response to this, the democrats criticised Ip's attitude and questioned whether she was carrying out the consultation objectively. A democrat also requested Ip to re-consider her position as still suitable for conducting the consultation and analysis of its outcomes⁵⁵. Several days later, the Civil Human Rights Front staged a protest, urging Ip to stand down⁵⁶.

Subsequently, the focus of the debate shifted to the analysis of the results of the consultations when the Administration published a compendium of submissions on 28 January 2003. Among over 97000 submissions received during the consultation, according to the Administration, more than half were categorised as supportive. In addition, only a few percent of the submissions requested a white bill or blue bill, while a vast majority did not indicate a preference. Of 340 thousand signatures received, only 25.5% were supportive while 72.2% expressed opposition⁵⁷. Nevertheless, Ip tried to play down the importance of these signatures.

Most of the submissions are supportive. However, signatures are different because they do not mean anything...they do not express any reason for an objection. Some signatures are problematic...8000 of them consist of the name on its own without any signature, just like something copied down from the telephone directory.⁵⁸

⁵⁴ Ip's speech cited in MPDN, 15 January 2003, page A06

⁵⁵ Minute of Legco Panel on Security on 15 January 2003: <http://www.legco.gov.hk/yr02-03/english/panels/se/minutes/se030115.pdf>

⁵⁶ MPDN, 20 January 2003, page A03

⁵⁷ The Administration's press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200301/28/0128198.htm>

⁵⁸ Ip's speech cited in MPDN 29 January 2003, page A03.

Meanwhile, Ip announced several amendments to the government proposals, including tightening the offence of prohibition of the organisation, narrowing down the definitions of ‘war’, ‘unauthorised access and disclosure of protected information’ and ‘information relating to the Central Authorities and the HKSAR’. The Administration also deleted several controversial items from the proposals, including the ‘threat of force’ over the offences of secession and subversions and ‘resisting the exercise of sovereignty’ in the secession offence. The offences of misprision of treason and possession of seditious publications were also abolished. It was also proposed that the investigative power of the police and extra-territorial measures be further limited. Only police officers of the rank of Chief Superintendent of Police or above could authorise the exercise of powers under emergency situations. Also, a judicial warrant is required in respect of searching or seizing journalistic materials. The offence of treason would only apply to Chinese nationals in Hong Kong, and Hong Kong permanent residents outside Hong Kong. Whether within or outside Hong Kong, the offence should not apply to non-Chinese nationals⁵⁹.

In spite of these, the opposition claimed that the government had not made any significant improvements, and criticised the Administration’s resistance to publishing a white bill⁶⁰. In addition, some submissions by opponents, including the DP, the Bar Association, the HKJA and Falun Gong were classed as those without explicit views while some were not included in the Compendium⁶¹. For this reason, the democrats and some academics raised some doubts about the Administration’s methods of quantitative analysis⁶². The pro-democrat legislators also initiated a motion challenging the Administration’s analysis of consultation results⁶³.

⁵⁹ The Administration’s press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200301/28/0128198.htm>

⁶⁰ MPDN, 29 January 2003, page A04; ADN, 29 January 2003, page A01.

⁶¹ MPDN, 29 January 2003, page A03; ADN, 4 February 2003, page A04; 5 February 2003, page A06.

⁶² Chung, R. T.Y. and Choy, B, S.T. ‘Casting Doubts on the Compendium of Submissions’, POP column dated 29 January 2003, The Public Opinion Programme, the University of Hong Kong: <http://hkupop.hku.hk/english/columns/columns2.html>

⁶³ MPDN 13 February 2003, page A05

In a nutshell, following the consultation period, the opposition started criticising Regina Ip's attitude, urging her to step down. Although the Administration tried to manipulate the consultation results and suggested some amendments to the proposals, the opposition, through protests and a motion debate at the Legco, challenged the credibility of the Administration's analysis and criticised their proposed amendments.

2.6 From 14 February to 31 June 2003

In this six month period, the official legislative process was initiated. On 14 February 2003, the Administration launched the official legislative process, gazetting the blue bill concerning National Security (Legislative Provisions) Bill (NSB). In addition to the amendments which had been announced, the Administration added some provisions about proscribed organisations. According to the bill, when appeals are lodged by a proscribed organisation, the Court can hold proceedings in the absence of any person, including the absence of appellants and their legal representatives⁶⁴.

However, the proposed laws were challenged by opponents, including the Bar Association. The Administration's suggestion that the Court could hold proceedings in the absence of appellants and their legal representatives led them to being described as 'closed-door trials'⁶⁵. Meanwhile, most pro-democrat groups, including the HKJA, human rights groups, Falun Gong and Christian groups continued to oppose the bill.

On 26 February 2003, the Bill was first read in the Legco. Following a request of the Administration⁶⁶, the House Committee of the Legco decided to accord priority to the scrutiny of the Bill with the support of pro-government legislators⁶⁷. Moreover, both the pro-government and the pro-democrat camps mobilised most of their legislators to join the Bills

⁶⁴ National Security (Legislative Provisions) Bill, Clause 154, Section 8E:

<http://www.basiclaw23.gov.hk/english/download/s3200307077.pdf>

⁶⁵ ADN, 15 February 2003, page A01

⁶⁶ The Director of Administration's letter dated 27 February 2003 on 'Proposed Priority in the Scrutiny of Bills by Members': <http://www.legco.gov.hk/yr02-03/english/hc/papers/hc0228let-da0227.pdf>

⁶⁷ MPDN, 25 March 2003, page A12.

Committee in order to dominate it. As a result, 50 out of 60 legislators joined the Bills Committee. Since the pro-government camp was in the majority, two pro-government legislators were elected as the Chairman and Deputy-Chairman of the Committee respectively⁶⁸.

In the subsequent four month period between March and June 2003, the Bills Committee entered an intensive period of activity, holding 29 meetings and public hearings. 110 groups were mobilised by the pro-democrat and pro-government camps to attend the hearings in order to express their views. Although the democrats tried to play for time by repeatedly raising queries, the pro-government camp, as a majority of the Committee, manipulated the agenda and progress of scrutiny of the bill. Pro-democrat legislators also proposed numerous amendments to the Bill. However, these amendments were not accepted by the Administration and the pro-government camp.

In June 2003, the Administration announced that it would table 51 amendments to the Bill, including two proposed by the DAB and the LP. It was proposed that the offence of sedition be further tightened. A time limit of two years was proposed for prosecution for the offence of handling seditious publications. It was also proposed that the authorization of emergency investigation powers be further limited to Assistant Police Commissioner level or above, while ‘closed door trials’ for appeals against proscription could be used under regulations vetted by the Legco⁶⁹.

In addition to the debate inside the Legco, the battle was extended to street level. Between late May and early June 2003, in their annual protest and commemoration ceremony for the Tiananmen Square incident, the Hong Kong Alliance in Support of the Patriotic Democratic Movement in China highlighted potential threats under Article 23 to its operations and freedom in Hong Kong. Meanwhile, the member groups of the Civil Human Rights Front, called on their members and the public to take to the street on

⁶⁸ MPDN, 6 March 2003, page A18; 7 March 2003, A11.

⁶⁹ The Administration’s press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200306/03/0603276.htm>

1 July, the sixth anniversary of the HKSAR⁷⁰. More than 50 Christian leaders from various churches also put on a rare display of unity, calling on their 600 thousand followers in Hong Kong to join the July 1 protest⁷¹. In response to this protest, the FTU held a carnival on 1 July in the Victoria Park where the anti-Article 23 protest began⁷².

Western governments also played a significant role. Of these, the US was the most active in their criticisms of Article 23. The US General Consul in Hong Kong and the International Relations Committee of the US House of Representatives claimed that Article 23 legislation might affect the international community's confidence in Hong Kong⁷³, and would erode freedoms in Hong Kong⁷⁴. The White House made an even stronger criticism on Article 23, claiming that the NSB could harm local freedoms and autonomy in Hong Kong, and urged the Legco to make amendments to the bill⁷⁵. The US House of Representatives also passed a resolution, urging the PRC and Hong Kong governments to withdraw the proposal to enact Article 23⁷⁶.

The other country that played an active role in the debate was the UK, the former sovereign state of Hong Kong. In its Reports on Hong Kong published every six months, the British Government continuously expressed its concern on the enactment of Article 23. In March 2003, the Foreign Office Minister, Bill Rammell, urged the Hong Kong government to ensure that the final legislation was consistent with the spirit of the Joint Declaration and the Basic Law⁷⁷. On 30 June 2003, the day before the anti-government protest, Rammell further criticized the fact that the provisions on the proscription of organisations would blur the dividing line between the

⁷⁰ MPDN, 14 April 2003, page A14; 25 June 2003, page A08, 30 June 2003, page A10.

⁷¹ MPDN, 21 June 2003, page A10

⁷² MPDN, 25 June 2003, page A08.

⁷³ The US Consulate-General's press release on the speech by the US Consul-General: http://hongkong.usconsulate.gov/cg_jk2003051601.html

⁷⁴ The US Consulate-Generals' press release on the speech by Henry Hyde: http://hongkong.usconsulate.gov/ushk_article23_2003061701.html

⁷⁵ The Statement of the Press Secretary to the US Present: <http://www.whitehouse.gov/news/releases/2003/06/20030619-1.html>

⁷⁶ The US Consulate-General's press release on the resolution passed by the House of Representatives: http://hongkong.usconsulate.gov/ushk_article23_2003062702.html

⁷⁷ The press release on the statement by British Foreign Office Minister: <http://www.fco.gov.uk/en/newsroom/latest-news/?view=PressR&id=2007317>

two autonomous legal systems by introducing linkages to mainland law into Hong Kong legislation⁷⁸. Meanwhile, the Canadian consulate in Hong Kong and the European Union also made similar criticisms of the proposed laws⁷⁹.

In response to western government's criticisms of Article 23, both the PRC and the SAR governments stressed that foreign countries had no right to criticise and interfere in Hong Kong issues because it was an internal affair within China⁸⁰. The PRC President, Hu Jintao also stated that concerns over Article 23 were unnecessary and that the legislation would have a beneficial effect both on national security and stability in Hong Kong⁸¹. Meanwhile, in order to ease Hong Kong people's discontent, the PRC Government launched two economic initiatives. The first was to allow mainlanders to visit Hong Kong on individual visas, boosting Hong Kong tourism and retail industries⁸². The other was the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA), a free trade agreement which opens up huge Mainland markets for Hong Kong goods and services⁸³.

In summary, in this six month period, as the majority in the legislature, the pro-government camp moved forward the scrutiny of the NSB according to the Administration's schedule. At the same time, while the PRC government tried to ease people's concerns, the pro-democrat camp mobilised a series of mass movements. Some western governments also intensified their criticisms of the proposed laws.

2.7 From 1 July to 5 September 2003

On 1 July 2003, a few hundred thousand people took to the streets. While the police said that at least 350,000 had taken part in the protest, the Civil Human Rights Front claimed that the turnout had exceeded half a million, much higher than the Administration and the organisers expected. It

⁷⁸ The press release on the statement by British Foreign Office Minister:

<http://www.fco.gov.uk/en/newsroom/latest-news/?view=PressR&id=2006763>

⁷⁹ MPDN, 24 June 2003, page A12; 1 July 2003, page A10.

⁸⁰ MPDN, 20 June 2003, page A18; 28 June 2003, page A03; 1 July 2003, page A10.

⁸¹ MPDN, 5 June 2003, page A06.

⁸² ODN 6 March 2003, page A16.

⁸³ ODN 6 June 2003, page A31.

was also the largest-scale protest in Hong Kong since 1 million people hit the streets in support of the Tiananmen Square pro-democracy movement in 1989⁸⁴. In addition to the member groups belonging to the Civil Human Rights Front, there were many self-mobilised people who took to the streets for various reasons, such as the continual economic downturn since the 1998 Asian financial crisis and the government's failure to control the outbreak of Severe Acute Respiratory Syndrome (SARS). However, criticisms of the Article 23 proposals were highlighted in the protest⁸⁵. There were also 1000 journalists opposing Article 23 legislation⁸⁶.

Although the protest blocked the traffic and business in the central area of the Hong Kong Island for about 7 hours, the march was held in a peaceful and orderly manner. At the end of the protest, the pro-democrat camp demanded an immediate dialogue with the CE, threatening to mobilise the public to besiege the Legco building on July 9 when the NSB was put to a vote⁸⁷.

In the evening, the CE's Office held an urgent meeting, subsequently releasing a statement, claiming that the CE understood the aspirations of the participants. However, the statement stressed that enactment of Article 23 was a constitutional duty of the Hong Kong SAR⁸⁸. In other words, the Administration persisted with Article 23 legislation.

The following morning, the CE called a special meeting with some Principal Officials and the leaders of the pro-government parties. Most members of the pro-government camp and the Administration resisted suspending or postponing the legislation. However, the Chairman of DAB, Jasper Tsang proposed two amendments to the most controversial provisions of the NSB. The first was to delete the section on the proscription of organisations, which had been criticized by western countries. The

⁸⁴ MPDN, 2 July 2003, page A03.

⁸⁵ MPDN, 2 July 2003, page A03.

⁸⁶ MPDN, 2 July 2003, page A10

⁸⁷ MPDN, 2 July 2003, page A03.

⁸⁸ The Administration's press release on the statement by the CE:

<http://www.info.gov.hk/gia/general/200307/01/0701204.htm>

second was to address to concerns on press freedom, maintaining freedom of information and expression by allowing public interest defence⁸⁹.

Meanwhile, the consensus level of the pro-government camp had declined. Some pro-government legislators returned by the functional constituencies decided to re-consult their voters before voting for the NSB⁹⁰, while some professional institutes also urged their representatives in the Legco to vote against the Bill⁹¹. Moreover, most other pro-government legislators avoided expressing support for Article 23 proposals when the democrats initiated an adjournment motion stating that 'How Hong Kong should deal with the strong demands made by over 500000 people on 1 July' on 4 July. Of the 20 legislators who spoke during this debate, only five were from the pro-government camp. Of these, only two DAB members claimed that Article 23 should be enacted, while the other three pro-government legislators urged the Administration to address people's aspirations⁹².

The PRC Government also held a high level meeting. On 3 and 4 July 2003, the Politburo Standing Committee of the Communist Party of China held a special two day meeting on Hong Kong. At this meeting, the two PRC departments overseeing Hong Kong policy, namely the Hong Kong and Macau Affairs Office and the Liaison Office of the Central People's Government in the Hong Kong SAR, were criticised for incorrectly gauging public opinion in Hong Kong over Article 23. The meeting also considered various concessions to make the legislation more palatable⁹³.

On 4 July 2003, the consensus level inside the pro-government camp further decreased when James Tien (Tien Pei-chun), an Exco member, and LP Chairman, announced his party's new position on his return from Beijing. Tien claimed that he had discussed the matter with Liao Hui, the Director of the Hong Kong and Macau Affairs Office. Tien also claimed that he had

⁸⁹ MPDN, 3 July 2003, page A02.

⁹⁰ MPDN, 4 July 2003, page A02.

⁹¹ MPDN, 4 July 2003, page A04.

⁹² Minutes of council meeting of the Legco:

<http://www.legco.gov.hk/yr02-03/english/counmtg/hansard/cm0704ti-translate-e.pdf>

⁹³ MPDN, 5 July 2003, page A02.

been given a clear indication that the PRC Government insisted only that Article 23 be enacted, and that it did not have any views on the details or the timetable for its enactment. Thus, Tien proposed the deferral of the NSB until December 2003⁹⁴.

As the LP had a decisive eight votes in the Legco, the NSB could not be passed without the support of the party. Nevertheless, the following day, the CE held a press conference on 5 July 2003, announcing that the second and third readings would be resumed on July 9, as originally scheduled. However, the CE announced three critical amendments to the Bill. In addition to the two brought by Jasper Tsang on 2 July, the Administration proposed to delete the provision which confers powers of search without court warrant on the police in the exercise of emergency investigation powers⁹⁵.

In response to this, the LP claimed that the party had to consult the public before making a decision⁹⁶. The following night, however, the LP announced that the party reiterated its request to the Administration to defer the second reading of the NSB, and that Tien had resigned from the Exco with immediate effect⁹⁷. In the meantime, the CE called a special Exco meeting, subsequently announcing that, because of the change in the LP's position, the Administration had decided to defer resuming the second reading of the Bill and to step up efforts to explain the amendments to the community in the coming days⁹⁸.

Despite the deferral of Article 23 legislation, the Civil Human Rights Front shifted its focus of the rally on 9 July 2003, demanding further government reforms, such as introducing universal suffrage for the CE and the Legco. In addition, the pro-democrat camp urged Regina Ip to stand

⁹⁴ MPDN, 5 July 2003, page A02.

⁹⁵ The Administration's press release on the transcript of the CE:
<http://www.info.gov.hk/gia/general/200307/05/0705158.htm>

⁹⁶ MPDN, 6 July 2003, page A04.

⁹⁷ The LP's press release on its statement:
<http://www.liberal.org.hk/contents/modules/news/shownewsdetails.php?newsid=5739&page=1&filtergroupid=9&panchor=news5739>

⁹⁸ The Administration's press release on the statement by the CE:
<http://www.info.gov.hk/gia/general/200307/07/0707019.htm>

down,⁹⁹ while the DAB and other pro-government legislators also claimed that Ip was no longer the suitable person to promote Article 23¹⁰⁰. A week later, Ip announced her resignation from the post of Secretary for Security for personal reasons¹⁰¹.

Although there was no further reform of the SAR Administration and the Exco, the PRC Government set up a high level Central Leading Group on Hong Kong and Macau Affairs led by PRC Vice President Zeng Qinghong in order to strengthen the co-ordination of policy on Hong Kong and Macau¹⁰².

In early August 2003, Ambrose Lee (Lee Siu-kwong), the Commissioner of the Independent Commission Against Corruption was appointed as Secretary for Security. However, the plan to promote Article 23 legislation remained unclear¹⁰³. On the other hand, the PRC Government seemed to insist the enactment of Article 23. On 9 August 2003, Sheng Huaren, the NPC Vice-Chairman and Secretary called on the Hong Kong Delegates of NPC to ‘actively match up and support Article 23 legislation’¹⁰⁴. Subsequently, the China Daily, an official newspaper of the PRC Government, also ran a commentary article after two pro-democrat legislators had attended a seminar organised by a pro-independent group in Taiwan. Claiming that these two democrats openly supported pro-independence forces in Taiwan, this commentary called for an early enactment of Article 23¹⁰⁵.

Nevertheless, the SAR Administration denied that there was pressure from the PRC Government¹⁰⁶. Meanwhile, further deferral of Article 23 legislation was proposed by two Exco members, Jasper Tsang and Leung Chun-ying. They claimed that Article 23 could be enacted after the Legco

⁹⁹ MPDN, 8 July 2003, page A04.

¹⁰⁰ MPDN, 10 July 2003, page A14.

¹⁰¹ The Administration’s press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200307/16/0716223.htm>

¹⁰² MPDN, 19 July 2003, page A03; 28 September 2003, page A17.

¹⁰³ The Administration’s press release on the transcript of the Secretary for Security: <http://www.info.gov.hk/gia/general/200308/04/0804252.htm>

¹⁰⁴ MPDN, 10 August 2003, page A12.

¹⁰⁵ Cited in MPDN, 19 August 2003, page A09.

¹⁰⁶ MPDN, 20 August 2003, page A17.

election in 2004¹⁰⁷. On 3 September 2003, the ODN disclosed that the PRC Government had changed its position, allowing further deferral of Article 23 legislation¹⁰⁸. Two days later, the CE announced that the Administration had reported to the PRC Government the decision to withdraw the NSB¹⁰⁹.

In short, in this two month period, there were a series of critical policy changes. Following large-scale anti-government protests, there was an elite debate within the pro-government camp. Since some pro-government legislators refused to support the NSB, the Bill was amended, deferred and finally withdrawn. In addition, there was also significant personnel turnover within the SAR Administration and structural reform in the PRC Government.

2.8 Concluding Remarks

In sum, throughout the debate on Article 23 legislation, the opponents, including the pro-democrat camp, Christian Churches, journalist groups, pro-Taiwan groups, Falun Gong and some western governments, described the government proposals as a threat to human rights and freedoms, urging the Administration to issue a white bill for further consultation. Resisting the proposal for a white bill, the PRC and SAR governments defended the proposal laws. During the public consultation on Article 23 legislation, the debate turned into a street campaign when both sides allied with their own supporters, distributing pamphlets and organizing large-scale rallies.

Although the democrats challenged Regina Ip's attitude and the government's analysis of consultation results, the Administration initiated the official legislative process. As the pro-government camp dominated the legislature, the scrutiny of the proposed law was moved forward in line with government schedules.

¹⁰⁷ MPDN, 21 August 2003, page A02; 24 August 2003, page A10.

¹⁰⁸ ODN 3 September 2003, page A23.

¹⁰⁹ The Administration's press release on the statement of the CE's Office:
<http://www.info.gov.hk/gia/general/200309/05/0905235.htm>

After half a million people had joined in anti-government protests organised by the pro-democrat camp, however, the consensus level inside the pro-government camp declined. Although the Administration proposed some critical amendments to the most controversial provisions, some pro-government legislators refused to support the proposed laws. Subsequently, there were a series of policy changes, including the deferral of legislation, personnel turnover within the SAR Administration, the setting up of a high level group overseeing Hong Kong policy in the PRC Government, and the withdrawal of the proposed laws.

Chapter 7

Analysis of the Case of Article 23 Legislation

1. Introduction

Following the previous chapter, which provided a narrative account of the Article 23 debate, in this chapter, I test the hypotheses of this study by tracing the time sequence of several factors, namely, policy change, policy certainty and news framing. Finally, I further discuss the other possible influential factors on policy change and the link with media coverage.

2. Policy Change

As mentioned in Chapter 5, in this study, policy change is grouped into two categories according to fiscal and political costs. In the case of the Article 23 debate, both low cost and high cost changes were identified. The time sequence and costs of these policy changes are summarised in Table 7.1.

2.1 Low Cost Changes

During the debate on Article 23 legislation, all the low cost changes in policy were agenda changes of the Legco and the PRC and SAR governments. The Legco agenda changes were motions initiated by the democrats. The first one was against the Article 23 legislation confirmed in late November 2002 and took place on 11 December 2002¹. The second motion criticising the Administration's analysis of the results of the consultation was decided in mid-February 2003 and took place on 26 February 2003². The final Legco agenda change was the adjournment motion on 3 July 2003, two days after the July 1 protest³. However, none of these motions were passed by the Legco. Neither did these motions trigger any further policy change.

¹ MPDN, 26 November 2002, page A08

² MPDN 13 February 2003, page A05

³ Minutes of council meeting of the Legco:

<http://www.legco.gov.hk/yr02-03/english/counmtg/hansard/cm0704ti-translate-e.pdf>

Date	Events	Types of change	Cost
Before 26/02/ 2002	The Administration's decision on enacting Article 23	Introducing new policy	High
7 Nov 2002 -28 Jan 2003	The Administration committed itself to considering amendment of its proposals, and then announced amendments.	Change in proposal	High
25 Nov 2002	The DP confirmed to initiate a motion against Article 23 legislation at the Legco meeting on 11 December 2002.	Agenda change	Low
12 Feb 2003	The DP confirmed the motion criticising the Administration's analysis of consultation results at the Legco meeting on 26 February 2003.	Agenda change	Low
7-27 Jun 2003	The Administration proposed 51 amendments to the NSB.	Change in proposal	High
1 Jul 2003	Urgent meeting of the CE's Office held.	Agenda change	Low
2 Jul 2003	The CE's special meeting with Principal Officials and leaders of pro-government party.	Agenda change	Low
3 Jul 2003	An adjournment motion in the Legco.	Agenda change	Low
3-4 Jul 2003	Special meeting of the Politburo Standing Committee of the Communist Party of China.	Agenda change	Low
5 Jul 2003	The Administration's announcement of 3 critical amendments to the Bill	Change in proposal	High
6 Jul 2003	James Tien's resignation from the Exco.	Personnel turnover	High
7 Jul 2003	The Administration's announcement of deferral of the 2 nd and 3 rd readings of the Bill	Deferral of proposal	High
Early Jul 2003	Setting up of a high level Central Leading Group on Hong Kong and Macau Affairs in PRC Government.	Alternation of structure	High
16 Jul 2003	Regina Ip's resignation from the Secretary of Security.	Personnel turnover	High
5 Sep 2003	The Administration's withdrawal of the NSB.	Withdrawal of proposal	High

After the 1 July protest, a series of urgent meetings were held by the SAR and PRC Governments. On the evening of 1 July, there was a CE Office special meeting⁴. The following day, the CE held a further meeting

⁴ The Administration's press release on the statement by the CE:
<http://www.info.gov.hk/gia/general/200307/01/0701204.htm>

with some principal officials and the leaders of pro-government parties⁵. On 3 and 4 July, the Communist Party of China also held a special meeting of the Politburo Standing Committee, discussing the latest developments in Hong Kong⁶. More importantly, some decisions on high cost policy changes were made at these meetings.

2.2 High Cost Policy Changes

There were a total of nine high cost policy changes including adjustments, deferral and withdrawal of proposed laws, key personnel turnover and alternations in structure of policy making. The first high cost change was the decision to enact Article 23. This plan was first disclosed in late February 2002⁷. However, as the legislation concerning Article 23 involved a series of complicated provisions, it is sensible to suggest that the Administration had prepared the proposals well before disclosing its plan. Thus, the decision to enact Article 23 was likely to be made before late February 2002.

The second high cost changes were the amendments to the proposed laws. These amendments were first claimed by Regina Ip in a forum on 2 November 2002⁸ and announced in late January 2003⁹. After discussions in the Legco, the Administration in June also proposed a further series of 51 amendments covering 6 areas of the Bill¹⁰. However, these two series of changes were relatively technical and minor. The sections regarding key offences were kept in place.

Even more significant high cost policy changes were made following the protest on 1 July 2003. The first one was three critical amendments to the most controversial sections of the National Security Bill (NSB)¹¹.

⁵ MPDN, 3 July 2003, page A02.

⁶ MPDN, 5 July 2003, page A02.

⁷ MPDN, 27 February 2001, page A02.

⁸ MPDN, 3 November 2002, page A03

⁹ The Administration's press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200301/28/0128198.htm>

¹⁰ The Administration's press release on the statement by the Secretary for Security: <http://www.info.gov.hk/gia/general/200306/03/0603276.htm>

¹¹ The Administration's press release on the transcript of the CE: <http://www.info.gov.hk/gia/general/200307/05/0705158.htm>

Although these three amendments were announced on 5 July 2003, two of these were disclosed by an Exco member, Jasper Tsang on 2 July 2003¹². In addition, between 2 and 4 July, the SAR and PRC governments held urgent meetings to discuss the situation in Hong Kong. It is reasonable to believe that these amendments were made on 2 July while the decisions were made at these two meetings although the announcement was made on 5 July 2003.

Subsequently, James Tien's resignation from the Exco not only resulted in personnel change of the Exco¹³, but also forced the Administration to defer the legislation of the NSB¹⁴. Although Tien's resignation was announced on 6 July, he and the LP announced their new positions, urging the Administration to defer the legislation on 4 July¹⁵. Before that, Tien also discussed this issue with officials in Beijing. Thus, it is believed that Tien and his party had changed their views before 4 July 2003.

The other personnel change was the resignation of Regina Ip as Secretary for Security on 16 July 2003. Although Ip's announcement of her resignation was subsequent to the deferral of the legislation, there was evidence that Ip's decision was made before July 2003. On 31 May 2003, the ODN disclosed a rumour that Ip had decided to resign after Article 23 legislation was concluded¹⁶. This rumour was confirmed by the CE after announcing Ip's resignation¹⁷. Two years later, the MPDN further disclosed that Ip had applied for postgraduate study in the Stanford University in 2002. When her application was accepted in March 2003, she informed the CE that she would leave her position in July 2003¹⁸. In this sense, Ip's resignation was unlikely to have been the result of the Article 23 debate. In addition, after the meeting of the Politburo Standing Committee of the

¹² MPDN, 3 July 2003, page A02.

¹³ The Liberal Party's press release on its statement:
<http://www.liberal.org.hk/contents/modules/news/shownewsdetails.php?newsid=5739&page=1&filtergroupid=9&panchor=news5739>

¹⁴ The Administration's press release on the statement by the CE:
<http://www.info.gov.hk/gia/general/200307/07/0707019.htm>

¹⁵ MPDN, 5 July 2003, page A02.

¹⁶ ODN, 31 May 2003, page A31.

¹⁷ The Administration's press release on the transcript by the Chief Executive on 17 July 2003: <http://www.info.gov.hk/gia/general/200307/17/0717219.htm>

¹⁸ MPDN, 15 June 2005, page A02.

Communist Party of China held on 3 and 4 July, the PRC government set up a high level Central Leading Group on Hong Kong and Macau Affairs led by PRC Vice President Zeng Qinghong in order to strengthen the co-ordination of Hong Kong policy¹⁹.

The final high cost change was the announcement of the withdrawal of the NSB on 5 September 2003²⁰. Since two Exco members, proposed further deferral of Article 23 legislation in late August²¹, it was sensible to assume that the Exco started considering withdrawal of the Bill at that time. Subsequently, the ODN, on 3 September 2003, disclosed that the PRC Government had allowed further deferral of the legislation²². Thus, it is believed that the decision to withdraw the bill was made by the PRC and SAR governments between late August and early September 2003.

3. Policy Certainty

3.1 Elite Consensus

As mentioned in Chapter 5, policy certainty measured by elite consensus is considered to be high when the SAR Administration and most members of pro-government parties reach a consensus over an issue. Conversely, elite consensus levels decline when there is disagreement between the SAR Administration and the pro-government camp. In the case of Article 23, the PRC Government also played a crucial role in Article 23 legislation. Thus, when there was disagreement between the PRC Government and the SAR Government and the pro-government camp, the elite consensus level was considered to be low. In the case of Article 23, the elite consensus level remained high before 1 July 2003 but subsequently declined dramatically.

3.1.1 The Period before 31 August 2003

In the period between 26 February 2002 and 31 August 2003, the PRC and the SAR officials together with the pro-government camp strictly

¹⁹ MPDN, 19 July 2003, page A03; 28 September 2003, page A17.

²⁰ The Administration's press release on the statement of the CE's Office: <http://www.info.gov.hk/gia/general/200309/05/0905235.htm>

²¹ MPDN, 21 August 2003, page A02; 24 August 2003, page A10.

²² ODN 3 September 2003, page A23.

supported the government proposals. Although some pro-government legislators and Exco members criticised some sections of the government proposals occasionally, those criticisms were relatively mild. In addition, pro-government parties and the trade unions mobilised their supporters to submit supportive views and to attend the rally backing Article 23 legislation²³. The pro-government legislators also co-operated with the Administration, dominating the Bills Committee in order to move forward the scrutiny of the Bill as the Administration had scheduled.

Some criticisms of the government proposals were made by Albert Chen (Chen Hung-ye), a member of the Basic Law Committee²⁴. Chen pointed out many problems concerning the proposed laws²⁵, urging the Administration to publish a white bill²⁶. However, apart from Chen, nobody in the Committee expressed such views. More importantly, the Committee is merely an advisory board. Thus, Chen's criticisms did not affect the overall consensus within the pro-government camp.

However, at the end of the consultation period, according to the MPDN, there was a debate taking place within the Administration. Some officials suggested that the Administration should respond to public pressure, publishing a white bill in order to avoid further harm to government popularity. However, other officials were concerned that publishing a white bill would postpone the legislation, providing more time for the opponents to magnify the voices against the proposed laws²⁷. In this sense, the elite consensus level declined slightly at that time. However, the Administration made no concessions in the end. Since the blue bill was gazetted on 14 February 2003, there had been no criticisms of the bill expressed within the pro-government camp. Thus, in general, elite consensus remained at a high level before 1 July 2003.

²³ MPDN, 11 December 2002, page A05; 23 December 2002, page A03.

²⁴ The Basic Law Committee is an advisory board on the interpretation of Basic Law. According to Article 158 of the Basic Law, the power of interpretation of this Law shall be vested in the Standing Committee of the National People's Congress. The Standing Committee of the NPC shall consult the Basic Law Committee before giving an interpretation of this Law: http://www.info.gov.hk/basic_law/fulltext/index.htm

²⁵ MPDN, 3 October 2002, page A10; 7 November 2002, page A03; 22 November 2002, page A09; 20 June 2003, page A18;

²⁶ MPDN, 24 December 2002, page A10.

²⁷ MPDN, 25 December 2002, page A04.

3.1.2 The Period after 1 July 2003

The consensus level within the pro-government camp declined dramatically following a large-scale anti-government protest on 1 July 2003. On 3 July 2003, some pro-government legislators returned by the functional constituencies also decided to re-consult their voters before voting for the NSB²⁸. Furthermore, most pro-government legislators avoided expressing their support for the Bill during the debate in the Legco on 4 July²⁹.

An even more significant decrease in elite consensus was caused by a disagreement between the Administration and the LP. On 4 July 2003, James Tien proposed a deferral of the second reading of the NSB³⁰ while the PRC and SAR Governments persisted with its schedule. Although the Administration proposed three critical amendments to the Bill³¹, the LP persisted with its own proposal while Tien resigned from the Exco³². Subsequently, the disagreement between the Administration and pro-government camp spread to personnel issues. While the pro-democrat camp urged Regina Ip to stand down³³, the DAB and some pro-government legislators also claimed that Ip was no longer the suitable person to promote Article 23 although they did not agree to dismiss her.³⁴

In August 2003, there was also a disagreement between the PRC and SAR Governments. On the one hand, a senior official and an official newspaper of the PRC stressed that Article 23 should be enacted as soon as possible³⁵. On the other hand, the SAR Administration's plan to resume work on Article 23 legislation remained unclear while some Exco members

²⁸ MPDN, 4 July 2003, page A02.

²⁹ Minutes of the Legco council meeting:

<http://www.legco.gov.hk/yr02-03/english/counmtg/hansard/cm0704ti-translate-e.pdf>

³⁰ MPDN, 5 July 2003, page A02.

³¹ MPDN, 6 June 2003, page A01; the Administration's press release on the transcript of the Chief Executive: <http://www.info.gov.hk/gia/general/200307/05/0705158.htm>

³² The Liberal Party's press release on its statement:

<http://www.liberal.org.hk/contents/modules/news/shownewsdetails.php?newsid=5739&page=1&filtergroupid=9&panchor=news5739>

³³ MPDN, 8 July 2003, page A04.

³⁴ MPDN, 10 July 2003, page A14.

³⁵ MPDN, 10 August 2003, page A12; 19 August 2003, page A19.

proposed a further deferral of the legislation³⁶. Bearing these factors in mind, it is a fair assumption that the elite consensus remained low after 1 July 2003.

3.2 Policy Stage

In terms of policy stage, the certainty of Article 23 was relatively low. The Administration's proposal was first announced as a consultation paper. Although the Administration subsequently gazetted a blue bill, initiating the official legislative process, there was ample scope for the legislature to amend or reject the Bill. After the Administration deferred the second reading of the Bill on 5 July 2003, the plan to enact Article 23 remained unclear. In this sense, the level of policy certainty measured by policy stage further declined after early July.

In short, although elite consensus remained extremely high before July 2003, the government proposal, as a bill to be passed by the Legco, was at a relatively early and uncertain stage. Thus, the overall level of policy certainty was considered to be medium. After the 1 July protest, elite consensus dramatically declined, while the legislative plan became unclear. In this case, policy certainty measured by both in terms of elite consensus and policy stage declined to an extremely low level.

4. Analysis of News Framing

4.1 Methods

News coverage was analysed by article count and keyword test. News articles and editorials of the three selected newspapers were searched from the Wiser database by the keywords 'Article 23 (二十三條/廿三條/23條)' and 'national security (國家安全)'. Only the texts with at least one paragraph relating to the Article 23 debate were selected and studied, while irrelevant articles were screened off.

This study focuses on the debate following the PRC and SAR officials' disclosure of their plan to enact Article 23. Thus, the sample

³⁶ MPDN, 21 August 2003, page A02; 24 August 2003, page A10.

period began on 26 February 2002 when Regina Ip first claimed that the SAR should enact Article 23. The end date of the article search was 5 September 2003 when the Administration announced the withdrawal of the NSB.

For article count, a coding frame was designed according to the arguments highlighted in the debate. The detailed coding frame was listed in Appendix 7A. The framing of news articles was divided into three different types: Positive framing is a narrative supporting the proposals for Article 23 legislation and its timetable. This kind of framing consists of the following elements:

- Officials' speeches and voices supporting the government proposals and schedule were highlighted.
- The urgency and constitutional duty of enacting Article 23 were emphasised.
- The government proposal was considered to be moderate and liberal.
- Opponents of the government proposals were considered to be radicals, savages and opportunists.
- The officials managing Article 23 legislation were described as rational, professional and reasonable.
- Public consultation on Article 23 legislation was considered to be sufficient, scientific and objective.
- Protests against the government proposals were described as a disturbance of public peace and traffic.
- A white bill was considered as an unnecessary move.
- Comments by foreign governments and organisations on Article 23 were considered to be interference in the internal affairs of China and Hong Kong.
- The PRC Government's views on Article 23 legislation were considered to be legitimate.
- Public attitudes were considered to be favourable to the Administration and the enactment of Article 23.

Negative framing is favourable to opinions against proposals for Article 23 legislation and its timetable. This kind of news coverage consists of the following elements:

- Voices against the government proposals and schedule for Article 23 were highlighted.
- Misgivings about potential threats to human rights and freedoms were highlighted.
- Government proposals were considered to be ambiguous and draconian laws.
- Opponents of government proposals were considered to be freedom fighters, law professionals and intellectuals.
- Officials managing Article 23 legislation were described as arrogant and unreasonable.
- Consultation on Article 23 was considered to be inadequate, unscientific and biased.
- Protests against the government proposals were considered to be peaceful while the marchers were described as people showing independent thinking and high 'quality'.
- A white bill was considered to be necessary.
- Comments by foreign governments and organisations were considered to be in defence of human rights and freedoms in Hong Kong.
- The PRC Government's comments on Article 23 were considered to be a threat to the autonomy of Hong Kong.
- Public views were considered to be unfavourable to the Administration and the enactment of Article 23.

In addition, there is neutral framing. The characteristics of this framing are listed as follows:

- Supportive and critical voices were balanced in the same article.
- Neither supportive nor critical arguments were highlighted.
- Technical or procedural issues were merely described and explained.

For keyword tests, the keywords in relation to positive and negative framings were identified. The opponents of Article 23 described the

proposed laws as ambiguous draconian laws, highlighting misgivings about them and the need to issue a white bill for further consultation. The opponents also considered the proponents to be ‘royalists’ who blindly supported the Administration. In this case, ‘misgiving/worry (憂慮/疑慮)’, ‘draconian law (惡法)’, ‘ambiguous/blurred (含糊/模糊)’ ‘white bill (白紙)’ and ‘royalist (保皇)’ were selected as the keywords for negative framing.

The proponents of Article 23 highlighted the constitutional duty to safeguard national security, describing the laws proposed by the government proposals as moderate and liberal. Moreover, the proponents considered the opponents’ criticisms and misgivings over the proposed laws to be exaggerations, and misunderstandings. Thus, ‘national security (國家安全)’, ‘duty (責任)’, ‘moderate/liberal (寬鬆)’, ‘exaggerating (誇張/誇大)’ and ‘misunderstanding/myth (誤會/誤解)’ were selected as keywords associated with positive framing.

In order to avoid contamination caused by words used irrelevantly, the keywords were only counted when used in relation to relevant subject matter. For example, ‘national security’ was counted only if it was used in relation to security issues. Those used in the titles of legislative bills and organisation such as ‘National Security Bill’ and ‘Hong Kong Coalition for National Security Legislation’ were screened off. Similarly, the word ‘duty’ was counted only when it referred to the constitutional duty to enact Article 23 and to safeguard. Such words used in relation to other issues were not counted.

4.2 Results

Throughout the 556-day sample period between 26 February 2002 and 5 September 2003, the MPDN ran 1006 articles (1.8 per day) while the ODN ran 393 only (0.7 per day). The ADN ran 1291 articles (2.3 per day), the highest level of coverage. As shown in Appendix 7B, in all the five analysis periods mentioned in the previous chapter, the overall framing of the ODN remained mixed, while that of the ADN remained negative. For

the MPDN, mixed framed coverage was found only in the first analysis period between 26 February and 23 September 2002. In the rest of time, the coverage in the MPDN remained negatively framed.

As this study assumes that sufficient pressure on policymakers could be created only when there is a substantial quantity (at least 1 article per day) of sustained (lasting for at least 3 days) negative framing (with half of the article and keywords coded as critical overall). In addition, it is also assumed that media pressure on policymakers is increased when the three selected newspapers ran sustained negative coverage simultaneously. Combining the analysis results for the three newspapers, I found 11 periods when the three newspapers were running sustained coverage simultaneously. The framing analysis for this sustained coverage is summarised in Appendix 7C.

As shown in Table 7.2, of the 11 periods, the first one (between 23 September and 10 October 2002, the 18 days immediately subsequent to the launch of public consultation) showed overall framing for all three newspapers that was mixed. In other words, media consensus remained at an extremely low level at that time. This finding is consistent with the Administration's perception that the response from news coverage was mild in this period³⁷.

However, in the subsequent 10 months between mid October 2002 and July 2003, while the ODN retained mixed framing, the tone of the MPDN and ADN became negative. Despite this medium level of media consensus over critical framing, government officials and Exco members perceived a negative tone in coverage during this period³⁸ (interview with Cheng Yiu-tong on 2 January 2008). (The inconsistency between framing analysis results and policymakers' perceptions will be discussed later.) It is thus reasonable to suggest that policymakers' felt pressure as a result of news coverage. However, in the two periods subsequent to 19 August 2003, only the ADN remained negatively framed, while the tone of the other two

³⁷ MPDN, 26 September 2002, page A06.

³⁸ Regina Ip's statement cited in MPDN, 3 November 2002, page A04.

papers was mixed. In this case, media pressure was weakened by the decline of media consensus in this period.

Table 7.2: The framing analysis in the 11 periods in which all three selected newspapers ran sustained coverage simultaneously				
Date	Length (Days)	Framing decided by the combined results of article and keyword counts		
		MPDN	ADN	ODN
23/9 – 10/10/2002	18	Mix	Mix	Mix
16 – 18/10/2002	3	Neg	Neg	Mix
26/10 – 8/11/2002	14	Neg	Neg	Mix
15/11 – 25/12/2002	41	Neg	Neg	Mix
5 – 31/1/2003	27	Neg	Neg	Mix
7 – 16/2/2003	10	Neg	Neg	Mix
26/2 – 1/3/2003	4	Neg	Mix	Mix
5 – 9/6/2003	5	Neg	Neg	Mix
18/6 – 27/7/2003	40	Neg	Neg	Mix
19 – 24/8/2003	6	Mix	Neg	Mix
3 – 5/9/2003	3	Mix	Neg	Mix

5. Testing the Hypotheses

5.1 Tracing the Time Sequence

As mentioned above, before September 2002, coverage of Article 23 legislation remained intermittent and scattered. Thus, the media are unlikely to have influenced the launch of the public consultation on Article 23. In the first 18 days of the consultation period, although sustained coverage was run by the three newspapers, the coverage remained mixed in its framing. Thus, media pressure on the Administration was considered to be limited in this period.

However, in the subsequent months between 16 October 2002 and 9 June 2003, while the ODN retained mixed framing, the tone of the MPDN and ADN's sustained coverage became negative, except for the period between 26 February and 1 March 2003, when the ADN adopted mixed framing. Thus, there was a medium level of media consensus most of the time. According to the chronology, during or after a period when such sustained critical coverage was run, there were numerous low and high cost

policy changes, namely a DP legislator’s introduction of a motion against Article 23 legislation in late November 2002, the Administration’s amendments to the proposed law between early November 2002 and late January 2003, and the DP’s initiation of a motion debate challenging the Administration’s analysis of the consultation results in February 2003. On 7 June 2003, the Administration also proposed its 51 amendments to the Bill. In this sense, media influence on this policy changes was possible.

There were several extremely high cost changes in the week subsequent to the protest on 1 July 2003. In order to examine the new framing prior to these changes, I divided the peak of sustained coverage between 18 June and 27 July 2003 into four sub-periods. Framing analysis for these four sub-periods is provided in the Section 3 of Appendix 7C. As Table 7.3 shows, in all these four periods, the ODN retained mixed framing, while tone of the ADN remained critical. Thus, media pressure resulting from media consensus was determined by the changes to the MPDN’s framing.

The first period was between 18 June and 1 July, the period prior to the urgent Exco meetings and Jasper Tsang’s disclosure of critical amendments to the NSB on 2 July. In this period, since only the ADN was negatively framed, while the framing of both the MPDN and ODN remained mixed, media pressure on the Administration was weakened by the low level of media consensus. In this sense, news coverage was unlikely to be an influential factor affecting these two changes.

Date	Length (Days)	Framing decided by article and keyword counts		
		MPDN	ADN	ODN
18/6 – 1/7/2003	14	Mix	Neg	Mix
2 – 4/7/2003	3	Neg	Neg	Mix
5 – 6/7/2003	2	Mix	Neg	Mix
7 – 27/7/2003	21	Neg	Neg	Mix

Between 2 and 4 July, the three days subsequent to the 1 July protest, the framing of the MPDN and ADN was critical, while the ODN retained

mixed framing. Thus, media pressure was considered to be increased. However, the LP's proposal for a deferral of the legislation on 4 July and the Administration's announcement of three critical amendments to the NSB were unlikely to be influenced by coverage in this period. This is because, as mentioned above, Jasper Tsang disclosed critical amendments to the NSB on 2 July. James Tien also talked to the PRC officials in Beijing before announcing his proposals. In other words, both the Administration and Tien had started to prepare these changes before critical coverage was run. Although it can be argued that critical coverage between 2 and 4 July created pressure, forcing the Administration and Tien to reconfirm their decisions, news coverage was not a key factor triggering the changes to policymakers' positions.

In the period between 5 and 6 July, media pressure was weakened when the MPDN became mixed framed again. Thus, James Tien's resignation on 5 July is unlikely to have been triggered by news coverage. Nevertheless, as Robinson (2002:40) suggests, politicians might take account of coverage in the future when deciding policy. It can be argued that critical coverage in the previous few days had alerted the Tien and his party to possible media pressure. In Robinson's words, there was a potential effect. However, for Tien, resignation from the Exco was an extremely high cost decision. It was questionable if such a high cost change was the result only of the potential effect of a medium level of media consensus. In addition, the Administration did not announce the deferral of legislation before Tien announced his resignation and his party showed resistance to supporting the NSB. In this sense, it is unlikely that the deferral was caused news coverage. Moreover, in the period between 7 and 27 July, after the legislation had been deferred, the MPDN became negatively framed again, leading to an increase in media consensus and media pressure. As this period came after decision to defer the legislation, media influence on the deferral of legislation can be ruled out.

The crucial change, the withdrawal of the NSB was announced on 5 September. However, as shown in Table 7.2, in the two peaks of sustained coverage in August and September 2003, the MPDN and ODN remained

mixed framed, while the tone of the ADN was critical. As media pressure on the Administration was weak, the withdrawal of the NSB was unlikely to have been triggered by these two peaks of coverage. Although potential media effect on this change is not completely excluded, it is problematic that such an extremely high cost change could be triggered by the potential effect of news coverage only.

In short, process tracing during the Article 23 debate showed that media influence on policy was possible only in some cases. In the period between October 2002 and June 2003, there were changes to the Legco's agenda and some relatively minor amendments to the Article 23 proposal during or after sustained critical coverage run by two of the three selected newspapers. In this case, media influence on policy was possible. In the period subsequent to 1 July 2003, however, the decisions on policy changes had been made before critical coverage was run. Although it was possible that news coverage might either reinforce policymakers' decisions or potentially influence policy changes, it is hard to imagine that news coverage was a major factor in the policymakers' decisions on the policy changes.

5.2 Policy Certainty Measured by Elite Consensus and Policy Stage

As mentioned in Chapter 5, there are two hypotheses on policy certainty and media influence. First, critical coverage was likely to occur when there was elite debate. Second, policy certainty measured elite consensus and policy stage is the stronger variable compared with critical coverage. In the period prior to 30 June 2003, policy certainty measured by elite consensus remained at a high level, while that measured by policy stage was low. Meanwhile, media consensus over negative framing remained at a medium level for most of this period. From this perspective, critical coverage can occur despite a high level of elite consensus. The elite consensus-news framing hypothesis was not supported in this case.

Moreover, process tracing showed that media influence was possible for the policy changes, including the amendments to Article 23 proposals and the agenda changes in the Legco. In other words, critical coverage could influence policy despite a high level of elite consensus and a medium level of media consensus. It can be argued that overall policy certainty concerning the Article 23 proposal was weakened by uncertainty in terms of early policy stage. Thus, the Article 23 proposal, as a policy at an early stage, could be changed even though media consensus over critical coverage was not high. From this perspective, elite consensus was not a strong variable compared with critical coverage. Rather, the uncertainty found at an early policy stage is a crucial condition for media influence on policy.

In the period subsequent to 1 July 2003, as mentioned above, there was a dramatic decline of elite consensus. However, policymakers' decisions on policy changes were all made before sustained critical coverage was run. Although there might be potential media effects on policy, news coverage was not a key factor in these changes. In this case, the policy changes in this period do not help testing whether critical coverage can influence policy when there is a low level of policy certainty measured by elite consensus and policy stage.

For the elite consensus-news framing hypothesis, despite the elite debate, throughout the period subsequent to 1 July 2003, the media consensus over critical coverage had never been higher than a medium level. When there was disagreement between the PRC and SAR governments in August 2003, the media consensus level further decreased to a low level. In other words, the level of media consensus over critical framing did not increase although there was a decline of elite consensus. From this perspective, elite debate may not lead to an increase in media consensus over critical framing.

Taking all of these factors into account, the case of Article 23 debate did not support all the hypotheses of this study. Regardless of the elite consensus, media consensus over critical tone remained at a medium level. In addition, media influence on policy was possible despite a high level of

elite consensus. However, the policy changes prior to 1 July 2003 support the hypothesis that media influence is possible when there is policy uncertainty measured by policy stage.

6. Possible Causes of Policy Changes

As mentioned above, the policy changes subsequent to 1 July 2003 were unlikely to have been influenced by news coverage. Moreover, the hypotheses of this study are not fully supported by the case of Article 23. In order to provide a better account of the role of the media, I examined several possible factors for policy change. Some factors, namely the institutions and the pressure from non-domestic actors, are independent of news coverage. By contrast, the other factors interact with news coverage. Such factors include the election cycle, long-term policy image, short-term public views, mass movements and actors' beliefs and strategies. It should be noted that these factors are not mutually exclusive. Rather, I suggest that these factors co-exist and interact with one another.

6.1 Institutional Factors

The first institutional factor is the Basic Law. As mentioned in the previous chapter, according to Article 23 of the Basic Law, The Hong Kong SAR on its own should enact laws concerning national security offences³⁹. In this sense, for the initiation of the enactment of Article 23, this constitutional factor was one of the main conditions.

The normal practice of legislation was also important. Even though the Administration planned to enact the controversial law in only seven months, the Administration had to follow the normal procedures for legislation, including public consultation and scrutiny in the Legco. Although these legislative procedures did not trigger policy change directly, they not only provided opportunities (including public consultation and Legco meetings) for opponents to criticise the proposed laws, but also time for the pro-democrat camp to consolidate the activities of various groups

³⁹ The Basic Law of the HKSAR, Article 23:
http://www.basiclaw.gov.hk/en/basiclawtext/chapter_2.html

and launch campaigns to influence the public views and news coverage. Without these procedures, the opponents would have had limited time and opportunities to exert pressure on the Administration to influence the proposed law. From this perspective, normal practice governing legislation proved to be a necessary condition for policy change throughout the Article 23 debate.

The institutional context of the Legco played a decisive factor in policy change. The pro-government camp, as a majority in the Legco, was able to dominate the Bills Committee, moving forward scrutiny of the NSB as the Administration planned before July 2003. However, when the LP and some other pro-government legislators, changed their positions in early July 2003, the proposed law could not be passed. In this case, the legislative plan would either have to be deferred or withdrawn. From this perspective, in the existing institutional context, elite disagreement between the Administration and the pro-government legislators was a sufficient condition for the deferral of Article 23 legislation in early July.

6.2 Pressures from Non-domestic Actors

As mentioned in previous chapter, Article 23 legislation involved some non-domestic actors, namely the PRC Government and some western governments and international organisations. According to the Basic Law, the Hong Kong SAR exercises a high degree of autonomy⁴⁰. Article 23 also states that the Hong Kong SAR shall enact the law on its own⁴¹. In this case, the PRC Government is not officially supposed to interfere with the enactment of Article 23. In other words, the PRC Government was bound by the Basic Law. Nevertheless, the PRC Government, through unofficial channels, played an important role throughout the debate. This role was evidenced by the PRC top officials' statement backing the SAR Administration's proposals. In addition, the SAR Administration did not announce critical amendments to and the withdrawal of the NSB until the PRC Government had agreed to do so. In other words, the PRC

⁴⁰ The Basic Law of the Hong Kong SAR, Article 2:
http://www.basiclaw.gov.hk/en/basiclawtext/chapter_1.html

⁴¹ The Basic Law of the Hong Kong SAR, Article 23:
http://www.basiclaw.gov.hk/en/basiclawtext/chapter_2.html

Government's decision was not only a cause for the persistence of the legislative plan before July 2003, but also a decisive factor for the critical changes to and the withdrawal of the NSB after July 2003.

Some western governments and international organisations, particularly the US and the UK governments, also exerted an influence as their criticisms of the NSB, as mentioned in Chapter 5, affected foreign investors' confidence in Hong Kong. The SAR Administration's considerations of western governments' criticisms were supported by some evidence. First, a few days prior to the gazetting of the NSB, while all the legislators were not able to get hold of the Bill, the SAR Administration sent the Bill to the British Consul and the General Chamber, the largest chamber of commerce dominated by foreign enterprises, for reference⁴². Second, both the democrats and the SAR Administration lobbied the officials and politicians of western governments and international bodies. Third, after the 1 July protest, the Administration proposed three critical amendments to the proposed laws, including deleting the whole section regarding the proscription of organisations, which met with the greatest criticism by western governments. From this perspective, the Administration not only took account of the pressures of western governments and international organisations throughout the debate, but also made relevant amendments to the Bill in response to those pressures.

In order to put their message across to the public in Hong Kong, the non-domestic actors relied on the media. Thus, western governments and organisations announced their statements through press releases. Defending the NSB, the PRC officials also delivered public speeches at various events. In this sense, the media functioned as a communicator putting across the non-domestic actors' message to the public. However, the Hong Kong newspapers have very limited circulations in mainland China and western countries. Thus, regardless of the news framing, these non-domestic actors were relatively independent of the domestic media coverage in Hong Kong. In other words, the relationship between the domestic media and non-domestic actors was asymmetric.

⁴² MPDN, 13 February 2003, page A05

6.3 Election Cycle

The other institutional factor is the election cycle. From 2002 and 2003, there were two critical elections, namely the CE in February 2002 and the District Council (DC) elections in November 2003. It was believed that enacting Article 23, as a controversial issue, would trigger a lively debate, affecting the pro-government camp's performance in the elections. This argument is supported by the fact that both the PRC and SAR governments avoided disclosing any ideas about Article 23 legislation until Tung Chee-hwa had been elected uncontested in February 2002. Thus, it is believed that the two governments tried to avoid any controversy on Article 23 during the CE election. In addition, according to the Administration's schedule, the NSB was passed four months prior to the DC election. It is believed that the Administration worried that the Article 23 debate would affect the popularity of pro-government candidates and the election results.

Although none of the Principal Officials and Exco members is elected⁴³, the Administration should take the DC and Legco elections into account. As Jasper Tsang stated, if the pro-government camp could not maintain a majority in the Legco and the DCs, there would be difficulties for the Administration's governance. Thus, during policy making, the Administration had to consider the effect on the pro-government camp's performance in the elections. Tsang also admitted that the Administration and the pro-government camp planned to pass the NSB as soon as possible in order to avoid the negative impact on pro-government candidates at the DC election (interview on 17 January 2008). The election cycle was also crucial to the Administration's withdrawal of the NSB. After the legislation had been deferred in early July 2003, the Administration realised that the task could not be achieved before the DC election in November 2003. Neither was it likely to have been passed before the Legco election in September 2003. Thus, the legislative proposals were withdrawn in order to settle the debate on Article 23 as soon as possible. Otherwise, the pro-government camp would have been seriously affected at the elections.

⁴³ According to the Basic Law, the SAR Principal Officials are nominated by the CE and appointed by the PRC Government, while the Exco members are appointed by the CE.

It is also reasonable to argue that, due to the election cycle, policymakers became relatively sensitive to criticisms of Article 23, including those by the media. In this case, despite a medium level of media consensus, policymakers perceived a negative tone in the news coverage in the period subsequent to mid-October 2002. In other words, the media's influence was increased by the election cycle. However, critical coverage did not simply prohibit the Administration from initiating legislation. Rather, the Administration acted tactically, trying to complete the legislative process between the elections. These strategies of the Administration will be discussed later.

6.4 Long-term Policy Image

The Administration's sensitivity to negative coverage may be linked with the long term public understanding of the Article 23. This argument is consistent with the concept of 'policy image' proposed by Baumgartner and Jones (1993). Since the Tiananmen Square incident in 1989, as mentioned in Chapter 6, the pro-democrat camp and some human rights groups have described Article 23 as a threat to human rights and freedoms in Hong Kong. Thus, both the PRC and the SAR Governments had realised that Article 23 was an unpopular issue before deciding to enact it. Thus, it is sensible to suggest that the government officials were particularly sensitive to negative news coverage, and proactively responded to any criticisms, including those by the media even though media consensus did not remain at a high level.

6.5 Short-term Public Mood

In addition to long-term image, short-term public attitudes towards the Administration and the Article 23 proposal during the debate were also important to policy change. Since the Asian Financial Crisis in 1997, the Hong Kong economy had begun to slide into recession, which created financial difficulties for many people. In addition to the economic downturn, there were at least three incidents directly affecting public attitudes towards the SAR Government in 2003. Firstly, in early 2003, the outbreak of Severe Acute Respiratory Syndrome (SARS) not only resulted in 299 deaths, but also resulted in further economic downturn and high unemployment rates

recorded in Hong Kong. Although the outbreak of the epidemic disease may have been the result of various factors, there were many criticisms of the government's delayed response.

Secondly, despite the economic downturn, the Financial Secretary Antony Leung in his budget speech in March 2003, proposed an increase in salary tax⁴⁴ which would impose a further financial burden on people. Thirdly, the media uncovered the fact that Antony Leung had purchased a luxury car before he announced rises in vehicle taxes in the budget⁴⁵. In order to express his regrets over the matter, Leung donated HK\$380000, double the amount of the tax difference, to charity⁴⁶. Nevertheless, his integrity and political wisdom were challenged⁴⁷. Subsequently, Leung announced his resignation on 16 July 2003, also the day of Regina Ip's resignation.

Although the PRC Government launched some economic initiatives, namely the CEPA⁴⁸ and the rules allowing mainlanders to visit Hong Kong on individual visas⁴⁹, the public mood did not improve. According to a regular survey, there was a dramatic rise in dissatisfaction rates towards the SAR Government in the first half of 2003. In January, about 50% of people claimed that they were dissatisfied with the SAR Government. This percentage gradually increased to a peak of 70% in July 2003⁵⁰. Finally, half a million people took to the streets on 1 July 2003. An on-site survey also shows that about 90% of marchers protested against Article 23 legislation, while more than 90% claimed that they were dissatisfied with the overall performance of the SAR Government⁵¹.

⁴⁴ Budget Speech 2003/04, paragraph 77-79:

<http://www.budget.gov.hk/2003/eng/budget.htm#Salaries%20Tax>

⁴⁵ ADN 9 March 2003, page A01

⁴⁶ ADN 11 March 2003, page A01

⁴⁷ MPDN 10 March 2003, page A02; ADN 17 March 2003, page A07; 18 March 2003, page A08

⁴⁸ ODN 6 June 2003, page A31

⁴⁹ ODN 6 March 2003, page A16

⁵⁰ Press release on 5 August 2003, Website of the Public Opinion Programme, University of Hong Kong: <http://hkupop.hku.hk/english/release/release127.html>

⁵¹ Chan, J. M. and Chung, R. T. Y. (2003) 'Who can Mobilise 500,000 People to Rally? July 1 Demonstration and Political Communication in Hong Kong' Column Article, Public Opinion Programme, the University of Hong Kong, published on 16 July 2003: <http://hkupop.hku.hk/english/columns/columns22.html>

There is evidence to suggest that the Administration had been aware of the unfavourable public mood during public consultation in 2002. In late November 2002, Jasper Tsang claimed that the government's first priority was to ease people's discontent. Thus, he urged the CE to seriously consider people's suggestions on the Article 23 proposal⁵². At the end of the public consultation in December 2002, some officials suggested that the Administration should make concessions because of its low popularity⁵³. Thus, it is believed that the Administration and the pro-government camp took account of unfavourable public attitudes towards the Government and Article 23.

However, the Administration and other politicians were not simply made aware of public views from news coverage. Neither did they follow public opinions and news coverage. Rather, the Administration and pro-government considered public views as a dependent variable affected by news coverage, thus trying to manipulate news framing in order to influence public views. This argument was supported by statements made by a government official and an Exco member. Firstly, since mid-October 2002, the MPDN and ADN were critically framed, the Administration had realised the reverse of public opinion. In early November 2002, Regina Ip complained that the media did not cover her explanations of government proposals, making people feel that their views were being ignored by the government⁵⁴. Two days later, Ip further claimed that it was negative coverage that had changed public opinion on the government proposals⁵⁵. In other words, the Administration believed that public views had been affected by news coverage.

An Exco member, Cheng Yiu-tong held similar views. Denying the direct pressure from news coverage, Cheng claimed that he did not simply get a sense of public opinion from the media. Furthermore, he claimed that public opinion was changed by negative coverage. As he stated, people felt

⁵² MPDN, 26 November 2002, page A08

⁵³ MPDN, 25 December 2002, page A04.

⁵⁴ MPDN, 1 November 2002, page A07.

⁵⁵ MPDN, 3 November 2002, page A04.

that the enactment of Article 23 was the civic duty of Chinese citizens in the first month of public consultation. Subsequently, people's misperceptions were created after some politicians' criticisms had been continually magnified by the media. Thus, there was reversal of public opinion on the proposed laws. Cheng further claimed that, at a later stage of the debate, the media completely ignored the voices of the pro-government camp, and that the media wanted to topple plans for Article 23 legislation (interview on 2 January 2008). In other words, Cheng believes that the media not only had an influence on, but also intended to influence public opinion in order to influence the proposed laws.

In this sense, the Administration did not recognise the representative role of the media. Rather, the public mood was considered to be a dependent variable affected by news coverage. In order to avoid pressure from the unfavourable public mood, the Administration paid a high level of attention to the news coverage and lobbied the journalists. This explains why Regina Ip and other government officials attended several forums organised by journalists' groups, explaining the government proposals.

However, it should be noted that politicians did not consider general public opinion. According to Jasper Tsang, although there were opinion polls monitoring public views, the DAB assessed people's view through its own channels, which meant mainly via direct contact with people and the community network of the party. As the assessment was unsystematic and biased, the DAB underestimated people's misgivings about the proposed laws, ignoring changes in the public mood and moving forward scrutiny of the NSB in the Legco. Tsang stated:

During the outbreak of SARS, we kept visiting the communities. We did not talk about Article 23 there. Rather, we only helped people improve environmental health. We perceived that people appreciated and supported us in this regard. Being over optimistic, we thought that we were supported by people, but we did not see the dead in the Amoy Garden and the Prince of Wales Hospital (PWH),⁵⁶ which resulted in strong discontent towards the Government. There was also an economic problem. We did not realise that

⁵⁶ Amoy Garden, a real estate and PWH were the most important disaster areas affected by SARS.

such problems were even more important. People's discontents had accumulated over several months. However, we did not receive any message (from the party's community network) about the objections to Article 23. We focused on the debate in the Legco only. That is the problem. (Interview on 17 January 2008)

As the party mainly contacted its supporters through the community network, the party was selectively informed about public opinion and either intentionally or unintentionally, reinforced its own ideas about Article 23 legislation.

Politician's subjective understanding of their voters' views also played a critical role in the Administration's deferral of the NSB on 7 July 2003. On 5 July 2003, when the Administration and the Exco rejected James Tien's proposal for the deferral of legislation and persisted with the original schedule, Tien claimed that he would look at 'people's responses'. The following evening, however, Tien resigned from the Exco. The LP also decided not to support the Bill, forcing the Administration to postpone the legislation.

According to Selina Chow, the LP Vice-Chairman, Tien did not conduct a systematic analysis of public opinion. Rather, once the Administration had announced its decision, the LP received a great deal of feedback through various channels, mainly contacts with voters of the functional constituencies⁵⁷. Chow added that, at the critical moment, the core members of the party also 'took the pulse direct' (made their own judgments by gut feeling) (interview on 16 January 2008). Chow's statement was supported by the business sectors' responses to the deferral of the legislation. The General Chamber, by which Tien was returned to the Legco, welcomed the Administration's decision to defer the legislation, urging the Administration to focus on improving the economy. The other chambers of commerce and some investment banks expressed similar

⁵⁷ Between 2000 and 2004, all the 8 Liberal legislators were returned by the functional constituencies.

views⁵⁸. In this sense, the LP's decision was mainly based on the views of party voters and politicians' subjective interpretations of these views.

However, the media's influence on LP was denied by Chow for two reasons. First, making its decision within one day, they had no time to go through all the news coverage. Second, after the Administration announced its compromised proposal on 5 July, Chow perceived that the news coverage concerned was descriptive or neutral. Thus, the party did not feel any pressure from media (*ibid.*). Chow's perceptions were consistent with the results of framing analysis that, as shown in Table 7.2, media consensus over negative framing declined to a low level between 5 and 6 July 2003. In this case, news coverage was unlikely to have played a significant role in the LP's decision on objecting to the Administration.

Not only the pro-government camp, but also the opponents were informed of public views in a similar way. According to Alan Leong, Chairman of the Bar Association at that time, although he learned about public views from news coverage, which 'slightly' reinforced his ideas, he attended numerous forums and consultation meetings organised by various groups. Leong stated:

If I only read newspapers, I would have no feeling for real life. At those meetings, we have face-to-face contact with people, hearing their voices, seeing their faces... Through this face-to-face experience with people, I could confirm the messages expressed in the news coverage. (Interview on 28 November 2008)

As Leong stated, from the forums, he felt that public views were consistent with his own. However, Leong only mentioned the forums organised by pro-democrat groups such as Christian groups and the CTU (*ibid.*). In other words, like the proponents of Article 23, he interpreted the public views selectively.

In this sense, both the pro-government camp and the opposition did not get sense of public views systematically. Rather, politicians selectively listened to their own supporters or people with similar political tendencies,

⁵⁸ MPDN, 8 July 2003, page A10

while voices different from their own positions, including those expressed in news coverage, were played down. In this sense, politicians' own beliefs were important in their interpretations and uses of public opinions. This finding is consistent with Sabatier's (1988) argument of policy learning that political actors resist information challenging their basic beliefs, and use an information buttress and elaborate their beliefs.

In short, during the Article 23 debate, there was evidence showing that unfavourable public attitudes towards the Administration and the proposed law were taken into account by the Administration and the pro-government camp. Considering news coverage as an influential factor affecting public views, politicians paid high levels of attention to news coverage and tried to influence news framing. However, neither the proponents nor the opponents looked at the general public opinions systematically. Rather, through direct contacts and the community network, politicians focused on the views of their supporters, either intentionally or unintentionally. In this case, politicians' perceptions of public views were distorted. The media's influence on politicians was also weakened. This explains why the pro-government camp wrongly estimated people's discontent towards the government and the proposed law until the 1 July protest.

6.6 Large-scale Demonstration

The other factor affecting policy change was large-scale protest. During the Article 23 debate, both the proponents and the opponents of Article 23 legislation organised numerous protests. Of these, the largest-scale one on 1 July 2003 was particularly important. Before this protest, despite a medium level of media consensus over critical framing, the Administration had not made any critical amendments to the NSB. Neither did any pro-government politicians refuse to support the Bill. Following this protest, media consensus had never been higher than a medium level. However, the SAR and PRC governments immediately held a series of urgent meetings at which decisions on critical amendments to the NSB were made. Some pro-government legislators also changed their positions on the

Bill. In this sense, the medium level of media consensus created by the MPDN and ADN's critical coverage was not a sufficient condition for critical amendments to the Bill and the decline of elite consensus. Rather, the large-scale protest on 1 July was the crucial factor in these changes.

How did the large-scale protest influence policy? The Administration and the government camp's response to protests provided important insights. On December 2002, the democrats organised an anti-Article 23 protest with only 60 thousand demonstrators⁵⁹. In response to this, the Administration verbally re-confirmed its plan to adjust the Article 23 proposal a week later⁶⁰. This delayed response showed the limited pressure brought about by this protest. In contrast, after 500 thousand people took to the streets on 1 July 2003, the CE immediately held an urgent meeting, discussing critical amendments to the Bill. In addition, most principal officials stressed that they had clearly heard people's voices⁶¹. At the special meeting of the PRC Government on 3 and 4 July 2003, the wrong assessment of public opinion in Hong Kong was discussed⁶². From this perspective, policymakers considered the scale of protest as an indicator of public views. Thus, the large-scale protest on 1 July was considered to be the expression of strong public opinion against the SAR Administration and its policies. This not only created sufficient pressure on the Administration and some pro-government legislators, but also forced them to change their positions.

In addition, when the PRC and SAR governments were considering the amendments to the Bill between 2 July and 4 July 2003, the democrats organised a further anti-Article 23 rally outside the Legco Building on 9 July, the day of the second and third reading of the Bill. Demanding the withdrawal of the proposed law, the democrats claimed that there might be a few hundred thousand people joining the rally⁶³. Because of the large scale of the 1 July protest, the PRC and SAR Governments and the pro-

⁵⁹ MPDN 16 December 2002, page A04

⁶⁰ MPDN 22 December 2002, page A04

⁶¹ MPDN 3 July 2003, page A06

⁶² MPDN 5 July 2003, page A02.

⁶³ MPDN 3 July 2003, page A03

government camp ought to consider the pressure not only from past large-scale protests, but also from future mass movements.

There was also an interaction between the 1 July protest and news coverage. In the three days subsequent to the 1 July protest, the MPDN's framing changed from mixed to negative. As a result, there was an increase in the level of media consensus. Describing the protest as the expression of public opinion, the critical coverage criticised the Administration, its Article 23 proposals and even its governing style⁶⁴. In this sense, the extremely large-scale protest created an issue and an opportunity for the media to criticise the Administration and its policies. In the meantime, critical coverage legitimates the protest, magnifying the pressure on the proponents of Article 23, and reinforcing the democrats' confidence in the upcoming anti-Article 23 rally. In this sense, I suggest that news coverage and large-scale mass movements reinforce each other.

It can be argued that it was the media coverage that mobilised the demonstrators. For example, the ADN's front page was headlined 'Go to the Street, See you there' on 1 July 2003⁶⁵. A survey conducted along the marching route on 1 July 2003 shows that over 60% of the demonstrators regarded information from newspapers, radios and television as having influenced their decision to participate in the rally. About 50% of the demonstrators also said that they most frequently read the ADN, while the ODN and MPDN lagged far behind at 22% and 16% respectively⁶⁶.

However, the causal relation between news coverage and people's participation in the protest remain unknown for some reasons. Firstly, the survey finding is completely based on people's perceptions of the media effect on themselves. Secondly, although 50% of respondents read the ADN, it is unknown whether these people were mobilised by the ADN's coverage, or their actions and their choice of newspaper were based on their existing

⁶⁴ MPDN 2 July 2003, page A02

⁶⁵ ADN, 1 July 2003, page A01.

⁶⁶ Chan, J. M. and Chung, R. T. Y. (2003) 'Who can Mobilise 500,000 People to Rally? July 1 Demonstration and Political Communication in Hong Kong' Column Article, Public Opinion Programme, the University of Hong Kong, published on 16 July 2003: <http://hkupop.hku.hk/english/columns/columns22.html>

political stances. Thirdly, the survey found that around 70% of respondents regarded the call for action by friends, colleagues and schoolmates as influential. More than 90% demonstrators participated in the rally alongside friends, families, spouses or schoolmates. In other words, social networks played an important role in people's participation in the July 1 protest⁶⁷.

In short, although it is unknown whether it was the news media that mobilised the demonstrators, there was a positive reinforcement effect between critical coverage and large-scale protest. As the large number of demonstrators was considered to result from strong public views against the Administration and the Article 23 proposal, the large-scale protest on 1 July 2003 not only placed pressure on the Administration and the pro-government camp, but also provided an opportunity for the media to run further critical coverage, magnifying the pressures on policymakers and reinforcing the democrats' confidence in further actions. Consequently, the SAR and PRC governments made critical amendments to the NSB, while some pro-government legislators changed their positions, resulting in deferral of the legislation.

6.7 Beliefs of Actors

One element in the political actors' ideas and beliefs is their understanding of Article 23. The pro-government camp's support of the Article 23 was based on its idea that the enactment of Article 23 was the constitutional duty of Hong Kong. As Jasper Tsang stressed, the DAB truly believed that the law should be enacted (interview on 17 January 2008). In this sense, the pro-government camp's idea was an important condition for their persistence over the enactment of Article 23.

However, persistency of ideas varies from group to group. After strong public views against the Administration and the Article 23 proposal had been expressed by the large number of demonstrators on 1 July 2003, Tsang claimed that he did not change his position even though he realised

⁶⁷ *ibid*

there were strong public views against Article 23. Conversely, he, as the Chairman of the DAB, suggested that the Bill should be passed as soon as possible, so that the Administration could prove that the opposition's misgivings were unfounded (interview on 17 January 2008). On the other hand, the LP and some pro-government legislators' positions were changed after the 1 July protest.⁶⁸

Ideas were also important to the opponents of Article 23. Since 1989, the democrats in Hong Kong have considered Article 23 as a threat to human rights and freedoms. Throughout the debate, this idea was highlighted by the opponents of Article 23. Democrats such as a DP legislator, James To (interview on 31 January 2008) and the Chairman of the Bar Association, Alan Leong also emphasised that their positions on the proposed law were mainly based on their beliefs in human rights and freedoms (interview on 28 November 2008). Thus, it can be argued that the democrats' campaign against the Article 23 legislation was driven by their beliefs.

Not only the democrats, but also some journalists at various levels have similar ideas about human rights and freedoms. Throughout the controversy on Article 23 legislation, these two groups, namely the HKJA, and the Hong Kong News Executives' Association (HKNEA), voiced their concerns over the government proposal. They also conducted a series of surveys, claiming that the proposed law would affect press freedom and the operation of the media seriously⁶⁹. On 1 July 2003, there were also 1000 journalists, including the Chief Editor of the MPDN and owners of the ADN and the other pro-democrat paper, the Hong Kong Economic Journal, took to the streets. Thus, it is appropriate to suggest that because of the beliefs in freedom of press, some journalists highlighted the criticisms of the proposed law in their media outlets. More importantly, the journalists' campaign was taken into account by the Administration. Every time amendments were proposed by the Administration, the issue of press freedom was addressed. In the first round of amendments to its proposals in January 2003, the

⁶⁸ MPDN, 4 July 2003, page A04; 8 July 2003, page A10

⁶⁹ MPDN, 21 December 2002, page A05; 4 May 2003, page A16

Administration proposed that a judicial warrant was required in respect of search for or seizure of journalistic materials. In June 2003, the Administration proposed a time limit of two years for prosecution for the offence of handling seditious publications. In early July, the Administration further proposed introducing 'public interest' as a defence for unlawful disclosure of certain official information, in order to protect and alleviate the concerns of the media.

The media's influence was also enhanced by the positive reinforcement relations between the ideas of the democrats and media coverage. James To felt that highlighting the criticisms of the proposed law, the media 'helped' the democrats a great deal throughout the Article 23 debate (interview on 31 January 2008). Alan Leong also claimed that if the media had not magnified and delivered the Bar Association's voices to the public, the outcome of the debate would have been different. He also believed that because of their misgivings concerning the press freedom, journalists highlighted the Bar Association's criticisms of the proposed law (interview on 28 November 2008). From this perspective, the ideas of democrats and journalists reinforced each other. Because of their ideas, journalists tended to highlight the criticisms of the proposed law. From the critical coverage, the democrats were aware of the media's support, reinforcing their ideas and encouraging them to take further actions against the proposed law. This also provided further opportunities for the media to run critical coverage in support of the democrats' campaigns.

The other element in political actors' belief systems is political stance which enables the liaison among these groups to become established. During the debate on Article 23, the voices against the proposed law not only came from the pro-democrat parties and their politicians, but also from some groups such as the Bar Association and Christian groups. Although these groups are not affiliated to any pro-democrat party, they traditionally play an active role in the pro-democrat camp, supporting the democratic movement in Hong Kong. In these circumstances, it is not surprising that these groups proactively supported the pro-democrat camp, opposing the government proposals. Similarly, the pro-government groups also formed an

alliance supporting the enactment of Article 23. Although the media, in this case, could enhance the communication among various groups, news coverage was not a necessary factor for co-operation between various groups. Rather, political stance played an important role in mobilisation of the campaign against the legislation, placing pressure on the Administration. This finding is consistent with Sabatier's (1989) argument that actors' beliefs function as the 'glue' in coalitions.

6.8 Strategies of actors

As the institutional rational choice approach suggests, political actors are not only influenced by external factors, but also act tactically in order to maximise their own payoffs. During the Article 23 debate, tactical actions were taken both by the proponents and opponents in order to protect their own interests. Although the Hong Kong SAR had to enact Article 23 according to the Basic Law, the SAR Administration was not only constrained by this constitutional duty, but also made use of it. In order to legitimate their legislative plans, throughout the debate, both the PRC and SAR governments, together with the pro-government camp, described the enactment of Article 23 as the constitutional duty of Hong Kong. In other words, the notion of constitutional duty was used to defend the proposed law. Neither were the Administration and the pro-government camp simply constrained by the election cycle. Rather, as mentioned above, with its constitutional power, the Administration manipulated the legislative schedule in order to minimise the negative influence on pro-government candidates during elections.

Moreover, in order to put its message across to the public, the Administration not only tried to influence news framing, but also created its own channel to reach people. The first of these strategies was to defend the proposed law through exclusive interviews with government officials conducted by the ODN. The other strategy was distributing pamphlets responding to criticisms and misgivings about the proposed law. The pro-government groups also set up an alliance, launching a series of campaigns, including rallies and advertisements in newspapers.

The pro-democrat legislators also incorporated their actions in the Legco with street campaigns in order to magnify the voices against the proposed law. While the democrats entered into an alliance with pro-democrat groups, launching a series of protests, pro-democrat legislators initiated a series of motions criticising the Administration. After the 1 July protest, the pro-democrat camp also initiated an adjournment motion in the Legco, urging the Administration to respond to people's demands. Although the subject matter was removed when the Administration deferred the legislation on 7 July 2003, the democrats shifted the focus of the protest on 9 July 2003, calling for political reform, including introducing universal suffrage for the CE and the Legco, which is traditionally a demand made by the pro-democrat camp. In this sense, the democrats adopted strategies not only to magnify voices against the proposed law, but also to take an opportunity to give voice to their own demands.

6. Concluding Remarks

In sum, not all the hypotheses in this study were supported by case of Article 23 debate. Despite the change in elite consensus, the media consensus over critical tone remained at medium level. In other words, media framing did not change with elite consensus level. In addition, process tracing demonstrated that media influence on policy was possible despite the high level of elite consensus. Thus, elite consensus was not a stronger variable than critical framing. The only hypothesis supported by the Article 23 debate is that media influence is likely to be possible when there is uncertainty measured by policy stage.

In order to provide a better explanation of the policy change, I examine several factors and their relation with news coverage. As shown in Table 7.4, there was a series of factors involved in policy changes in the Article 23 debate. Among these factors, the institutions, the long-term image of Article 23, election cycle, actors' beliefs and strategies exerted an influence throughout the debate. Because of the institutional constraints of the Basic Law, the SAR Administration had to initiate Article 23 legislation.

The institutional procedures of legislation also provided opportunities and time for the democrats to ally themselves with other groups and magnify the voices against the proposed law. In this process, the actors' beliefs not only influenced actors' positions on the enactment of Article 23, but also functioned as the 'glue', facilitating the coalition of various groups. In this case, critical news coverage played a supportive role, reinforcing democrats' ideas and confidence in the campaign against the proposal laws, and magnifying the pressure on the Administration.

Meanwhile, because of the negative long-term image of Article 23, the Administration and the pro-government camp considered Article 23 to be a controversial issue. Thus, they became relatively sensitive to criticisms. In order to minimise the negative impact on the pro-government camp, the Administration, together with the pro-government parties, designed a legislative schedule tactically, trying to enact Article 23 in the period between the CE election in 2002 and the DC election in 2003.

The Administration's sensitivity to critical coverage was increased by negative image and the election cycle. Moreover, the Administration believed that public views on the Article 23 proposal had been influenced by critical coverage. Thus, although the media consensus remained only at a medium level, the Administration made some minor adjustments to the proposed law before July 2003 in response to the criticisms, including those by the media. From this perspective, policy was not only influenced by critical coverage, but also by the Administration's tactical mediation.

However, because politicians learned about public views from the subjective interpretations of their supporters, the pro-government camp wrongly assess short-term public views. Thus, the proposed law persisted and its scrutiny was moved forward by pro-government legislators as the Administration scheduled until the large-scale protest on 1 July 2003, which was considered to be an expression of strong public views against the Administration and its policies. Since then, some pro-government politicians' had changed their stances, resulting in elite debate. This protest also triggered the PRC Government's special meeting and reform of the

institution for Hong Kong policy. In this case, the critical coverage of the MPDN and ADN legitimated the protests and the voices against Article 23, reinforcing the pressure on the Administration. Nevertheless, all these high cost policy change took place only following the 1 July protest. Furthermore, the media consensus remained at a medium level, like that prior to 1 July. In this sense, critical coverage was not a sufficient condition for the high cost policy changes.

Moreover, the two sections of the NSB criticised by western governments and journalist groups were only abolished following the 1 July protest. Thus, it is sensible to suggest that pressure from these two parties was not a sufficient condition for high cost policy change. Without the pressure created by the 1 July protest, the Administration would not have made these changes. Neither was news coverage an influential factor in the withdrawal of the NSB in September 2003. Rather, in order for the pro-government camp to retain its majority of the DC and Legco, the Administration and the pro-government camp had to avoid any further negative influence on pro-government candidates in the upcoming DC and Legco elections. In this sense, the election cycle was the main consideration of the withdrawal of the Bill.

Taking all of these factors into account, I argue that the routes of media effect on policy are more complex than the hypotheses in this study. Rather, policy change was the result of a series of co-existing factors and their interactions. News coverage was only one of these factors which was applicable for some of the policy changes.

Table 7.4: Factors Affecting Policy Changes during Article 23 Debate										
Date	Policy change	Possible influential factors								
		Institutional factors	Non-domestic actors	Long-term policy image	Short term public mood	Mass Movements	Election Cycles	Ideas / Beliefs	Strategies	Role of Media
Before 26/2/02	The Administration's decision on enacting Article 23	√	√	√			√	√	√	Not necessary / potential effect
7/11/02 -28/1/03	The Administration committed itself to consider amending its proposals, and then announced amendments to its proposal.	√	√	√	√		√	√	√	Reinforcing opponents' ideas/ Magnifying pressure
25/11/02	The DP confirmed the intention to initiate a motion against Article 23 legislation at the Legco meeting on 11 December 2002.	√		√	√			√	√	Reinforcing opponents' ideas/ Magnifying pressure
12/2/03	The DP confirmed the motion criticising the Administration's analysis of consultation results at the Legco meeting on 26 February 2003.	√		√	√			√	√	Reinforcing opponents' ideas/ Magnifying pressure
7-27/6/03	The Administration proposed 51 amendments to the NSB.	√	√	√	√		√	√	√	Reinforcing opponents' ideas/ Magnifying pressure
1/7/03	Urgent meeting of the CE's Office.	√		√		√	√			Not necessary
2/7/03	The CE's special meeting with Principal Officials and leaders of pro-government party.					√				Not necessary
3/7/03	An adjournment motion in the Legco.	√		√	√	√	√	√	√	Reinforcing opponents' ideas/ Magnifying pressure
3-4/7/03	Special meeting of the Politburo Standing Committee of the Communist Party of China.		√			√				Not necessary

Table continued on next page.

Date	Policy change	Possible influential factors							Role of Media	
		Institutional factors	Non-domestic actors	Long-term policy image	Short term public mood	Mass Movements	Election Cycles	Ideas / Beliefs		Strategies
5/7/03	The Administration's announcement of 3 critical amendments to the Bill	√	√	√	√	√	√	√	√	Reinforcing opponents' ideas; Forcing the Administration to confirm decision
6/7/03	James Tien's resignation from the Exco.				√	√				Not necessary / potential effect
7/7/03	The Administration's announcement of deferral of the 2 nd and 3 rd readings of the Bill	√				√				Not necessary / potential effect
Early 7/03	Setting up of a high level Central Leading Group on Hong Kong and Macau Affairs in PRC Government.					√				Not necessary
5/9/03	The Administration's withdrawal of the NSB.	√	√	√		√			√	Not necessary / Potential effect

Chapter 8

Narrative Account of the Case of Central Reclamation

1. Introduction

The second case in the thesis gives an account of the controversy over reclamation projects, particularly Central Reclamation Phase III (CRIII) and Wanchai Development Phase (WDII) in the Victoria Harbour between Hong Kong Island and the Kowloon Peninsula. This case was selected because it demonstrates a situation with a high level of elite consensus and mixed news framing. This chapter provides a narrative account, namely the institutional setting of town planning policy in Hong Kong, and the background and development of the debate on the reclamation projects.

2. The Institutional Setting of Town Planning Policy in Hong Kong

Town planning and development projects were mainly managed by the Housing, Planning and Lands Bureau (HPLB) of the Administration. Usually, when an Outline Zone Plan (OZP) for a development project is proposed, the HPLB will consult with the Legco Panel on Planning, Land and Works (PLW Panel) and with the Panel on Environmental Affairs (EA Panel), the relevant District Councils (DCs) and the public. In addition, most funding in relation to the development plans should be approved by the Legco's Financial Committee or its Public Works Subcommittee. However, after funding for the implementation of the development plan is endorsed, there was no institutional channel for the Legco to intervene in the project.

Whilst the final decision is made by the CE in the Exco, the Town Planning Board (TPB), a key institution, recommends that the Administration amend the OZP according to the results of the consultation before the development plan is published in the government gazette. According to the Town Planning Ordinance (TPO), all the TPB members

are appointed by the CE¹. The Board consists of seven official members and 30 non-official members representing various professions, expertise and community interests.

Before April 2004, the positions of TPB Chairman and Vice-chairman were traditionally occupied by official members. The Board also relies on government administrative and technical support². Moreover, all the TPB meetings were closed. Thus, when the Administration introduced the comprehensive Town Planning Bill into the Legco in order to streamline planning procedures in February 2000, pro-democrat legislators raised a number of issues, including the chairmanship, openness and public accountability of the TPB³. Consequently, the Committee was unable to complete the scrutiny of the Bill before the term ended in July 2000. Thus, the Committee decided to dissolve⁴. Subsequently, the Administration decided to amend the TPO in stages, giving priority to amendments for which there was general consensus⁵.

In sum, although the views of the Legco, DCs are taken into account, the TPB plays a particularly important role in the Administration's decisions on development projects. Since TPB membership and the technical information needed for decision making are tightly controlled by the Administration, the Administration can influence the Board's decisions. In addition, the final decisions should be made by the CE in the Exco in most cases. From this perspective, the Administration usually has overwhelming influence on development policy. Nevertheless, when the Administration proposed amendments to the TPO in order to streamline town planning procedures, the legislators grasped the opportunity to challenge the chairmanship, openness and accountability of the TPB, holding back the Administration's proposal.

¹ Website of the TPB: http://www.info.gov.hk/tpb/en/about_us/intro.html

² Ibid.

³ Minutes of the meeting of the Bills Committee on Town Planning Bill on 11 April 2000: <http://www.legco.gov.hk/yr99-00/english/bc/bc08/minutes/bc081104.pdf>

⁴ Report of the Bills Committee on Town Planning Bill dated 2 June 2000: <http://www.legco.gov.hk/yr99-00/english/hc/papers/cb1-1726.pdf>

⁵ Legco paper for the Bills Committee on the Town Planning (Amendment) Bill 2003: <http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120918cb1-2390-1e.pdf>

3. Background of the CRIII and WDII

The CRIII and WDII arose from a series of planning studies commissioned by the Administration first dated back to the 1980s. In 1989, a feasibility study endorsed by a government committee recommended a reclamation plan with an area of about 108 hectares along the waterfront from Central to Causeway Bay. The objective of this Central and Wanchai Reclamation (CWR) project was to provide land for various transport links and development projects. The project is divided into five phases, namely Central Reclamation Phase I, II, III, and Wanchai Development Phase I and II. The CRI and CRII and the WDI were completed between 1993 and 1998⁶.

In June 1997, before the sovereignty of Hong Kong reverted to the PRC Government, a Protection of Harbour Bill proposed by a pro-democrat legislator Christine Loh (Loh Kung-wai) was passed by the Legco with the support of pro-democratic legislators, and became the Protection of Harbour Ordinance (PHO)⁷. According to the PHO, the Victoria Harbour is to be protected and preserved as a special public asset and a natural heritage site for the Hong Kong people, and for that purpose there is a presumption against reclamation in the Harbour⁸. However, the Ordinance does not specify the criteria for rebutting the presumption against reclamation.

In the subsequent period, the Administration suspended and reconsidered several reclamation projects, including the Southeast Kowloon Reclamation (SEKR) proposal which would provide land for a new cruise terminal and tourism node development⁹. However, according to the Administration, the PHO was not the main consideration. Rather, these changes were mainly based on people's increasing resistance to reclamation¹⁰ and the decreasing demand for residential properties¹¹.

⁶ Paper of the joint meeting of the PLW Panel and the EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-1e.pdf>

⁷ Official record of the proceedings of the Council meeting of the Legco: http://www.legco.gov.hk/yr96-97/english/lc_sitg/hansard/970627fa.doc

⁸ Section 3 of the PHO: http://www.legislation.gov.hk/blis_ind.nsf/e1bf50c09a33d3dc482564840019d2f4/aedef9823e95e4e248256529002902ee?OpenDocument

⁹ MPDN, 4 February 2003, page A02

¹⁰ MPDN, 2 August 2002, page B10

On the other hand, the CWR project, including the CRIII and the WDII, was moved forward by the Administration. The purpose of the CRIII was to provide land for essential transport infrastructure including the Central-Wanchai Bypass (CWB) and the Road P2 network in order to provide urgent relief for the traffic congestion problems of Hong Kong Island. Other infrastructure accommodated in the CRIII would be a military dock for the People's Liberation Army and an overturn tunnel for the Airport Railway and other lines of the underground railway. Some reclaimed land would be reserved for commercial uses and leisure purposes¹².

When the draft Central District (Extension) OZP of the CRIII was exhibited for public inspection in 1998, the Administration received some objections demanding scaling down the reclamation. Thus, the Administration reduced the extent of reclamation from 38 to 23 hectares. The TPB also adopted the Administration's amendments to the draft OZP in 1999¹³. In the following years, there were no objections to the CRIII when the reclamation plan passed through a due process involving statutory town planning and environmental impact assessment procedures and public consultation. The Legco's Finance Committee also approved funding for the CRIII's detailed design and construction in 2000 and 2002 respectively¹⁴.

Similar to the CRIII, the 28.5 hectare-reclamation in the WDII was amended during early discussions. According to the Administration, the purpose of the WDII was to provide land for transport links, including the CWB and the Island Eastern Corridor Link (IECL), residential and hotel developments, a leisure area and other waterfront facilities¹⁵. When the funding proposal for the feasibility study for the WDII was endorsed by the

¹¹ MPDN, 4 February 2003, page A02

¹² Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹³ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹⁴ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹⁵ Paper for the joint meeting of PLW Panel and EA Panel on 23 November 2003:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1127cb1-403-7e.pdf>

Public Works Subcommittee of the Legco Financial Committee in February 1999, there were no objections to project¹⁶. During a public consultation forum in February 2000, however, the Administration first proposed the construction of a Harbour Park on a 2 hectare-man-made island in the Harbour¹⁷. This proposal was criticised by legislators at a Legco PLW Panel meeting¹⁸. Subsequently, the TPB and the Administration withdrew the Harbour Park proposal¹⁹. Since then, the debate on the WDII was settled.

In sum, despite the endorsement of the PHO and the suspension of some reclamation projects, the CRIII and WDII projects decided in the 1980s were moved forward in order to provide land for transport links and other development projects. There were criticisms when the CRIII and WDII passed through a series of statutory procedures and consultations. However, the debates were settled after the Administration had adjusted the designs of these two reclamation plans before 2002. Since then, there has been a high level of consensus over these two projects between the Administration, the Legco, DCs and various statutory bodies, and professional and environmental groups.

4. Development of the debate on the CRIII and WDII

The chronology of the development of the reclamation debate is summarised in Appendix 8. The debate mainly took place in the period between 22 March 2002 and October 2004. In accordance with the timing of policy changes and important events, the development of the debate is divided into six periods as follows:

1. In the period between 22 March 2002 and 11 September 2003, the Harbour Park proposal triggered legal proceedings against the WDII. Subsequently, the institutional context of the PHO was changed by the Court's judgement.

¹⁶ Minutes of the meeting of the Public Works Subcommittee of the Legco Financial Committee: <http://www.legco.gov.hk/yr98-99/english/fc/pwsc/minutes/pw240299.htm>

¹⁷ Information cited in the judgement concerning an application for judicial review by the SPHL in respect of the WDII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

¹⁸ Minutes of the PLW Panel meeting: <http://www.legco.gov.hk/yr99-00/english/panels/plw/minutes/pl240200.pdf>

¹⁹ Minutes of PLW Panel meeting: <http://www.legco.gov.hk/yr01-02/english/panels/plw/minutes/pl011207.pdf>

2. In the period between 12 September and 5 October 2003, the focus of debate shifted to the CRIII. When an environmental group instituted legal proceedings against the CRIII, the Administration suspended this project temporarily.
3. In the period between 6 and 30 October 2003, although the Court allowed a full resumption of work related to the CRIII, the Administration decided to partially resume reclamation work because of the 'public debate'.
4. Between 31 October 2003 and 8 January 2004, the Administration not only disclosed a series of agenda changes, but also decided to make changes to the routine operations of the TPB.
5. In the fifth period between 9 January and 8 March 2004, the Court handed down a ruling against the WDII, further changing the institutional context of the PHO. This led to a series of agenda changes by the Administration.
6. In the final period between 9 March and 16 October 2004, the legal battle on reclamation was settled after the Court handed down a judgement in favour of the CRIII. Nevertheless, the Administration launched a series of changes to town planning policy.

4.1 From 22 March 2002 to 11 September 2003

In this 537-day period, the debate on reclamation was triggered by a sudden change in the TPB's decision on the Harbour Park proposal within the WDII. Although the Harbour Park proposal was withdrawn in 2001, at the TPB meeting in March 2002, a member on behalf of other absent members, raised objections to the exclusion of the Harbour Park. Other members also took the view that the Park would provide a leisure area for people. Thus, the Board resolved to include the Park in the WDII OZP²⁰. In the next month, the Administration gazetted the OZP of the WDII, in which the Harbour Park proposal was included²¹. In late April 2002, an

²⁰ The minutes of TPB meeting cited in the judgement concerning an application for judicial review by the SPHL in respect of the WDII:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

²¹ The Government of HKSAR Gazette, 19 April 2002, Vol.16, No.2272:
<http://www.gld.gov.hk/cgi-bin/gld/egazette/gazettefiles.cgi?lang=e&extra=&year=2002&month=04&day=19&vol=06>

environmental group, the Society for the Protection of the Harbour Limited (SPH) together with a pro-democrat legislator opposed the Harbour Park proposal²². Subsequently, both the pro-democrat and pro-government camps started criticising the construction of the Harbour Park²³.

In early September 2002, the TPB claimed that there were over 770 submissions against the OZP of the WDII during the 2-month exhibition period. The objectors, including political parties and environmental groups, mainly opposed the Harbour Park. Some major real estate developers were also concerned that the prices and views of their properties in the harbour-front area would be affected by the reclamation and associated development projects²⁴. On 6 December 2002, the TPB looked at the developers' views, reducing the maximum building heights from 100m to 60m²⁵. However, the Board persisted with the Harbour Park proposal and claimed that the Park would allow people to 'hug the Harbour'²⁶. In response to this, in February 2003, the SPH applied for a judicial review (JR) of TPB's decision in respect of the draft OZP of the WDII. The Society also claimed that the Administration would sell the reclaimed land as premium land and that the reclamation project would change the Harbour into a small river²⁷.

In the following month, the Court of First Instance (CFI) ordered that the TPB could not forward the WDII OZP to the Exco for decision making until the JR case was settled²⁸. In other words, the plans were suspended. In July 2003, the CFI not only ordered the TPB to reconsider the draft of the WDII OZP, but also handed down a judgment specifying the criteria for rebutting the presumption against reclamation. According to the judgment, the purpose and extent of each proposed reclamation in the Harbour ought to be assessed by reference to the three tests of: (1) compelling, overriding and present need, (2) no viable alternative, and (3)

[&no=16&gn=2272&header=1&part=0&df=1&nt=gn&acurrentpage=12&agree=1&newfile=1&gaz_type=mg](#)

²² MPDN, 30 April 2002, page A13

²³ MPDN, 7 May 2002, page A10; 9 May 2002, page A19

²⁴ MPDN, 7 September 2002, page B05

²⁵ MPDN, 7 December 2002, page A06

²⁶ MPDN, 4 January 2003, page A16

²⁷ MPDN, 8 April 2003, page A12

²⁸ ODN, 15 March 2003, page A18

minimum impairment to the Harbour. Otherwise, the presumption against reclamation in section 3 of the PHO would not be rebutted²⁹. In other words, the judgment changed the context of the PHO.

In response to this judgment, the Administration and the TPB adjusted the WDII OZP. On 18 July 2003, the TPB withdrew the Harbour Park proposal whilst the Board decided to appeal to the Court of Final Appeal (CFA) directly to seek a clarification of the legal principles behind the PHO³⁰. Meanwhile, the Administration initiated a review of the judgment's influence on other reclamation projects³¹. From this perspective, changes in the contexts of PHO not only triggered changes to the WDII proposal, but also led to agenda changes of the Administration and the TPB.

Despite the debate on the WDII, two development projects involving reclamation were moved forward without criticism. The first took place before the SPH applied for the JR on the WDII. In February 2003, the CRIII contract was awarded and was scheduled to last for 55 months. A few weeks later, work related to the CRIII commenced³². The second project concerned reclamation in Hei Ling Chau (HLC), an island outside the Harbour. The Administration proposed this project for the development of a 'super-scale prison'. Since the HLC reclamation would take place outside Victoria Harbour, this project was not constrained by the PHO. At the meeting of the Legco Financial Committee on 16 May 2003, although some legislators questioned this proposal for security reasons, nobody opposed the reclamation plan. Finally, funding for a feasibility study on this project was approved³³.

In early May 2003, before the CFI handed down its judgment, the Administration also ordered that the first stage of amendment of the TPO

²⁹ Judgement concerning an application for judicial review by the SPHL in respect of the WDII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

³⁰ Legco paper for the joint meeting of EA Panel and PLW Panel on 27 November 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1127cb1-403-7e.pdf>

³¹ MPDN, 9 July 2003, page A06

³² Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

³³ Minutes of the Legco Financial Committee meeting: <http://www.legco.gov.hk/yr02-03/english/fc/fc/minutes/fc030516.pdf>

should be introduced into the Legco. On 9 May 2003 and 21 May 2003, the ‘Town Planning (Amendment) Bill 2003’ (TPAB 2003) was published in the gazette³⁴ and first read in the Legco³⁵. The TPAB 2003 mainly focused on accelerating the process for the development plan³⁶. On 23 May 2003, the Legco’s Bills Committee on the TPAB 2003 was formed for the scrutiny of the TPAB 2003.

In sum, the debate in this period focused on the Harbour Park proposal of the WDII. The Administration and the TPB persisted with the proposal until the institutional context of PHO was changed by the Court’s judgment. This change not only forced the TPB and the Administration to withdraw the Harbour Park proposal, but also triggered an agenda change on the part of the Administration (review of other reclamation projects). Nevertheless, before the Court handed down its ruling against the WDII, two projects involving reclamation, namely the CRIII and HLC reclamation were moved forward as ordinary plans. Moreover, the Administration introduced the TPAB 2003 into the Legco for the amendment of the TPO.

4.2 From 12 September to 5 October 2003

In this 23-day period, the focus of the debate shifted to the CRIII project. On 12 September 2003, threatening to seek a High Court injunction against the Administration, the Chairman of the SPH, Winston Chu urged the Administration to suspend all reclamation projects, including the CRIII, until the CFA had settled disputes about their legality³⁷. After the Administration had clarified that the WDII, CRIII and SEKR were the final reclamation projects in the Harbour, the SPH adjusted its proposals, demanding the Administration to reduce 50% of the extent of the CRIII from 18 hectares to no more than 9 hectares, and to promise not to use the reclaimed land for commercial purposes.³⁸

³⁴ The Administration’s press release on the ‘Town Planning (Amendment) Bill 2003’: <http://www.info.gov.hk/gia/general/200305/09/0509143.htm>

³⁵ Website of the Legco: <http://www.legco.gov.hk/general/english/bills/bill0304.htm>

³⁶ The Administration’s press release on the ‘Town Planning (Amendment) Bill 2003’: <http://www.info.gov.hk/gia/general/200305/09/0509143.htm>

³⁷ MPDN, 13 September 2003, page A10; 18 September 2003, page A15

³⁸ MPDN, 21 September 2003, page A04

Subsequently, some environmental groups and opinions expressed in the media questioned the relationship between Chu and a major real estate developer, Sun Hung Kai, who opposed reclamation in the Harbour³⁹. Nevertheless, the SPH, with the support of some pro-democrat politicians, organised a series of anti-reclamation campaigns, including fundraising for the legal battle⁴⁰ and a picture exhibition explaining how reclamation would change the Harbour into a river⁴¹. The society also described the Harbour as a unique public asset of Hong Kong⁴² and claimed that the reclaimed land would be used for commercial purposes⁴³. Subsequently, about 500 people attended the anti-reclamation rally organised by the Action on the Protection of the Harbour (APH), a group set up by some professionals and pro-democrat politicians from the Central and Western District Council⁴⁴. Meanwhile, pro-democrat legislators shifted the focus of the discussion of the TPAB 2003, criticising the openness of the TPB. At the first meeting of the Bills Committee on TPAB 2003 in September 2003, pro-democrat legislators urged the Administration to open up the TPB meetings for public participation⁴⁵.

In response to the criticisms, the administration, on the one hand, agreed that the Harbour was an asset belonging to the people. On the other hand, the Administration emphasised the fact that the CRIII would provide urgent relief for the traffic congestion problems of Hong Kong Island⁴⁶. Since work on the CRIII had been commenced, the Administration also claimed that the suspension of reclamation work would cost taxpayers HK\$ 1 million per day in compensation for the contractors. If the CRIII was terminated, it would cost about HK\$1 billion⁴⁷. Moreover, the Administration stressed that the picture prepared by the SPH was outdated

³⁹ MPDN, 25 September 2003, page A04; 26 September 2003, page A06; ODN, 26 September 2003, page A40

⁴⁰ MPDN, 19 September 2003, page A17

⁴¹ MPDN, 2 October 2003, page A12

⁴² ADN, 26 September 2003, page A06

⁴³ MPDN, 26 September 2003, page A03

⁴⁴ MPDN, 29 September 2003, page A08

⁴⁵ Minutes of the meeting: <http://www.legco.gov.hk/yr02-03/chinese/bc/bc12/minutes/bc120918.pdf>

⁴⁶ MPDN, 13 September 2003, page A10

⁴⁷ MPDN, 20 September 2003, page A08

and misleading⁴⁸, and that only one hectare of CRIII's reclaimed land would be used for commercial purposes⁴⁹.

In late September, after a meeting with the Secretary for Housing, Planning and Lands (SHPL), Michael Suen (Suen Ming-yeung)⁵⁰, the SPH applied to the High Court for a JR on the Administration's decisions in relation to the CRIII and demanded an interim injunction over work related to the CRIII⁵¹. Noting that judicial proceedings had commenced, the Administration, on its own initiative, suspended all marine work related to the CRIII pending the High Court's judgment on the interim injunction case⁵².

In the meantime, the Administration disclosed some changes to the reclamation project and agenda triggered by the CFI's ruling. The first one was the termination of two consultancy studies of the SEKR⁵³. The second was the study of alternatives, including electronic road pricing (ERP), to alleviate traffic congestion in Central⁵⁴.

In short, during this period, the focus of the debate shifted to the CRIII when the SPH urged the Administration to suspend all reclamation projects until the CFA had settled disputes about their legality. The Society also described the Harbour as an asset of the people, showing damage caused by reclamation plans in pictures. In response to this, the Administration not only challenged the validity of the SPH's information, but also highlighted the cost of suspending reclamation work and the urgent need for transport links and the high cost of suspending reclamation work. Although Winston Chu's relations with real estate developers were questioned, the pro-democrat camp not only supported the SPH's anti-

⁴⁸ MPDN, 24 September 2003, page A02; 26 September 2003, page A03; 2 October 2003, page A12.

⁴⁹ MPDN, 21 September 2003, page A04

⁵⁰ MPDN, 23 September 2003, page A09

⁵¹ MPDN, 26 September 2003, page A03

⁵² The Administration's press release on the statement of SHPL:
<http://www.info.gov.hk/gia/general/200309/27/0927160.htm>

⁵³ MPDN, 27 September 2003, page A12

⁵⁴ MPDN, 13 October 2003, page A03

reclamation campaigns, but also shifted the focus of the scrutiny of the TPAB 2003, demanding that the Administration open up the TPB meetings.

Despite these criticisms, the Administration launched policy changes only in relation to legal proceedings and the Court's ruling. One of these changes was the temporary suspension of the CRIII work, which was triggered by the SPH's application to the High Court for a JR on the CRIII. The CFI's ruling also triggered the termination of consultancy study on the SEKR and the review of alternatives to traffic congestion.

4.3 From 6 to 30 October 2003

In the 25-day period, the implementation of the CRIII was changed again. On 6 October 2003, the High Court delivered its judgment in favour of the Administration, and allowed for work on the CRIII to be resumed⁵⁵. Nevertheless, the Administration did not order full resumption of all marine work. Instead, only such work that would not cause any irreparable damage to the Harbour, such as dredging, was resumed. According to Michael Suen, the 'public debate' on the issue was one of the Exco's considerations. Suen said:

The Executive Council has taken into account the fact that at the moment there is a very heated public debate on the whole question of reclamation. And so we are going to proactively approach the other side to try to see whether there are still common grounds for us in this particular matter. We will also be approaching the appropriate panel in the Legislative Council so that there is an opportunity for a public debate on this particular issue so that people understand the rationale we are advancing in our course and also for us to reply to any criticism against us.⁵⁶

The HLC reclamation was also affected although it was not constrained by the PHO. In late October 2003, the Director of the Civil Engineering Department said that this plan would be delayed because of the climate of public opinion against reclamation. Furthermore, consultation on this proposal would be divided into two phases. This official also claimed:

⁵⁵High Court's Judgement concerning an application from the SPH for interim injunction in respect of CRIII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-2e-scan.pdf>

⁵⁶The Administration's press release on the speech of SHPL: <http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

‘Nowadays, public relations and public opinions should be taken into account for engineering works.’⁵⁷ From this perspective, the Administration sensed that public opinion was against reclamation and took it into account in this period.

After failing to stop the CRIII works through legal proceedings, Winston Chu threatened to mobilise a public march against the government. At the meeting with Michael Suen, Chu also urged the Administration to accept five demands before the SPH instituted further legal proceedings. These demands included suspension and review of the reclamation project, re-consultation on reclamation, creation of a Harbour Authority to oversee these projects and restructuring the TPB⁵⁸. Meanwhile, the pro-democrat camp and the environmental groups launched further anti-reclamation campaigns, including protests⁵⁹.

The pro-democrat camp also initiated agenda changes in the Legco. A DP legislator, Wong Sing-chi at a meeting of the Legco PLW Panel in early October 2003, requested a joint meeting with the EA Panel to discuss issues relating to the CRIII and WDII⁶⁰. At the first joint Panel meeting on 13 October 2003, the reclamation projects were criticised by legislators⁶¹. In response to this, Michael Suen suggested that the Legco hold public hearings to collect public views⁶². Subsequently, Panel members accepted this suggestion⁶³. According to Suen, the Administration hoped that the hearings could provide an opportunity for public debate on this issue so that people could understand the Administration’s arguments from media coverage (interview on 22 January 2008). From this perspective, the Administration tried to best use the institutional channels and the media to put its message across to the public.

⁵⁷ MPDN, 28 October 2003, page A11

⁵⁸ ODN, 9 October 2003, page A31

⁵⁹ MPDN, 20 October 2003, page A10; 30 October 2003, page A17

⁶⁰ Minutes of the PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl031009.pdf>

⁶¹ Minutes of the joint meeting of the PLW Panel and the EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1031.pdf>

⁶² Minutes of the joint meeting of the PLW Panel and the EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1013.pdf>

⁶³ Minutes of the joint meeting of PLW Panel and EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1031.pdf>

During this period, there was a further incident. On 11 October 2003, Winston Chu claimed that he and the legal adviser of the SPH had received letters threatening his and his family's personal safety. Thus, he resigned as head of the SPH and the society's vice-chairwoman, Christine Loh took over his role⁶⁴. Although most news coverage sympathised with Chu, the Administration and the opponents of the reclamation also censured the threat. Thus, it can be argued that this incident did not favour any party in the debate.

In short, in this period, the High Court ruling allowed the full resumption of work related to the CRIII. Nevertheless, taking account of the 'public debate', the Administration decided only to partially resume reclamation work. Because of the failure to stop reclamation work through legal channels, the SPH changed its strategy, threatening to mobilise a public demonstration. Meanwhile, the pro-democrat camp changed the Legco agenda, requesting a joint Panel meeting in order to put further pressure on the Administration. In response to this, the Administration made use of rules, proposing a public hearing in order to put its message across to the public.

In addition, Winston Chu received threatening letters and resigned as the Chairman of SPH. However, this incident was considered to be irrelevant to the debate on reclamation.

4.4 From 31 October 2003 to 8 January 2004

In this 70-day period between 31 October 2003 and 8 January 2004, the Administration disclosed several policy changes. First, at the meeting on 31 October 2003, the TPB officially requested the government to conduct a comprehensive review of planning and engineering plans in the WDII⁶⁵. In other words, the Board confirmed that the design of the WDII should be amended. Secondly, Michael Suen, at a public seminar, said that the

⁶⁴ MPDN, 12 October 2003, page A01

⁶⁵ The Administration's press release on the TPB statement:
<http://www.info.gov.hk/gia/general/200311/07/1107205.htm>

government was considering, through legislation, prohibiting further reclamation in the Harbour after the CRIII, WDII and SEKR projects were completed⁶⁶. Thirdly, in November 2003, a TPB member, Rebecca Chiu, claimed that the TPB had noted the problems of existing consultation mechanism reflected in the debate on CRIII, and had started exploring ways of improving the board's public relations and transparency. The Department of Planning also claimed that proposals for opening up TPB meetings would be submitted to the Legco for consideration in the following months⁶⁷. In other words, the Administration decided to open up some TPB meetings.

Despite these policy changes, the HLC prison development plan was moved forward. On 19 December 2003, the Administration launched the first round of public consultation on the HLC prison development proposal⁶⁸. In addition, the Administration, with the pro-government camp's support, took some initiatives to counteract the opposition's criticisms. The first example was that the pro-government camp mobilised several groups to counteract opinions against reclamation at Legco's public hearings. As a result, there were divergent views on the CRIII among various groups expressed at the public hearings on 27 November and 8 December 2003⁶⁹. Thus, pressure on the Administration was weakened. The second counteraction of the Administration was propaganda. Through some newspapers, the SPH distributed a pamphlet criticising the Administration's reclamation plans⁷⁰. In response to this, the Administration distributed its own leaflets in Central in order to explain the rationale for the reclamation plans⁷¹.

In a nutshell, in response to criticisms, the Administration disclosed two agenda changes, including a review of the WDII and the proposal to introduce legislation against further reclamation in the Harbour. The

⁶⁶ MPDN, 14 November 2003, page A15

⁶⁷ MPDN, 17 November 2003, page A10

⁶⁸ The Administration's press release on the public consultation:

<http://www.info.gov.hk/gia/general/200312/19/1219271.htm>

⁶⁹ Minutes of the joint meetings of PLW Panel and EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1127.pdf>

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1208.pdf>

⁷⁰ MPDN, 2 December 2003, page A18

⁷¹ MPDN, 19 December 2003, page A15

Administration also decided to change the operation of the TPB, opening up some TPB meetings. In the meantime, with the support of the pro-government camp and associated groups, the Administration successfully weakened the pressure created by the opponents at public hearings. The Administration also distributed its pamphlets in the street while the SPH had distributed its leaflet in newspapers.

4.5 From 9 January to 8 March 2004

On 9 January 2004, the CFA handed down a judgment, ordering the TPB to reconsider the WDII project. The CFA also laid down a single test replacing the three tests as previously set out in the High Court's judgment. This test was that the presumption against reclamation could only be rebutted by establishing an overriding public need for reclamation, including the economic, environmental and social needs of the community, which could not be achieved through alternative means⁷². From this perspective, the rules of town planning policy were again changed by the Court's ruling. In response to the ruling, the Administration instructed the TPB to review all reclamation projects, including the CRIII and SEKR, in order to satisfy the test as imposed by the CFA⁷³.

Meanwhile, the Administration and TPB reached a consensus over the openness of the Board meeting. At a TPB meeting on 16 January 2004, the Board members agreed that the public should be allowed to attend the hearing part of TPB meetings and other meetings, except for when confidential items were being discussed. The Administration also re-confirmed that some TPB meetings would be opened up⁷⁴. Since then, pro-government legislators had changed their positions, demanding that the TPB meetings be opened up⁷⁵. In other words, all the major parties, namely the Administration, the TPB, the pro-democrat and the pro-government camps,

⁷² CFA's judgment on WDII on 1 January 2004:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplwcb1-761-1e.pdf>

⁷³ The Administration's press release on the transcript of SHPL:

<http://www.info.gov.hk/gia/general/200401/09/0109278.htm> ;

Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl040115.pdf>

⁷⁴ MPDN, 27 January 2004, page A08

⁷⁵ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl040127.pdf>

agreed to open up some TPB meetings at that time. Nevertheless, the SPH and the pro-democrat camp continued their street campaigns including open letters and sea parade on the ferry⁷⁶.

In sum, in this period, the CFA's judgment against the WDII changed the context of the PHO. In response to this, the Administration and the TPB changed the agenda, reviewing all reclamation projects accordingly. After the Administration and TPB had confirmed a decision to open up some TPB meetings, the pro-government legislators followed the Administration, supporting opening up such meetings. As a result, all the key institution, including the Administration, TPB and the Legco reached consensus over this issue. In spite of this, the opposition continued their street campaigns to put pressure on the Administration.

4.6 From 9 March to 16 October 2004

In this 220-day period, the legal battle on reclamation was settled after the High Court had handed down a ruling in favour of the Administration. Nevertheless, the Administration launched a series of structural alternations in relation to town planning policy.

On 9 March 2004, the High Court made a ruling confirming the legality of the CRIII project⁷⁷. On the same day, the Administration announced that the government would negotiate with contractors to resume work within a month, and that there would not be further reclamation projects in Victoria Harbour after the remaining three projects, namely CRIII, WDII and SEKR were completed⁷⁸.

Subsequently, Christine Loh said that SPH was looking for further legal tussles. In order to speed up the judicial process, she hoped the appeal against the High Court's judgment would go to the CFA directly instead of via the Court of Appeal. Otherwise, the legal debate might cost over HK\$ 5

⁷⁶ MPDN, 17 January 2004, page A16; 19 January 2004, page A16

⁷⁷ High Court's judgment on CRIII on 9 March 2004:
<http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/eaplw1127cb1-1258-1e-scan.pdf>

⁷⁸ The Administration's press release on the transcript of PSHPL:
<http://www.info.gov.hk/gia/general/200403/09/0309199.htm>

million and last for over a year⁷⁹. However, this direct appeal, according to the law, should be based on the consent of both sides of the lawsuit. As the Administration rejected the SPH's request⁸⁰, the society could only apply to the Court of Appeal for the appeal. In April 2004, Loh announced that the SPH would not lodge any appeal against the judgement on the CRIII⁸¹. In other words, the legal battle over the reclamations was over while the CRIII project continued. Nevertheless, the pro-democrat camp continually launched protests against reclamation⁸².

Despite the continuation of work on the CRIII, the Administration launched several structural alternations associated with town planning policy. The first was the creation of the Harbour-front Enhancement Committee (HEC), a new advisory group on the development of Victoria Harbour. The main role of the HEC was to provide advice on the usage and management of existing and new harbour-front areas only⁸³. In this sense, the powers of the HEC were limited. Decisions on reclamations were still tightly controlled by the Administration and the TPB.

The second structural alternation concerned changes in the composition of the TPB. As the tenure of appointment of TPB members is usually for a period of no more than two years, the CE had to appoint a new TPB in the first half of 2004. In early April 2004, the Administration gazetted the new appointment of the TPB for a two-year term. Among the 33 non-official members, 18 are re-appointments, while the remaining 15 are new appointments⁸⁴. Although the position of the Chairman was still occupied by an official member, it was the first time a non-official member was appointed as Vice-Chairman of the TPB.

In early May 2004, at a meeting of the Bills Committee on TPAB 2003, the Administration suggested, by administrative means, opening up

⁷⁹ MPDN, 22 March 2004, page A13

⁸⁰ MPDN, 27 March 2004, page A15

⁸¹ MPDN, 16 April 2004, page A18

⁸² MPDN, 22 March 2004, page A13; 3 May 2004, page A06

⁸³ The Administration's press release on feedback to High Court's judgment:

<http://www.info.gov.hk/gia/general/200403/09/0309203.htm>

⁸⁴ The Administration's press release on the appointment of TPB members:

<http://www.info.gov.hk/gia/general/200404/02/0402203.htm>

the hearing part of TPB meetings. However, Committee members insisted that it was necessary to lay down the opening up of TPB meetings in law⁸⁵. A few days later, the Administration accepted the Committee's request to add a new section to amendment bill to the effect that all TPB meetings would be open to the public, except for the deliberation part in relation to consideration of representations / comments and planning applications and under certain specified circumstances in respect of other meetings. The Committee thus accepted the Administration's proposal⁸⁶. Subsequently, the TPAB 2003 and its amendments were passed at the Council meeting of the Legco on 7 July 2004⁸⁷. Since then, the openness of the TPB has been changed.

The CFA's ruling on the WDII and PHO also led to changes to the SEKR proposals. As the Administration believed that the SEKR did not meet the criteria set up by the CFA's ruling, the proposal was re-designed by inviting tenders for consultancy studies⁸⁸ and launching a new round of consultation⁸⁹. Moreover, several development projects, including the cruise termination associated with the SEKR, were re-considered⁹⁰. Although the HLC prison plans were not constrained by the PHO, after the second round of public consultation between May and July 2004⁹¹, the Administration withdrew the plan because of various groups' objections⁹².

In sum, in this final period, after the CFA had confirmed the legality of the CRIII, the Administration made use of institutional rule, increasing the fiscal cost of appeal. Consequently, the SPH was forced to give up legal proceedings against reclamation. In spite of this, the opponents of reclamation continued their street campaigns for harbour protection.

⁸⁵ Minutes of the Bills Committee on 5 May 2004:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

⁸⁶ Paper of the Bill Committee of TPAB 2003:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

⁸⁷ Hansard record of the Council meeting on 7 July 2004:

<http://www.legco.gov.hk/yr03-04/english/counmtg/hansard/cm0707ti-translate-e.pdf>

⁸⁸ MPDN, 19 March 2004, page A28

⁸⁹ MPDN, 28 July 2004, page A09

⁹⁰ MPDN, 12 September 2004, page A15

⁹¹ The Administration's press release on the public consultation:

<http://www.info.gov.hk/gia/general/200405/31/0531192.htm>

⁹² Paper for the Legco Financial Committee

<http://www.legco.gov.hk/yr04-05/english/fc/fc/papers/fi04-15e.pdf>

Whilst the CRIII projects continued, the Administration introduced two changes in structures in relation to town planning policy, including the creation of the HEC and the appointment of new TPB members. In addition, the Administration also accepted the Legco's proposal to open up TPB meetings. Nevertheless, because of the limited terms of reference of the HEC and the Administration's control over the TPB chairmanship, town planning policy remained tightly controlled by the Administration.

5. Concluding Remarks

In short, the controversy over reclamation in the Victoria Harbour was triggered by the Administration and TPB's persistence over the Harbour Park proposal of the WDII. Subsequently, the focus shifted to the CRIII and other reclamation projects and the openness of the TPB.

Describing the Harbour as an asset of the people, the SPH, together with the pro-democrat camp and environmental groups, highlighted the damage to the Harbour caused by reclamation. The purpose of reclamation plans, according to these opponents, was to provide land for developers and land premium for the government. On the other hand, according to the Administration, while the Harbour was an asset of the people, the reclamation projects was the only means of providing viable and urgent relief for traffic congestion. The Administration not only stressed the infeasibility of adjusting the reclamation plans, but also emphasised the high fiscal cost of suspending reclamation work. Arguing that information provided by the SPH was outdated and misleading, the Administration claimed that the CRIII, WDII and SEKR were the final reclamation projects in the Harbour. Moreover, most of the reclaimed land would be used for leisure purposes.

The Judiciary played an important role in the debate. After the SPH had successfully challenged the legality of the WDII, resulting in amendments to the WDII plan, the Society instituted further legal proceedings against the CRIII and other reclamation projects. In addition, the SPH, together with democrats and environment groups, tried to put

pressure on the Administration by means of mass movements. Playing a supportive role, the pro-democrat camp also changed the Legco agenda in order to put further pressure on the Administration. In addition to proposing joint meetings of the PLW and EA Panels, the pro-democrat legislators seized the opportunity to shift the focus of scrutiny of the TPAB 2003, urging the Administration to open up the TPB meetings.

In response to the court's rulings, the Administration reviewed and adjusted the WDII and other reclamation projects accordingly. While the SPH applied to the High Court for an interim injunction on the CRIII, the Administration also suspended work on the CRIII until the court had laid down its ruling. However, legal proceedings were not the only factor in policy changes. Despite the Court's allowance for the full resumption of work on the CRIII, because of the 'public debate', the Administration did not fully resume reclamation work until after the Court had confirmed the legality of the CRIII project. In addition, the Administration launched some policy changes irrelevant to the court's rulings. These initiatives included the personnel changes to the TPB, opening up of the hearing part of TPB meetings and the creation of a new advisory body.

Nevertheless, while adjusting its policies, the Administration adopted strategies to manipulate these changes. Despite personnel changes in the TPB, the Administration still controls its Chairmanship. Whilst the hearing parts of the TPB meetings are opened up to the public, critical meetings involving confidential or sensitive information are kept closed. The terms of reference of the new advisory body are also limited in advising on the development of existing and further reclaimed land. Making use of institutional rules, the Administration has also counteracted its opponents' voices. When pro-democrat legislators criticised the reclamation projects at the Legco joint Panel meeting, the Administration proposed public hearings so that the pro-government groups could counteract the voices against reclamation. In addition, after the Court had laid down a ruling in favour of the CRIII, the Administration rejected the SPH's request for a direct appeal to CFA. Consequently, the time and fiscal costs of legal proceedings were increased. Thus, the Society was forced to give up legal proceedings.

Chapter 9

Analysis of the Case of Central Reclamation

1. Introduction

In order to investigate the relations between policy change and news coverage, this chapter analyses policy change, policy certainty and news framing during the controversy over reclamation. Tracing the time sequence of these factors, I test of the hypotheses of this study. Other possible factors and their relations with news coverage are also examined in order to provide a better account of media-policy relations.

2. Analysis of Policy Change

During the reclamation debate, both high cost and low cost changes in policy were identified. Some of these were associated with judicial rulings, while others were decided by the Administration, the TPB and the Legco. The time sequence of these policy changes during the reclamation debate is summarised in Table 9.1. However, some actions of the Administration and the SPH were not considered as policy changes. Such actions included the SPH's institution of legal proceedings and the implementation of the government's new decisions. For example, when the government had decided to open up some TPB meetings, the TPB's discussion of the issues was regarded as the implementation of the Administration's decision rather than as a policy change. Similarly, after the Administration had proposed public hearings on WDII and CRIII, the subsequent procedures and the hearings per se were not regarded as policy changes. Neither were the amendments associated with the SEKR considered as policy changes after the government had decided to reconsider this project.

2.1 Low Cost Changes

2.1.1 Changes by the Administration

During the reclamation debate, there were several low cost changes, mainly changes to the agendas of the Administration and the Legco. For the

Administration, two agenda changes were made subsequent to the court's judgments concerning the WDII and PHO. The first was the Administration and TPB's review of all reclamation projects in the Harbour, including the WDII, CRIII and SEKR¹, after the Court of First Instance (CFI) had handed down its judgment on July 2003². The second was the TPB's re-assessment of all reclamation projects³ after the Court of Final Appeal (CFA) had handed down its judgment on the appeal case of the WDII in January 2004⁴. The other agenda changes were the review of town planning policy in October and November 2003. These included exploring alternatives to traffic congestion⁵, and the plan to prohibit further reclamation in the Harbour through legislation⁶. In addition, in December 2003, the Administration distributed its leaflets in the streets in order to explain the reclamation plans to the public⁷. Since the fiscal and political costs of this short term project were limited, this initiative was considered to be a low cost change.

2.2.2 Agenda Changes in the Legco

The Administration and the pro-democrat camp not only initiated agenda changes in the Legco, but also affected each other's agendas. In May 2003, when the Administration introduced the TPAB 2003 into the Legco⁸, the pro-democrat camp changed the agenda, calling on the Administration to open the TPB meetings⁹. Subsequently, the Administration and the TPB started the review of openness of the TPB¹⁰.

¹ MPDN, 9 July 2003, page A06

² Judgement concerning an application for judicial review by the SHPL in respect of the WDII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

³ The Administration's press release on the transcript of SHPL: <http://www.info.gov.hk/gia/general/200401/09/0109278.htm> ; Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl040115.pdf>

⁴The CFA's judgement on WDII on 1 January 2004:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplwcb1-761-1e.pdf>

⁵ MPDN, 13 October 2003, page A03

⁶ MPDN, 13 November 2003, page A16

⁷ MPDN, 19 December 2003, page A15

⁸ The Administration's press release on the TPAB 2003:

<http://www.info.gov.hk/gia/general/200305/09/0509143.htm>

⁹ Minutes of the meeting of Bills Committee on TPAB 2003:

<http://www.legco.gov.hk/yr02-03/chinese/bc/bc12/minutes/bc120918.pdf>

¹⁰ MPDN, 17 November 2003, page A10

Date	Policy Change	Types of change	Cost of change
22/3/2002	The TPB's persistence with the Harbour Park proposal	Change to existing proposal	High
14/3/2003	The CFI prohibited the TPB from forwarding the WDII OZP to the Exco.	Proposal suspended	High
6/5/2003	The Administration's initiation of an amendment of the TPO.	Agenda change	Low
8/7/2003	The CFI's judgment on the JR of WDII	Change to existing policy	High
8/7/2003	The Administration's review of the judgment's influence on reclamation projects	Agenda change	Low
18/7/2003	The TPB's withdrawal of the Harbour Park proposal	Amendment of existing proposal	High
18/9/2003	The pro-democratic camp's demand on opening up TPB meetings	Agenda change	Low
26/9/2003	The termination of consultancy studies on the SEKR	Change to existing proposal	High
27/9/2003	The temporary suspension of CRIII	Existing policy suspended	High
6/10/2003	The High Court's judgment allowing the continuance of CRIII	Existing policy continued	Low
7/10/2003	The partial resumption of CRIII	Change in routine operation	High
9/10/2003	The A pro-democrat camp's request for joint meeting Panel meeting	Agenda change	Low
12/10/2003	The Administration's review of viability of ERP	Agenda change	Low
13/10/2003	The Administration's proposal for public hearings	Agenda change	Low
27/10/2003	The delay of the HLC prison plan ¹¹ .	Change to existing proposal	High
13/11/2003	The Administration's review of legislation against further reclamation	Agenda change	Low
16/11/2003	The Administration's decision on opening up TPB meetings	Change to routine operation	High
20/12/2003	The Administration's distribution of leaflets	Change to routine operation	High
9/1/2004	The CFA's ruling against the WDII and reinterpreting the PHO	Change to existing policy	High
9/1/2004	The Administration and TPB's review of reclamation projects	Agenda Change	Low
9/3/2004	The High Court's ruling confirmed the legality of the CRIII ¹² and the full resumption of CRIII	Existing policy continued	Low
9/3/2004	The creation of the HEC	Alteration of structure	High
2/4/2004	The new appointment of the TPB	Personnel changes	High
12/5/2004	The Administration's decision on opening up TPB meeting by adding a new section in to TPAB 2003	Changes to routine operation	High
16/10/2004	The withdrawal of HLC prison proposal	Withdrawal of proposal	High

¹¹ MPDN, 28 October 2003, page A11

¹² High Court's judgment on CRIII on 9 March 2004:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/eaplw1127cb1-1258-1e-scan.pdf>

The Administration also changed the agenda initiated by the pro-democrat camp. In October 2003, when the pro-democrat camp requested a joint meeting of the PLW and EA Panels to discuss issues relating to the CRIII and WDII¹³, the Administration changed the agenda, suggesting public hearings on the reclamation in the CRIII and WDII in the Legco¹⁴. Subsequently, public hearings took place on 27 November and 8 December 2003.

2.3 High Cost Policy Changes

2.3.1 Changes to the WDII

The first high cost change in this study was the sudden change in the TPB's position on the Harbour Park proposal in March 2002¹⁵. The other two high cost changes in WDII were ordered by the CFI. One was the temporary suspension of the WDII ordered by the CFI in March 2003¹⁶. The other changes took place on 8 July 2003 when the CFI handed down its judgment on the JR case of WDII, specifying the criteria for rebutting the PHO's presumption against reclamation and ordering the Administration to reconsider the WDII¹⁷. This judgment not only forced the Administration to reconsider the WDII, but also changed the existing contexts of the PHO. Thus, the Administration had to review all the reclamation projects accordingly. Subsequently, the TPB withdrew the Harbour Park proposal¹⁸.

2.3.2 Change in the CRIII

The CRIII work had commenced before the focus of the debate shifted towards it. Thus, the high cost changes in the CRIII project were mainly associated with its implementation. The first change to the CRIII

¹³ Minutes of the PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl031009.pdf>

¹⁴ Minutes of the joint meeting of the PLW and EA Panels:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1013.pdf>

¹⁵ The minutes of TPB meeting cited in the judgement concerning an application for judicial review by the SPHL in respect of WDII:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

¹⁶ ODN, 15 March 2003, page A18

¹⁷ Judgment concerning an application for judicial review by the SPHL in respect of WDII:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

¹⁸ Legco paper for the joint meeting of the EA and PLW Panels on 27 November 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1127cb1-403-7e.pdf>

was its temporary suspension, announced on 27 September 2003, two days after the SPH applied to the High Court for a JR on the legality of the CRIII, and demanded for an interim injunction over work on the CRIII. According to the Administration's statement, this decision was mainly based on legal considerations¹⁹.

The second change in the CRIII's implementation was announced on 7 October 2003, the day after the High Court laid down the judgment rejecting the SPH's application for an interim injunction on the CRIII. Although the judgment allowed the full resumption of the CRIII, the Administration decided to resume only part of the work that would not cause any irreparable damage to the Harbour²⁰. Finally, the CRIII was full resumed after the High Court confirmed its legality in March 2004. In this case, although the implementation of the CRIII was changed twice, the project continued at the end of the legal battle.

2.3.3 Other Reclamation Projects

In addition to the WDII and CRIII, other development plans were changed during the debate on reclamation. The first one was the SEKR. As a reclamation project in the Harbour, it was affected by the Administration's review of all such projects. In addition, there were changes in implementation. The first was the termination of consultancy studies announced in September 2003²¹. After the legal battles on reclamation were over, the Administration disclosed further changes to the SEKR, including its re-design and re-consultation²². In other words, the SEKR proposal was reconsidered according to change in the context of the PHO.

The other project changed was the HLC prison plan outside the Harbour. This project was supposed to be free from the constraints of the PHO. However, in October 2003, the Administration decided to delay this

¹⁹ The Administration's press release on the statement by the SHPL:

<http://www.info.gov.hk/gia/general/200309/27/0927160.htm>

²⁰ The Administration's press release on the speech of SHPL (English part):

<http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

²¹ MPDN, 27 September 2003, page A12

²² MPDN, 19 March 2004, page A28; 28 July 2004, page A09; 12 September 2004, page A15

plan because of public views against reclamation²³. Subsequently, this plan was withdrawn in October 2004 after two rounds of public consultation²⁴.

2.2.4 Alterations in Structure

The other type of high cost policy change during the reclamation debate was structural alteration of relevant policymaking bodies. The first was the creation of the HEC announced on 9 March 2004²⁵. Although it is unknown when the Administration decided to set up this advisory body, the Chairman of the HEC claimed that he was invited to join the Committee around the end of March 2004²⁶, a few weeks after the announcement of the creation of the Committee. Thus, it is reasonable to suggest that the decision on setting up this Committee was made in a hurry.

The other structural change was personnel change within the TPB. The new composition of the TPB was published in the gazette on 2 April 2004²⁷. This was the first time a non-official member was appointed as Vice-Chairman. Although it was difficult to trace when the Administration made its decision on this appointment, it is a reasonable assumption that this personnel change had been confirmed before early April 2004.

There were also changes in the operation of the TPB during the scrutiny of amendments to the TPAB 2003. Although the first stage of amendments to the TPO focused on accelerating the processing of development plans, in mid-November 2003, the Administration disclosed that it had decided to open up some TPB meetings. The Administration had clearly made this decision before that time. However, the Administration adjusted its proposals subsequently. On 4 May 2004, the Administration proposed opening up TPB meetings by Administrative means while it was rejected by the Bills Committee on the TPAB 2003²⁸. In its letter to the

²³ MPDN, 28 October 2003, page A11

²⁴ Paper for the Legco Financial Committee

<http://www.legco.gov.hk/yr04-05/english/fc/fc/papers/fi04-15e.pdf>

²⁵ The Administration's press release on feedback on the High Court judgment:

<http://www.info.gov.hk/gia/general/200403/09/0309203.htm>

²⁶ MPDN, 30 April 2004, page A08

²⁷ The Administration's press release on the appointment of TPB members:

<http://www.info.gov.hk/gia/general/200404/02/0402203.htm>

²⁸ Minutes of the Bills Committee on 5 May 2004:

Committee dated 12 May 2004, the Administration accepted the Committee's request to add a new section to the bill to the effect that some meetings of TPB should be opened to the public²⁹. Thus, it can be argued that the Administration adjusted its proposal in the period between 4 and 12 May 2004.

In a nutshell, during the reclamation debate, there were several low cost agenda changes of the Administration and the Legco. For the Administration, the agenda changes concerned the review of reclamation projects and alternatives to relieving traffic congestion and harbour protection. In the Legco, both the Administration and the pro-democrat camp also tried to manipulate agenda changes.

There were also various types of high cost policy changes. The first was the change in contexts of the PHO by the courts' rulings. The second was the amendments of the existing reclamation project (WDII) and proposals (SEKR) according to the court's judgments. Even the HLC prison development plan, which was not constrained by the PHO, was delayed, subsequently being withdrawn. The implementation of the CRIII work was also changed twice during legal proceedings, although the project continued when the legal battle was over. In addition, there were structural alternations, including the creation of the HEC and personnel changes, as well as changes to the openness of the TPB.

3. Analysis of Policy Certainty

3.1 Elite Consensus Level

As mentioned in the previous chapter, before April 2002, nobody in the key institutions raised objections to the WDII and CRIII. Neither did the SPH criticise these reclamation projects. Thus, the level of elite consensus was considered to be high. However, after the Administration had published the WDII OZP, including the Harbour Park proposal, in the gazette in April

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

²⁹ Paper of the Bills Committee of the TPAB 2003:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

2003³⁰, the SPH, together with a pro-democrat legislator, opposed the Harbour Park proposal³¹. Subsequently, both the pro-democrat and pro-government camps criticised the Harbour Park proposal³². In other words, there was an elite debate between the Administration and the pro-government camp at that time.

Nevertheless, the elite debate focused on the Harbour Park only. There were no objections to the other proposals in the WDII and CRIII. After the Harbour Park proposal had been withdrawn, the pro-government camp supported CRIII and WDII. Apart from Choy So-yuk, a member of the SPH, nobody from the pro-government camp expressed support for the SPH's campaign. At the first joint meetings of the PLW and EA Panels, apart from Choy, all the DAB members kept silent. James Tien of LP claimed that he and his party still supported the infrastructure plans related to the CRIII³³. At public hearings held by the joint Panel meeting in November and December 2003, several pro-government groups of commercial vehicle owners and operators expressed their support for a reclamation for the construction of the CWB³⁴. Some pro-government legislators also claimed that the SPH's alternative reclamation proposal was merely at a conceptual stage, and recalled this when the funding for CRIII was approved by the Legco³⁵.

There was also a high level of elite consensus over the issues relating to the openness of the TPB during the discussion of the TPAB 2003. Since the first meeting of the Bills Committee on the TPAB 2003 on 18 September, pro-democrat legislators had continually urged the Administration to open up TPB meetings at the first stage of amendment.

³⁰ The Government of HKSAR Gazette, 19 April 2002, Vol.16, No.2272:

http://www.gld.gov.hk/cgi-bin/gld/egazette/gazettefiles.cgi?lang=e&extra=&year=2002&month=04&day=19&vol=06&no=16&gn=2272&header=1&part=0&df=1&nt=gn&acurrentpage=12&agree=1&newfile=1&gaz_type=mg

³¹ MPDN, 30 April 2002, page A13

³² MPDN, 9 May 2002, page A19

³³ Minute of the joint meeting, Legco Paper No. CB(1)390/03-04:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1013.pdf>

³⁴ Minute of the joint meeting, Legco Paper No. CB(1)820/03-04:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1127.pdf>

³⁵ Minute of the joint meeting, Legco Paper No. CB(1) 811/03-04:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1208.pdf>

On the other hand, pro-government legislators had not demanded opening up the TPB meetings until the Administration and the TPB decided to do so. In other words, the pro-government camp followed the Administration.

There was also a consensus between the TPB and the Administration during the reclamation debate. On 8 July 2003, the CFI handed down its judgement against the WDII. The TPB, at its meeting on 18 July 2003, unanimously agreed to lodge an appeal against the judgement although the Board decided not to pursue the Harbour Park proposal³⁶. The quick response and unanimous decision of TPB members showed their persistence over WDII. They also agreed to open up some meetings to the public when the Administration brought up this issue to Board³⁷. From this perspective, there was also a high level of elite consensus between the Administration and the TPB over the openness of TPB.

In short, throughout the reclamation debate, there was a high level of consensus between the TPB and the reclamation projects. Although there was an elite debate on the Harbour Park proposal, the pro-government camp supported the CRIII and the remaining part of the WDII after the proposal had been withdrawn. The pro-government camp also demanded the Administration to open up TPB meetings only after the Administration decided to do so. Thus, elite consensus level was considered to be high.

3.2 Policy Stage

Despite the high level elite consensus, in terms of policy stage, the policy certainty of reclamation plans varied from project to project. Of these projects, the SEKR and HLC prison plan were at the earliest stage. During the debate, consultancy studies on the SEKR were being conducted while public consultation on the HLC prison had not begun yet. Since these two projects were being planned, there was a great deal of space to make changes to these projects. Thus, for these two projects, policy certainty measured by policy stage was relatively low.

³⁶ The Administration's press release on the statement of TPB:
<http://www.info.gov.hk/gia/general/200307/19/0719140.htm>

³⁷ MPDN, 27 January 2004, page A08

By contrast, the WDII and CRIII were at a relatively late stage. As parts of the Central Reclamation Plan decided in 1980s, some infrastructure associated with these two projects, including the CWB, had been partially constructed before the debate. Although the Exco had not made the final decision on OZP within the WDII, the Legco had approved the funding for this project before the debate. The CRIII, at an even later stage, had been commenced before it was criticised. From this perspective, in terms of policy stage, the certainty level of the CRIII and WDII was high.

In terms of policy stage, there was also an uncertainty over town planning policy during the reclamation debate. The TPAB 2003 was introduced into the Legco for amendments to the TPO. In this sense, town planning policy was under evaluation at that time. Since this amendment exercise provided an opportunity for pro-democrat legislators to raise issues relating to the TPB, the certainty of town planning policy became relatively low.

Taking both elite consensus and policy stage into account, the CRIII and WDII showed the highest level of policy certainty measured by elite consensus and policy stage. In contrast, the SEKR and HLC prison plans were relatively uncertain as these two projects were being planned. Despite a high level of elite consensus, town planning policy was uncertain in terms of policy stage. Thus, town planning policy remained at a medium level certainty in general.

4 Analysis of News Framing

4.1 Methodology

As mentioned in the previous chapter, the period for analysis is defined by the time of the debate on the WDII and CRIII, as well as for relevant policy changes. Thus, the sampling period began on 22 March 2002 when the TPB decided to persist with the Harbour Park proposal. The end date of the article search was 16 October 2004 when the Administration

announced the final policy change, i.e. the withdrawal of the HLC prison development plan.

News articles and editorials of the three selected newspapers were searched on the Wisers database using the key words ‘reclamation (填海)’, ‘Town Planning Board (城市規劃委員會/城規會)’, ‘Town Planning Ordinance (城市規劃條例)’ and ‘Town Planning (Amendment) Bill 2003 (城市規劃(修訂)條例草案 2003)’. Only the texts containing at least one paragraph relating to the reclamation projects and the TPB and TPAB 2003 were selected, while the irrelevant articles were screened off.

This study assumes that the media’s influence on policy is possible only if there is a substantial quantity (at least one article per day) of sustained (over a minimum of 3 days) and negative (overall half of the articles is critically framed) coverage followed by policy change. Thus, the article and keyword counts focus on this kind of sustained coverage.

A coding manual for article count was designed according to the arguments highlighted by proponents and opponents of the reclamation projects and town planning policy. A detailed coding manual is shown in (Appendix 9A). There are basically three types of news framing as follows:

Positive framing is a narrative supporting the Administration, its reclamation projects and existing town planning policy. This kind of framing consists of the following elements:

- Reclamation projects were considered as a relief for traffic congestion and other development problems.
- The officials’ speech and voices supporting reclamation were highlighted.
- The SPH and Winston CHU were described as representatives of real estate developers affected by the reclamation projects.
- The legal battles on reclamation were regarded as a waste of time and taxpayer’s money
- Information in the SPH’s pamphlet was outdated and misleading.

- The anti-reclamation protests and the protestors were considered to be radical and annoying.
- The extent of existing reclamation plans was considered to be minimized, while the amendments and suspension of these plans were considered to be infeasible and expensive.
- The reclamation plans were considered to be legitimate as they had gone through a due process of statutory procedures and consultation
- The existing town planning policy was considered to be effective and legitimate.
- The TPB was described as a professional and legitimate body, while its closed-door meetings could ensure that the members could express views freely.

Negative framing shows favour to the voice against reclamation plans and the existing town planning policy. This kind of news coverage consists of the following elements:

- Reclamation projects caused damage to the Harbour and the environment
- The opponents' speeches and opinions against reclamation were highlighted.
- The SPH and Winston CHU were considered to be heroes fighting for people's interests and Harbour protection.
- The legal battles on reclamation were framed as a fight for people's interests and Harbour protection.
- The information in the SPH's pamphlet was described as up to date and valid.
- The anti-reclamation protests and the protestors were considered to be peaceful and legitimate.
- The extent of existing reclamation plans were considered to be excessive, while the amendments and suspension of those plans were considered to be viable and necessary.
- The reclamation plans were considered outdated
- Existing town planning policy was considered as ineffective and outdated.

- The TPB was described as a closed body which represented the interests of business and professional sectors, while its closed-door meetings were considered to be unnecessary.

In addition, there is neutral framing. The characteristics of this framing are listed as follows:

- Supportive and critical voices were balanced in the same article.
- Neither supportive nor critical arguments were highlighted.
- Technical or procedural issues, such as judicial proceedings, were merely described and explained.

This study assumes that policymakers usually took account of news coverage in relation to reclamation projects and town planning policy. Thus, news articles concerning the threats to Winston Chu these issues were regarded as neutral description.

The keywords associated with positive and negative framings were also quantified. Although the purposes of reclamation varied from project to project, the opponents of reclamation described those projects as environmental issues, considering the Harbour as an asset of the people which should be protected. Thus, the damage caused by reclamation to the environment was highlighted. In this circumstance, ‘protect/protection (保護)’, ‘environment (環境)’, ‘asset (資產)’ and ‘damage (破壞)’ were selected as keywords associated with negative framing. In contrast, the Administration and the proponents of reclamation considered it to be useful in providing relief for traffic congestion, emphasising the high cost of suspending reclamation work, including compensation claimed by contractors. In this case, ‘transport/traffic (交通)’, ‘congestion (擠塞/塞車)’, ‘cost (代價)’ and ‘compensation/claim (賠償/補償/索償)’ were regarded as keywords in relation to positive framing.

In order to avoid contamination of the results, the keywords referring to irrelevant issues and the titles of persons and groups were screened off. For example, the word ‘protection’ was counted only when it was used in

the issues in relation to Harbour protection and environmental protection. When used in 'Society for Protection of the Harbour' or 'Protection of the Harbour Ordinance' it was excluded. Neither was it counted when it was used in relation to 'physical protection' in the threat case of Winston Chu. Similarly, the word 'environment' used in 'Secretary of Environment, Transport and Public Work' and 'political environment' was not counted.

4.2 Results of Framing Analysis

During the 938 days between 22 March 2002 and 16 October 2004, the ADN and ODN ran 122 (0.13 per day) and 104 (0.11 per day) articles concerning the reclamation projects and town planning policy respectively. The MPDN ran 199 (0.21 per day) articles, the highest quantity among the 3 selected papers. However, the coverage was not evenly distributed. As mentioned in the previous chapter, the sample period can be divided into six periods to be analysed. The detailed results of article count and keyword test in these six periods are summarised in Appendix 9B.

As this study assumes that only critical news coverage sustained for at least 3 days can place sufficient pressure on policymakers, I focus on the framing of the sustained coverage for the three selected papers. As shown in Appendix 9C, between September 2003 and May 2004, the MPDN ran six peaks of sustained coverage, while the ADN ran five peaks. For the ODN, there was only one peak of sustained coverage between 4 and 14 October 2003.

This study assumes that media pressure on policymakers is increased when all the three selected papers ran sustained critical coverage simultaneously. Taking all the sustained coverage of the three papers into account, there was only one period when all three newspapers ran sustained coverage. During this 11-day period between 4 and 14 October 2003, the keyword test of all three papers demonstrated negative framing. However, article count showed that only ADN's coverage was negatively framed, while the tone of the other two papers remained mixed. Thus, only the overall framing of the ADN was considered to be negative, while that of the MPDN and ODN was mixed (see Table 9.2). From this perspective, there

was a low level of media consensus over the news framing in the period. Media pressure on policymakers was considered to be low.

Table 9.2: Framing of Sustained Coverage of the Three Newspapers between 4 and 14 October 2003 (11 days)						
Article Count						
Framing	MPDN		ADN		ODN	
	Total No. of article (No. of editorial)					
Positive / Supportive	8 (1)		3		5	
Negative / Critical	10		12 (1)		5	
Neutral / Descriptive	17 (2)		9 (1)		9	
Total	35 (3)		24 (2)		19 (1)	
Average No. of articles per day	3.18		2.18		1.73	
Framing decided by article count	Mixed		Negative		Mixed	
Keyword Count						
Framing	Keyword	Frequency				
Positive / Supportive	Traffic/Transport	11	15	6		
	Congestion	10	15	6		
	Cost	4	4	1		
	Compensation	15	20	11		
	Total	30	54	24		
Negative / Critical	Protect	18	39	19		
	Environment	6	12	3		
	Asset	0	3	0		
	Damage	10	10	5		
	Total	34	64	27		
Framing decided by keyword count	Negative		Negative		Negative	
Combined Results						
Overall framing	Mixed		Negative		Mixed	

5. Testing the Hypotheses

5.1 Tracing Time Sequence

This study assumes that the media's influence on policy is possible only if there is sustained critical coverage followed by policy change. News coverage of the reclamation debate remained extremely limited and scattered until mid-September 2003. Thus, policy changes prior to that time were unlikely to have been influenced by news coverage. Those changes included the Administration's decision to introduce TPAB 2003 into the Legco, the CFI's ruling against the WDII, and the withdrawal of the

Harbour Park proposal, as well as the pro-democrat camp's demand to open up TPB meetings.

In the period subsequent to October 2003, only the ADN ran sustained negative coverage, while the framing of the MPDN and ODN remained mixed. Thus, the media pressure on policymakers was weakened by the low level of media consensus. It can be argued that this level of media pressure might influence some low cost agenda changes, such as the pro-democrat camp's suggestion of a joint Panel meeting and the Administration's review of the alternatives to traffic congestion and harbour protection. However, it is hard to imagine that such a low level of media pressure could trigger a series of high cost policy changes, such as the delay of the HLC prison development plan which was announced on 27 October 2003, after the three papers ran sustained coverage simultaneously.

A partial resumption of the CRIII was announced on 7 March 2003, at the peak of the three newspapers' sustained coverage. In order to examine the media's influence, I focused on the news framing in the three days prior to this policy change. As Table 9.3 shows, in the three day period prior to 7 March 2003, the overall framing of all the three newspapers remained mixed (see Table 9.5). From this perspective, coverage was unlikely to have been an influential factor in the decision on partial resumption.

Nevertheless, the media's influence on high cost policy change was evidenced by the officials' statements. Announcing the partial resumption of the CRIII on 7 October 2003, Michael Suen claimed that the Exco had taken account of the 'heated public debate' on reclamation and the criticisms of the Administration³⁸. According to the Chinese version of Suen's statement, the 'public debate' referred to the wide range of people's opinions on reclamation³⁹. He also said that, in the public debate at the Legco Panel, the Administration would respond to the criticisms in order to explain the

³⁸ The Administration's press release on the speech of the SHPL:

<http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

³⁹ The Administration's press release on the speech of the SHPL (Chinese part):

<http://www.info.gov.hk/gia/general/200310/07/1007218.htm>

Administration's rationale to the people⁴⁰. Furthermore, on 27 October 2003, the Administration claimed that consultations on the HLC prison plan would be delayed because of the public views against reclamation⁴¹. Thus, the Administration and the Exco's decisions on the delayed of HLC prison development plan, the partial resumption of CR III, and the suggestion of a public hearing were all based on the perception of negative public views.

Table 9.3: Framing of Coverage of Reclamation Debate between 4 and 6 October 2003 (3 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of Article (No. of editorial)			
Positive / Supportive	0	0	0	
Negative / Critical	2	5	2	
Neutral / Descriptive	2	1	1	
Total	4	6	3	
Average No. of articles per day	1.60	2.00	1.00	
Framing decided by article count	Mixed	Negative	Negative	
Keyword Count				
Framing	Keyword	Frequency		
Positive / Supportive	Traffic/Transport	4	5	1
	Congestion	2	4	1
	Cost	0	1	0
	Compensation	5	8	5
	Total	11	18	7
Negative / Critical	Protect	1	8	6
	Environment	2	3	0
	Asset	0	0	0
	Damage	2	1	1
	Total	5	12	7
Framing decided by keyword count	Negative	Positive	Mixed	
Combined Results				
Overall framing	Mixed	Mixed	Mixed	

Explaining his statement, Suen on the one hand stressed that the decision on the partial resumption of the CR III was mainly based on legal considerations. On the other hand, he claimed that the Administration hoped, through the media, that the discussion at the Legco meetings would put the

⁴⁰ The Administration's press release on the speech of the SHPL: <http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

⁴¹ MPDN, 28 October 2003, page A11

government's message across to the public. Being asked if this task had been achieved by the public hearings, Suen said 'Of course not.' (Interview on 22 January 2008) In other words, the Administration perceived a negative tone in the coverage and took it into account before 7 October 2003. As the Administration did not sense any change in the tone of news coverage, this perception persisted after the Legco completed its public hearings in December 2003. In this sense, the Administration's perception of public views was consistent with that of the news coverage. Thus, it is reasonable to suggest that these two perceptions were associated with each other. From this perspective, media influence on these two high cost policy changes was possible.

In short, there was an inconsistency between the results of framing analysis and the Administration's perceptions. On the one hand, the Administration perceived a negative tone in the coverage. On the other hand, only one of the selected newspapers ran sustained critical coverage. It might be argued that policymakers were personally affected by random media reports. In Robinson's terms, there was a weak CNN effect (Robinson 2002:38-9). However, it is hard to imagine that random coverage could trigger a series of high cost policy changes over months.

5.2 Policy Certainty

5.2.1 Elite Consensus

This study sets up two hypotheses regarding the relation between elite consensus and critical coverage. First, critical coverage is unlikely to occur when there is elite consensus. Second, compared with critical coverage, elite consensus is a stronger variable. Policy is unlikely to be influenced by critical coverage when there is a high level of elite consensus.

As mentioned above, the level of elite consensus remained high while there was a low level of media consensus over critical framing. In this case, the hypothesised inverse relation between elite consensus and critical coverage was supported. Nevertheless, the Administration perceived negative news framing and launched a series of policy changes. In this sense,

the limited quantity of critical coverage managed to put sufficient pressure on the Administration, resulting in policy change, despite a high level of elite consensus. Thus, the case of the reclamation debate did not support the second hypothesis on the relations between elite consensus and critical coverage.

5.2.2 Policy Stage

This study also assumes that it is relatively difficult for news coverage to influence a policy with a high level of certainty measured by policy stage. Since the changes to the WDII were ordered by the court before sustained coverage was run, this change is not thought to have been influenced by news coverage.

As mentioned above, policy certainty of the SEKR, HLC prison proposals and the town planning policy was relatively low. After the Administration had perceived negative news framing, the SEKR and HLC prison plan were reconsidered and there were personnel and operational changes in the TPB. From this perspective, these changes supported the hypothesis that news coverage could influence policy in the uncertainty stage. However, the hypothesis was only partially supported by the case of the CRIII, which had a high level of certainty measured by policy stage. Although this project persisted after the legal battle, there were some high cost changes after the Administration perceived negative news framing. These changes included temporary suspension and partial resumption. From this perspective, it is possible for the coverage to influence policy with a high level of certainty in terms of policy stage.

In a nutshell, the hypotheses of this study are not all supported by empirical findings. Furthermore, there was an inconsistency between the framing analysis results and the Administrations' perception of coverage. There was also evidence showing that news coverage could trigger policy change despite a high level of certainty measured by elite consensus and policy stage. From this perspective, the media's influence on policy is possible regardless of policy certainty.

However, it is hard to imagine that such a low level of media consensus could result in the Administration's perception of negative coverage, triggering a series of high cost policy changes. In order to provide a better account of the media's role, I further explore various possible factors for policy changes and their relationship with news coverage.

6. Possible Route of Media Effect on Policy

In order to explain the Administration's perception of coverage and the possible route of media effects, I suggest several factors affecting policy change. Of these, some are independent of the media, while some interact with news coverage. I suggest that these factors co-exist and reinforce one another in some circumstances.

6.1 Institutions

The first factor in policy change is institution, which, as discussed in Chapter 2, is traditionally defined as formal rules and procedures and government organisations in which political behaviour takes place. As the old institutional approach suggests, rules and procedures, as basic independent variables, prescribe political behaviour (Rhodes, 1995:46, 54-5). One of the key institutional factors is the legal system of Hong Kong. In fact, during the reclamation debate, the courts played an important role as its rulings not only determined if existing reclamation projects could be continued, but also changed the contexts of the PHO.

As mentioned in Chapter 4, the Administration and other policymakers are constitutionally constrained by the court's rulings, which are supposed to be made impartially. Thus, the courts' decisions and related policy changes were all supposed to be independent of media influence. Such changes included:

- the CFI's prohibition against forwarding the WDII OZP to the Exco on 14 March 2003;
- Change in the criteria for reclamation and the re-consideration of WDII ordered by the CFI on 8 July 2003;

- the TPB's withdrawal of the Harbour Park proposal on 18 July 2003 according to the new criteria defined by the CFI;
- the High Court's permission to continue work on the CRIII on 6 October 2003;
- the change in criteria for reclamation ordered by the CFA on 9 January 2004, and
- the High Court's confirmation of the legality of the CRIII in March 2004.

In addition, the Administration's review of existing reclamation projects in the Harbour, and the re-consideration of the SEKR are considered to be initiatives according to the criteria defined by the CFI and CFA's rulings. Thus, news coverage is not considered as a necessary condition for these changes.

Not only the Administration, but also pro-democrat legislators are constrained by the legal system. In this case, although the pro-democrat camp tried to place pressure on the Administration through the special joint Panel meeting of the Legco, the legislators had to avoid interference with the fair administration of justice⁴².

The appointment of TPB members in April 2004 also resulted from the legal constraints. The TPB is established according to the TPO, while the tenure of appointments of the Board's members is usually for no more than two years⁴³. As the terms for existing TPB members were set out in the first half of 2004, the Administration had to make a new round of appointment at that time. Thus, the time of the new appointments of TPB members in April 2004 was determined by the tenure of members.

In addition to formal rules, past political decisions are embodied in the institutions (John 1998: 40-42). During the reclamation debate, the Administration and pro-democrat legislators were both constrained by their

⁴² Minutes of the joint meeting of the PLW and EA Panels:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/minutes/eapl1031.pdf>

⁴³ Website of TPB: http://www.info.gov.hk/tpb/en/about_us/intro.html

past decisions. As mentioned in the previous chapter, the Central Reclamation Plan was decided in the 1980s. Before the debate, the reclamation projects had passed through all the statutory and consultative procedures and the CRI and CRII had been completed. Bearing this in mind, it was relatively difficult for the Administration to make changes to the CRIII and WDII projects. As Suen stated, ‘We have already constructed the two ends of the road. We should finish the rest anyway.’ (Interview on 22 January 2008)

Although the opponents of reclamation claimed that scaling down the CRIII would not affect the development of the CWB, any adjustment of the existing development project should be reassessed through a series of statutory and consultative procedures. Since the position of the pro-democrat camp changed at that time, these reassessments were likely to result in a serious delay to and dramatic changes to these projects. For the CRIII, the cost of adjusting the project also involved compensation for the contractors because reclamation work had commenced before the debate. In other words, the Administration was bound by its past decisions because of the high political and fiscal costs of any change to existing policy.

However, the costs of the changes in existing policies depended on the stage of the policy. For the CRIII and WDII, except for the Harbour Park, the reclaimed land would be used for the development of the CWB, part of which had been finished before the debate. Thus, the costs of adjustment of these projects were relatively high. In contrast, the SEKR and HLC prison plans were still being designed during the debate. Since there was room for the Administration to amend those plans, the costs of change were relatively low. This argument explains why the Administration persisted with the CRIII and WDII until the courts handed down the rulings, while the SEKR and HLC prison plan were reconsidered and withdrawn on the Administration’s initiative.

Pro-democrat legislators were also influenced by their past decisions on reclamation projects. As a former DP Chairman, Lee Wing-tat states, a political party needs to remain consistent in its position (interview on 23

January 2003). Before the debate, the reclamation projects were approved by legislators, including those of the pro-democrat camp. Although pro-democrat legislators changed their positions, criticising the reclamation plans, those legislators tried to avoid overthrowing their past decisions in a high profile manner. This argument is supported by two findings. First, the special joint Panel meeting at the Legco was requested by Wong Sing-chi, a newly elected DP legislator who was not involved in past discussions of reclamation. Second, all the anti-reclamation protests were organised by the SPH and the APH, a group set up by other pro-democrat District Councilors, and supported by pro-democrat legislators. In other words, pro-democrat legislators played a supportive role with a low profile, rather than the leading role. Further evidence of this argument is discussed in the case of the demolition of the old Star Ferry Pier.

6.2 Ideas and Beliefs

The ideas and beliefs systems of political actors also played an important role during the reclamation debate. The first policy change associated with policymakers' ideas was the TPB's persistence with the Harbour Park proposal in March 2002. As mentioned in the previous chapter, the Board supported the construction of the Park, despite criticisms of the proposal. Thus, it is believed that the Board's decision was mainly based on its existing idea.

The other change that resulted from policymakers' ideas was agenda change during the scrutiny of TPAB 2003 at the Legco. At the first meeting of the Bills Committee in September 2003, the democrats urged the Administration to open up the TPB meetings. Since this change was made before sustained coverage, news coverage was unlikely to have been an influential factor. In addition, the same demand was made by the legislators during the amendment exercise of the TPO in 2000. Thus, the opposition expressed the same idea in 2003. A DP legislator, James To, who was also Chairman of the Bills Committee on TPAB 2003, further claimed that this demand was mainly based on the pro-democrat camp's beliefs in public accountability and openness of public bodies (interview on 31 January

2008). From this perspective, the change in the agenda of TPAB 2003 was mainly resulted from pro-democratic legislators' belief systems.

The Administration and TPB's decision on opening up some TPB meetings was also independent of news coverage. There were only four news stories about the openness of the TPB and the scrutiny of the TPAB 2003 during the sampling period. Only one of these was run before the Administration decided to open up the TPB meetings. Although a TPB member claimed that the controversy over reclamation made the members alter the problems of transparency of Board⁴⁴, the other TPB member claimed that the board had studied the issues relating to its openness during the TPO amendment excise in 2000. Since then, most TPB members had understood that some of meetings would be opened up. Thus, most members raised no objection when the Administration brought up this issue to the board in January 2004 (interview with a TPB member requesting anonymity on 14 May 2007). From this perspective, the TPB had prepared to open up some of its meetings before the reclamation debate. In this sense, change in the openness of TPB was mainly based on members' existing ideas, although it can be argued that news coverage might function as a catalyst accelerating the implementation of these ideas.

The other important element of the belief system is the political tendency which influences relations between various groups. Although the SPH did not highlight its political stance, the Chairwoman of the Society, Christine Loh is active as a pro-democratic politician. The PHO, which the legal battle over reclamation was based on, was also proposed by Loh and passed by the colonial Legco with the support of pro-democratic legislators in 1997⁴⁵. It can be argued that pro-democrat legislators requested the joint Panel meeting because they regarded the SPH as a member of the pro-democrat camp.

⁴⁴ MPDN, 16 November 2003, page A10

⁴⁵ Official record of the proceedings of the Legco meeting:
http://www.legco.gov.hk/yr96-97/english/lc_sitg/hansard/970627fa.doc

In the meantime, the belief system also prevented the pro-government camp from supporting the SPH's campaign. As a SPH member and a DAB legislator, Choy So-yuk, claimed that she and the Society had the same goal of harbour protection but different political stances. Although Choy supported the SPH's campaign, she was told by the DAB not to work with the Society. According to Choy, the DAB was constrained by its pro-government stance. Furthermore, the DAB believed that the SPH would never support the party whether the party supported the anti-reclamation campaign or not (interview on 21 May 2007).

Explaining the difference in belief system between the pro-government and the pro-democrat camps, the founding Chairman of DAB, Jasper Tsang, also claimed that the pro-democrat camp usually presumes that government policy is no good, while the DAB usually trusts the Administration. Thus, when the Administration is criticised, the DAB will consider the Administration's explanation. In addition to its own belief system, the DAB is also bound by its supporters' political stances. According to Tsang, if the people criticising government policy are not from the pro-government camp, the DAB would hesitate to work with these opponents. This is because of resistance on the part of the party's loyal supporters and voters. During the reclamation debate, the SPH and its campaign were supported by the pro-democrat camp. If the DAB allied itself with the SPH, the party would be criticised by its supporters (interview on 17 January 2008). From this point of view, the inaction of the DAB was explained by the party and its supporter's political stances.

In short, there was evidence that the media's influence was unlikely to be a necessary factor in some policy changes. The pro-democrat legislators changed the agenda on the scrutiny of the TAPB because of their belief in public accountability and openness of public bodies. Those legislators requested a joint Panel meeting of the Legco as their political tendency was the same as that of the SPH. The change in openness of TPB meetings was also decided before the reclamation debate.

6.3 Long-term Policy Image

Despite a low level of media consensus, the Administration perceived negative news framing. Thus, I suggest that policymakers become relatively sensitive to critical coverage in some circumstances. In other words, policymakers' sensitivity to critical coverage is increased by some factors. One of these factors is long-term policy image, which is the pre-existing public understanding of reclamation. This argument is consistent with the concept of 'policy image' proposed by Baumgartner and Jones (1993).

The long-term negative image of reclamation is evidenced by a news article in the MPDN on 2 August 2002, before the reclamation debate. In this article, the Director of Territory Development claimed that the government was aware of people's concerns over the protection of the environment and increasing resistance to reclamation. In this circumstance, several reclamation projects in various areas in Hong Kong had been suspended or terminated over the past few years⁴⁶. In other words, the Administration had realised the unpopularity of reclamation and had withdrawn some reclamation projects before the reclamation debate. In Baumgartner and Jones's (1993) terms, there was a negative policy image for reclamation. In this circumstance, it was relatively easy for the opposition to magnify the voices against reclamation. Thus, government officials become particularly sensitive to the criticisms, including those by the media, and may try to counteract those criticisms.

6.4 Short-Term Public Mood

The other factor increasing policymakers' sensitivity to critical coverage is short-term public attitudes towards the Administration and its policies. As mentioned in the case of Article 23, in the period around the large-scale anti-government rally on 1 July 2003, dissatisfaction rate of the government increased to the historical high level of 70%⁴⁷. Although the dissatisfaction rate slightly decreased to 50% in the following 4 months, the

⁴⁶ MPDN 2 August 2002, page B10

⁴⁷ Press release on 5 August 2003, Website of the Public Opinion Programme, the University of Hong Kong: <http://hkupop.hku.hk/english/release/release127.html>

satisfaction rate remained at a level of 20%⁴⁸. Thus, government popularity was considered to be low during the reclamation debate.

In the case of partial resumption of work on the CRIII, there was evidence showing that the Administration not only took account of its unpopularity, but also considered public attitudes against reclamation. In the day prior to the announcement of partial resumption of work on the CRIII, a government source told MPDP that the Administration believed that the reclamation controversy had given rise to public concern over harbour protection. From the experience of the '1 July protest', the Administration were concerned that a full resumption would provoke the public, triggering further large-scale protests. Thus, the Administration planned to take some initiatives in order to demonstrate its sincere intention to listen to the public⁴⁹. In other words, the Administration perceived public views against both the government and reclamation. In addition, as mentioned in the case of Article 23, government officials considered public views as a dependent variable affected by news coverage. From this perspective, it can be argued that the officials were extremely sensitive to any criticisms of the government, including those made by the media. Thus, a limited level of critical coverage might trigger as response by the Administration.

Further evidence was found in Michael Suen's statements. According to Suen, the Exco took account of the 'criticisms' of the Administration and the 'public debate'⁵⁰, which referred to people's opinions⁵¹. In other words, the Exco members perceived public views against reclamation. This finding was consistent with Suen's perception of negative coverage (interview on 22 January 2008). Thus, it is argued that the limited level of critical coverage, together with unfavourable public mood, could result in the Administration's perception of negative news

⁴⁸ Press release on 25 November 2003, Website of the Public Opinion Programme, the University of Hong Kong: <http://hkupop.hku.hk/english/release/release149.html>

⁴⁹ MPDN, 7 October 2003, page A02

⁵⁰ The Administration's press release on the speech of SHPL: <http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

⁵¹ The Administration's press release on the speech of SHPL (Chinese part): <http://www.info.gov.hk/gia/general/200310/07/1007218.htm>

framing. In this case, an increased media influence prevented the full resumption of the CRIII.

Public views against reclamation per se also influenced the withdrawal of the HLC prison plan. The Administration decided to delay the consultation on the HLC prison plan because of public views against reclamation in October 2003⁵² when there was substantial coverage. It can be argued that the media's influence was increased by negative public mood. However, when the Administration announced the withdrawal of the prison plan in October 2004, the reclamation debate had been over for months, while coverage had become extremely scattered. However, the Administration stressed public views against the proposal⁵³. From this point of view, public views per se could have resulted in the withdrawal of HLC prison plan.

6.5 Election Cycle

The other factor enhancing policymakers' sensitivity to news coverage is election cycle, which is also associated with institutional setting and public mood. As mentioned in the case of Article 23, the Administration and the pro-government camp hoped to settle all the controversies before the DC election in November 2003 and the Legco election in September 2004. Moreover, in the DC election in 2003, the DP won 99 seats while the DAB got only 62, losing 21 seats, including those of some very senior politicians. The overall share of the vote of the DAB also dropped from 45% in 1999 to 39% in 2003⁵⁴. Thus, in the period subsequent to this DC election, the Administration made further concessions in order to avoid any further influence on the pro-government candidates in the 2004 Legco election.

From this perspective, the creation of the HEC and the TPB's changes in Vice-Chairmanship and openness could be considered as the Administration's concessions made under the pressure of the election cycle

⁵² MPDN, 28 October 2003, page A11

⁵³ Paper of the Legco Financial Committee

<http://www.legco.gov.hk/yr04-05/english/fc/fc/papers/fi04-15e.pdf>

⁵⁴ MPDN, 25 November 2003, page A02 & A04

and negative public attitudes. It is also appropriate to suggest that the Administration became sensitive to critical coverage in this case.

6.6 Strategies of Actors

Despite external constraints, as the new institutional approach and institutional rational choice theory suggest, actors within their institutional positions adopted various strategies in order to maximise their payoffs or to minimise their losses. Some policy changes thus resulted from the actors' mediations with various factors.

6.6.1 The Administration

Despite the policy changes during the reclamation debate, there was evidence showing that Administration acted tactically in order to mediate with the opponents and their criticisms, and to manipulate policy change in some cases. The first one was the legal battle. After the High Court confirmed the legality of the CRIII in March 2004, the SPH requested that the appeal against this judgement went to the CFA directly in order to speed up legal proceedings. This direct appeal should be based on the consent of both sides of the lawsuit. However, the Administration rejected the Society's request. Finally, the SPH decided not to enter into a legal tussle because of the high fiscal costs and long time needed for an appeal. From this perspective, the legal battle was settled by the Administration's strategy.

Some actions of the Administration could be regarded as the strategies to please the judges. When the SPH had applied for the interim injunction over the CRIII in September 2003, the High Court did not order the suspension of reclamation work. However, the Administration on its own initiative announced the temporary suspension of the CRIII⁵⁵. Some legal professionals argued that the Administration tried to demonstrate its intention to protect the harbour in order to impress the judges⁵⁶. Similarly, the partial resumption of work on the CRIII and the Administration's review of alternatives to traffic congestion could be considered as the initiatives to

⁵⁵ The Administration's press release on the statement of SHPL:
<http://www.info.gov.hk/gia/general/200309/27/0927160.htm>

⁵⁶ MPDN, 28 September 2003, page A04

please the judges although, as mentioned above, media effects on those initiatives were possible. When the Administration announced these policy changes, the CFA and the High Court were still processing the appeals of the WDII and the JR on the matter of the CRIII. However, when all these legal battles were settled in 9 March 2004, the Administration announced the full resumption of the CRIII, while the alternative reliefs for traffic congestion were never mentioned again. From this perspective, it can be suggested that these initiatives were merely gestures to demonstrate the Administration's intention to protect the Harbour.

These initiatives could be also considered as the Administration's contingency plans. Before the High Court handed down its ruling, there was a possibility that the CRIII plan would be prohibited completely. In this circumstance, the Administration might be ordered to repair the damage to the Harbour. According to the engineering professionals, the fiscal cost of recovering reclamation works, such as piling, is extremely high⁵⁷. Thus, it can be argued that the Administration decided to resume some reparable work such as dredging only in order to minimise possible fiscal loss. Moreover, if reclamation was not allowed, the Administration had to take other initiatives to resolve traffic problems as soon as possible. Thus, it was reasonable for the Administration to start the review of various alternatives before the courts handed down the rulings. However, after the legal battles had been settled, this review was no longer necessary. In other words, the Administration's changes in agenda and the partial resumption of work on the CRIII could be considered as strategies to minimise possible losses caused by legal battles. As mentioned above, however, those policy changes were also influenced by news coverage. In this case, the policy changes resulted from a series of factors, including media pressure and the Administration's strategy of minimising possible losses under the institutional constraints.

The Administration also made use of the rules of the Legco. While the pro-democrat legislators criticised the reclamation plans at the first special joint meeting of the PLW and EA Panels on 13 October 2003, the

⁵⁷ MPDN, 4 October 2003, page A03

Administration proposed a public hearing on reclamation, providing an opportunity for the pro-government groups to support the reclamation plans. As mentioned above, the Administration also tried to explain its rationale to the people through media coverage of the debate at the Legco (interview on 22 January 2008). Thus, the Administration's suggestion was considered as a strategy to counteract the voices against reclamation and to influence news framing.

However, after the hearings, the Administration still perceived negative news framing (interview with Michael Suen on 22 January 2008). Announcing the plan to distribute pamphlets in the streets, the Administration also admitted its disadvantageous position where public opinion was concerned⁵⁸. Thus, the distribution of leaflets was considered as an adjustment of the Administration's strategy to bypass the media and directly deliver the message to the public.

Moreover, with its constitutional power, the Administration manipulated the structural alterations of the TPB. Although a non-official member was first appointed as Vice-Chairman, the Administration still controlled the chairmanship and membership of the TPB. In addition, the Administration and the TPB only opened up the hearing part of the meetings for consideration of representations or comments and planning applications apart from items involving confidential or sensitive information. The deliberation part of decision remained closed. Furthermore, the newly created HEC has no power of influence over reclamation projects. Decisions on reclamation projects and the town planning policy are still tightly controlled by the Administration and the TPB. In other words, although structural alterations could be considered as responses to criticisms, the Administration adopted strategies to maintain its overwhelming influential power over town planning policy.

⁵⁸ MPDN, 19 December 2003, page A15

6.6.2 The Pro-government Camp

The pro-government camp also adopted strategies to minimise their losses. Throughout the reclamation debate, pro-government legislators did not express their support for the Administration. Rather, these legislators, on the one hand, kept silent at the Legco most of the time. On the other hand, they mobilised pro-government groups to counteract opinions against reclamation at the hearings. According to the former DAB Chairman, Jasper Tsang, the party's silence was a strategy to avoid criticism by the media (interview on 17 January 2008). In other words, pro-government legislators tried to conceal their supportive position because of their perceptions of negative coverage.

6.6.3 The Opponents of Reclamation

The opponents of reclamation also took a series of tactical actions within their own institutional positions in order to maximise pressure on the Administration. Although the Legco could neither change the reclamation projects nor interfere with the judiciary, pro-democrat legislators requested a special joint meeting of the PLW and EA Panels in order to create a platform to criticise the Administration. The other pro-democrat politicians from the DC, together with the SPH and some environmental groups, also organised a series of anti-reclamation protests. From this point of view, opponents in different positions took different actions to put the Administration under pressure.

In this case, the news coverage played two roles in the opponents' campaigns. First, according to the Convenor of the AHP, Kwok Ka-ki who is also a pro-democrat DC member, when he set up the AHP with other District Councilors after the SPH had applied for a JR on the CRIII, he did not know anybody from the SPH although they became partners in the campaign subsequently. The media was a channel for Kwok and other politicians to get information about the SPH's campaign (interview on 30 January 2008). In this case, the media functioned as a communicator among political actors.

Second, the opponents of reclamation also perceived that news coverage was in their favour when they launched the campaign. According to Kwok, there was substantial news coverage at an early stage of the debate, although the framing of the press became mixed subsequently. Although Kwok denied the media's influence on his idea of harbour protection, he claimed that the launch of the anti-reclamation campaign was associated with the quantity of coverage. Kwok claimed:

Media coverage cannot change my view. I never switch from decision A to decision B because of coverage. However, coverage can change my decision on social actions. We can urge the government to protect the harbour and stop reclamation everyday. As you know, however, it is useless. If we do it everyday, nobody will care. Thus, I look at coverage. If the media run substantial coverage concerned, we will take the opportunity to intensify our voices, triggering further discussion. In contrast, when the media pay lower attention to the issue, we will make less effort. (Interview on 30 January 2008)

From this point of view, the opponents preferred launching their campaigns when they perceived substantial coverage of existing policy. In other words, substantial coverage not only changed the opponents' agendas, but also encouraged the launch of further actions.

The agenda of change to the Legco initiated by the pro-democrat camp was also associated with coverage. As mentioned in the case of Article 23, when pro-democrat legislators discovered a significant issue from news coverage, they would take various actions inside and outside the Legco to magnify the issue (interview with Lee Wing-tat on 23 January 2008). From this perspective, the pro-democrat camp requested a joint Panel meeting at the Legco not only because the legislators and the SPH had the same political stance, but also because they believed the issue of reclamation could be magnified. From this point of view, there was a positive reinforcement relation between news coverage and actions against the existing policy.

7. Concluding Remarks:

In a nutshell, the case of the reclamation debate does not support all the hypotheses of this study. Despite the low level of media consensus and the high level of policy certainty measured by elite consensus and policy stage, there were policy changes following sustained coverage. In addition, there was an inconsistency between the framing analysis results and the Administration's perception of negative coverage. The full resumption of the CRIII, which had extremely high certainty, was the only case that supported the hypothesis that policy certainty was a relatively strong variable compared with coverage.

In order to explain the media's influence, I suggest that it was enhanced by three conditions, namely short term public views against the Administration and reclamation projects, and long term negative policy image of reclamation, and election cycles. In addition, news coverage was only one of the influential factors affecting policy change. In some circumstances, policy changes were triggered by other factors such as the courts' rulings, while media influence was not a necessary condition. Moreover, the policymakers were not simply constrained by external factors. Rather, policymakers, within their own institutional positions, adopted various strategies to maximise their payoffs or minimise their losses. As summarised in Table 9.4 policy changes resulted not only from several factors simultaneously, but also from mediation between policymakers and those factors.

Date	Policy change	Possible influential factors						
		Institutional factors	Ideas / Beliefs	Short term public mood	Long term policy image	Election Cycles	Strategies of actors	Media effect
22/3/2002	The TPB persisted with the Harbour Park proposal.		√					Not necessary
14/3/2003	The CFI prohibited the TPB from forwarding the WDII OZP to the Exco.	√						Not necessary
6/5/2003	The initiation of amendment of the TPO		√					Not necessary
8/7/2003	The CFI's judgment on the JR of WDII, changing contexts of PHO.	√						Not necessary
8/7/2003	The Administration's review of the judgment's influence on reclamation projects.	√						Not necessary
18/7/2003	The TPB's withdrawal of the Harbour Park proposal	√						Not necessary
18/9/2003	The pro-democratic legislators' demand on opening up TPB meetings		√					Not necessary
26/9/2003	Termination of two consultancy studies of the SEKR	√						Not necessary
27/9/2003	Temporarily suspension of CRIII			√	√	√	√	Pressure on the Administration, enhanced by other factors
6/10/2003	The High Court's judgment over the interim injunction case, allowing the continuation of the CRIII works.	√						Not necessary
7/10/2003	Partial resumption of CRIII work.			√	√	√	√	Prohibiting effect
9/10/2003	The pro-democrat camp's request for a joint Panel meeting at the Legco	√	√				√	Reinforcing opponents' ideas
12/10/2003	The Administration review of the viability of ERP			√	√	√	√	Pressure on the Administration, enhanced by other factors

Table continued on next page.

Table 9.4 (Cont.)								
Date	Policy change	Possible influential factors						
		Institutional factors	Ideas / Beliefs	Short term public mood	Long term policy image	Election Cycles	Strategies of actors	Media effect
13/10/2003	The Administration proposal for public hearings	√		√	√	√	√	Pressure on the Administration , enhanced by other factors Enhanced by other factors
27/10/2003	The delay of the HLC prison plan			√	√	√	√	Prohibiting effect
13/11/2003	The Administration's review of legislation against further reclamation			√	√	√	√	Pressure on the Administration , enhanced by other factors
16/11/2003	The Administration's decision on opening up TPB meetings.		√	√	√	√	√	Accelerate implementation of existing ideas
18/12/2003	The Administration's distribution of leaflets			√	√	√	√	Pressure on the Administration , enhanced by other factors Strong effect
9/1/2004	The CFA's ruling against WDII and the reinterpretation of PHO.	√						Not necessary
9/1/2004	The Administration and TPB's review of reclamation projects	√						Not necessary
9/3/2004	The resumption of CRIII	√						Not necessary
9/3/2004	The creation of HEC			√	√	√	√	Pressure on the Administration , enhanced by other factors Strong effect
2/4/2004	The personnel changes to the TPB	√						Not necessary
2/4/2004	The appointment of a non-official member of TPB Vice-Chairman			√	√	√	√	Potential effect
12/5/2004	Opening up TPB meetings by adding a new section in to TPAB 2003			√	√	√	√	Potential effect
16/10/2004	Withdrawal of HLC prison plan			√	√			Not necessary

Chapter 10

Narrative Account of the Case of the Goods and Services Tax

1. Introduction

The third case in this study is the debate on the introduction of the Goods and Services Tax¹ (GST) in Hong Kong. This case was selected because it demonstrates the media's influence on policy where there is a low level of elite consensus. This chapter provides a narrative account of the GST debate. Although this debate started in 2000 when the Administration announced its plan to study the introduction of new taxes, significant policy change was made in 2006 when the Administration launched a public consultation, advocating a GST proposal. Thus, this study focuses on the debate in 2006.

2. Background of the GST

The introduction of a consumption-based tax or GST has been discussed for 20 years. In 1987, the Financial Secretary, Sir Piers Jacobs suggested introducing a sales tax in order to broaden the tax base. However, this proposal was withdrawn because of objections by the Legco². In the following years, the discussion on introducing a new tax was suspended as the government had a considerable surplus because of the revenue from the Company Profits Tax and Land Premium.

However, since the financial year 1998/99, the government has had an operating deficit³ because of the Asian financial crisis. In response to the fiscal problems, in his budget his speech made on 8 March 2000, the Financial Secretary, Donald Tsang, announced plans to set up a Task Force chaired by the Secretary for the Treasury to examine the viability of the existing tax regime. Furthermore, the government set up an independent

¹ The GST is a consumption-based tax which is similar to the sales tax and Value Added Tax in other countries.

² MPDN, 16 Dec 1999, page A01

³ Operating deficit is defined as the situation where the government's recurrent expenditure is estimated to exceed recurrent revenue.

committee to look into the suitability of introducing new types of broad-based taxes, including a consumption-based tax⁴.

In June 2000, the Administration announced the creation of an Advisory Committee on New Broad-based Taxes (ACNBT)⁵. After a 10-month discussion period, the Committee published a Consultation Paper on 'A Broader-based Tax System for Hong Kong?', which provided 13 alternatives. Of these, the GST was highlighted as the option which could produce stable and significant revenue⁶. However, both the pro-democrat and pro-government camps expressed objections to the introduction of a GST, claiming that people and businesses would be burdened by a new tax. Representatives of various business sectors, including catering, tourism and retail also claimed that the Hong Kong economy would be damaged by introducing a GST⁷.

Despite the criticisms, the ACNBT, in its final report published in March 2002, concluded that GST was the best option for the purpose of resolving the government's structural deficit⁸ problems. Both the opposition and the pro-government parties again opposed the Committee's proposal, claiming that the introduction of a GST would 'rob the poor and help the rich'⁹.

In 2004, the Hong Kong economy experienced a rapid recovery. The government's fiscal problems were resolved by an increase in revenue from company profits tax, salary tax and land premiums. However, in his Budget Speech, the Financial Secretary, Henry Tong, claimed that the tax base in Hong Kong was still narrow. Thus, an internal committee of the

⁴ The 2000-01 Budget Speech by the Financial Secretary, 8 March 2000, paragraph 196-208: <http://www.budget.gov.hk/2000/english/efile.htm#Review%20of%20Public%20Finances>

⁵ The Administration's press release on the creation of the ACNBT <http://www.info.gov.hk/gia/general/200006/02/0602196.htm>

⁶ Consultation paper on 'A Broader-based Tax System for Hong Hong?': <http://www.info.gov.hk/archive/consult/2001/condoc-e.pdf>

⁷ MPDN, 7 August 2001, page A12.

⁸ Final Report to the Financial Secretary by the Advisory Committee on New Broad-based Taxes, Paragraph 48: <http://www.fstb.gov.hk/tb/acnbt/english/finalrpt/btreport.pdf>

⁹ MPDN, 2 March 2002, page A06.

Government would submit a report with a proposed GST framework and an implementation timetable at the end of 2004¹⁰.

On other hand, all the parties in the Legco continued to criticise the GST proposal. In 11 July 2004, Vincent Fang (Fang Kang), a legislator candidate of the functional constituency for wholesale and retail, together with several chambers of commerce from the retail sector, set up an ‘Anti-GST Alliance’ expressing objections to the introduction of GST¹¹. As Fang is a LP member, the alliance was considered to be supported by the party.

In March 2005, despite the fiscal surplus, Tong, in his Budget Speech, claimed that the government’s internal committee had completed its study on the GST, and that the Administration would conduct a public consultation on this subject. Tong stressed that there were people who supported the introduction of GST. He also quoted the International Monetary Fund’s (IMF) report where the view was expressed that Hong Kong should introduce a GST to solve the problems arising from its structural deficit¹².

In short, the awareness of tax base problems was triggered by the Government’s fiscal problems caused by the Asian financial crisis. Despite the recovery of the economy and the increase in Government revenue, the Administration highlighted the tax base problem, moving forward the study of a GST. On the other hand, both the pro-democrat and pro-government camp, together with the business sector, considered a GST as a burden on people and continued to oppose the introduction of this tax.

3 Development of the GST debate in 2006

The chronology of the debate on the GST is summarised in Appendix 10. The controversy is divided into two periods. The first one is between 22 February and 18 October 2006. In this period, the Administration decided to initiate a consultation on a GST and persisted

¹⁰ The 2004-05 Budget Speech by the Financial Secretary, paragraph 113

¹¹ Website of the Anti-GST Alliance: <http://www.nogst.org.hk/as.htm>

¹² The 2005-06 Budget Speech by the Financial Secretary, paragraph 102-104: <http://www.budget.gov.hk/2005/eng/budget41.htm>

with advocating the GST proposal despite the debate in the Exco. In the second period between 19 October and 5 December 2006, the Administration's determination to advocate a GST declined. Subsequently, the GST proposal was withdrawn.

3.1 From 22 February to 18 October 2006

On 22 February 2006, Henry Tong, in his Budget Speech, announced consultation plans on a GST proposal in the middle of the year. Meanwhile, the GST proposal became relatively concrete. According to Tong, the government intended to provide tax refunds for visitors and allow importers to defer payments so as to relieve pressure on their cash flow. To reduce the erosion of people's purchasing power, the government would propose relief and compensatory measures, including the reduction of other taxes¹³.

In early July, the Administration, through press briefings, workshops and information leak, disclosed the details of the GST proposal and relevant background information to the media. On 18 July, the Administration announced a consultation paper concerning 'Public Consultation on Tax Reform', and launched a 9-month public consultation. In the paper, the Administration stressed that the GST was the best and the only viable alternative to broaden the tax base, claiming that a GST would result in stable, predictable and significant revenue, even with an ageing population. Thus, the Administration suggested applying a GST rate of 5% to all the household consumption expenditure. The Administration also highlighted some of the proposed tax relief measures, including a Tourist Refund Scheme; reduction of existing tax rates; one-off supplements for households under the protection of Comprehensive Social Security Assistance (CSSA), and an annual cash GST allowance for low-income households not in receipt of CSSA¹⁴. Tong also claimed that, for the first five years after the introduction of GST, all revenue generated would be returned to the

¹³ The 2006-07 Budget Speech by the Financial Secretary, paragraph 70-72
<http://www.budget.gov.hk/2006/eng/budget21.htm>

¹⁴ Consultation Paper on Public Consultation on Tax Reform, published on 18 July 2006:
http://www.taxreform.gov.hk/eng/doc_and_leaflet.htm

community through tax relief and other compensation measures¹⁵. From this perspective, the Administration not only described GST as a stable income source, but also played down the possible cost impact and highlighted the possible benefits for people.

However, most parties in the Legco expressed objections to the GST proposals, highlighting the government's considerable surplus. The possible burden on people and businesses, including administrative costs, were still the focus of these parties' objections. Furthermore, the Anti-GST Alliance chaired by Vincent Fang announced that the Alliance would launch a campaign against the introduction of the GST. In response to these, Henry Tong persisted with the consultation, claiming that a fair tax system and a stable income source were needed for the long-term interests of Hong Kong¹⁶.

In the following period, both the democrats and the pro-government camp took various actions against the GST proposal. The DP, together with the other pro-democrat parties and trade unions set up a 'People's livelihood Alliance', launching anti-GST campaigns, including protests¹⁷, proposing a motion against the GST in the Legco¹⁸, demanding that the Administration terminate its consultations on the GST¹⁹.

The pro-government camp also opposed the GST proposals. The LP and several chambers of commerce, held an anti-GST protest with the support of several thousand people from the catering, tourism and retail sectors²⁰. A week later, James Tien, the LP Chairman, claimed that it was wrong to launch a 9-month consultation on the GST²¹. In other words, the LP supported the DP's demand that the consultation should be terminated. When the LP legislators visited Beijing in September 2006, the party also

¹⁵ The Administration's press release on the speech by the Financial Secretary:
<http://www.info.gov.hk/gia/general/200607/18/P200607180108.htm>

¹⁶ The Administration's press release on the speech by the FS:
<http://www.info.gov.hk/gia/general/200607/19/P200607190133.htm>
<http://www.info.gov.hk/gia/general/200607/19/P200607190100.htm> (Chinese part)

¹⁷ MPDN, 21 July 2006, Page A14

¹⁸ MPDN, 14 August 2006, Page A10

¹⁹ MPDN, 21 August 2006, Page A10

²⁰ MPDN, 1 August 2006, Page A12; 7 August 2006, Page A06

²¹ MPDN, 16 August 2006, Page A14

expressed its objections to the GST proposals to PRC Government senior officials, although these officials refused to interfere with Hong Kong affairs²².

The other major pro-government parties also expressed objections to the GST in a relatively low profile manner. The President of the FTU, Cheng Yiu-tong, who was also an Exco member, claimed that the FTU opposed the introduction of GST²³. The DAB also quoted an opinion poll, claiming that over 80% of the public did not welcome the introduction of the GST. Thus, the party would not support the GST proposal²⁴. As the LP, FTU and DAB had their representatives in the Exco, these parties' criticisms of the GST proposals demonstrated the debate in the Exco. In the following months, although the Taxation Institution of Hong Kong, some international credit rating agencies, individual accountants and economists expressed support for the introduction of the GST, most of the political parties, trade unions and business sectors staged a number of anti-GST protests.

Nevertheless, the Administration persisted with the GST proposals, claiming that the tax base problem should be resolved. Henry Tong and Frederick Ma (Ma Si-hang), Secretary for Financial Affairs and Treasury conducted a series of consultations in various regions of Hong Kong²⁵. In mid-September 2006, the CE, Donald Tsang also described the GST by commenting that 'good medicine often comes as a bitter pill', claiming that a government with a long-term commitment to Hong Kong had to formulate policies that could serve the real interests of the community. Tsang further urged the opponents of the GST to provide sustainable alternatives to resolve the tax base problems²⁶.

In short, after announcing the plans for consultation on the GST in February 2006, the Administration moved forward their work on

²² MPDN, 15 September 2006, Page A10

²³ MPDN, 9 August 2006, Page A15

²⁴ MPDN, 11 August 2006, Page A12

²⁵ MPDN, 5 September 2006, page A14

²⁶ The Administration's press release on the speech by the CE:

<http://www.info.gov.hk/gia/general/200609/12/P200609120173.htm>

introducing a GST. In response to criticisms, the Administration not only described the GST as a stable income source and the only viable solution to the tax base problem, but also suggested some tax relief measures such as allowances for the grassroots population to address the cost impact on people. Whilst most parties in the Legco, together with trade unions and business sectors did not deny the tax base problem, they highlighted the issue of the government's fiscal surplus, considering GST as an unfair tax and a burden on people and businesses. Thus, not only the pro-democrat camp, but also all the major pro-government parties in the Exco launched campaigns against the GST proposal, urging the Administration to terminate their consultations. Despite the elite debate, the Administration, in the first three months of consultation, persisted with the GST proposal.

3.2 From 19 October to 5 December 2006

On 19 October, with the support of both the opposition and pro-government camp, the Legco passed a motion opposing the introduction of the GST²⁷. Although Henry Tong questioned whether the motion represented public opinion²⁸, the Administration's determination to advocate a GST declined subsequently. On 24 October, Tong claimed that the government would explore the viability of alternatives such as a capital gain tax, a progressive tax or dividend tax to broaden the tax base. In addition, the government would undertake an interim review before the end of the consultation²⁹.

In November and December 2006, while the Administration continued with the consultation, fifteen out of eighteen District Councils in Hong Kong passed motions opposing the introduction of a GST³⁰. Although the DC is not a key institution in policy making, the motions were able to place further pressure on the Administration.

²⁷ Minutes of the Legco meeting, LC Paper No. CB(3) 188/06-07:

<http://www.legco.gov.hk/yr06-07/english/counmtg/minutes/cm061018.pdf>

²⁸ The Administration's press release on the speech by the Financial Secretary:

<http://www.info.gov.hk/gia/general/200610/19/P200610190284.htm>

²⁹ The Administration's press release on the speech by the Financial Secretary:

<http://www.info.gov.hk/gia/general/200610/24/P200610240212.htm>

³⁰ Public Consultation on the Tax Reform Final Report, Appendix A, Published in June 2007:

<http://www.taxreform.gov.hk/eng/pdf/finalreport.pdf>

On 5 December 2006, Henry Tong announced that the Administration would not be advocating GST for the remaining four months of the consultation period. Moreover, Tong admitted that public opinion opposed introducing a GST. He claimed:

There are two main points. First, the public shares the view that there is a need to broaden our tax base. Second, although the public understands that GST can broaden our tax base, it is clear from the views collected that we have not been able to convince the majority to accept GST as the main option to address the tax base problem. We accept that at this time there is insufficient public support nor are the conditions right for introducing GST.³¹

In other words, the GST proposal was withdrawn even though the consultation on broadening the tax base was continued. In addition, the Administration perceived that there was public opinion opposing the GST.

4. Concluding remarks

In a nutshell, for the Administration, the idea of introducing GST was based on the narrow tax base, which led to a dramatic decrease in the government income during economic downturns. Thus, during the GST debate in 2006, the Administration highlighted the tax base problem and tried to describe a GST as the only viable alternative to resolve this problem. The Administration also downplayed the possible cost impact on people and businesses, stressing proposed relief measures, including allowances for the grassroots population..

On the other hand, the pro-democrat and pro-government camps as well as the business sector, had expressed their objections to the GST proposal before 2006 although they did not deny the tax base problem. Throughout the controversy in 2006, these parties described GST as a financial burden on people and businesses, highlighting administrative costs and other financial impacts on people.

³¹ The Administration's press release on the speech by the Financial Secretary:
<http://www.info.gov.hk/gia/general/200612/05/P200612050115.htm>

Despite the criticisms, the Administration persisted with the GST proposal in the first three months of the consultation period. After the Legco had passed a motion against the GST proposal, however, the Administration's determination to advocate the proposal waned. Finally, the Administration withdrew the proposal in the middle of the consultation period.

Chapter 11

Analysis of the Case of the Goods and Services Tax

1. Introduction

Following the previous chapter that provided a narrative account of the debate on Goods and Services Tax (GST), this chapter examines several factors, namely, policy change, policy certainty and the quantity and framing of news coverage. In order to test the hypotheses of this study, the time sequence of these factors is traced. I also discuss the relations between news coverage and other possible factors of policy change

2. Analysis of Policy Change

In this study, policy change is classified into two major categories according to political and fiscal costs. During the debate on the GST in 2006, there were only two changes in policy. The first is the Legco's passing of a motion against the introduction of a GST on 19 October 2006¹. Since this motion has no legislative effect, it is considered as a relatively low cost change.

The second policy change is the end of advocating the GST proposal on 5 December 2006. This withdrawal of the government proposal is considered to be a relatively high cost change. The actual time of the decision on this change is unknown. However, as mentioned in the previous chapter, several days after the Legco passed the motion against the GST proposal, the Administration claimed that they would carry out an interim review and explore other alternatives to broaden the tax base². Thus, it is sensible to suggest that the Administration started considering the withdrawal of the proposal after this motion had been passed by the Legco.

¹ Minutes of the Legco meeting, LC Paper No. CB(3) 188/06-07:
<http://www.legco.gov.hk/yr06-07/english/counmtg/minutes/cm061018.pdf>

² The Administration's press release on the speech by the Financial Secretary:
<http://www.info.gov.hk/gia/general/200610/24/P200610240212.htm>

3. Analysis of Policy Certainty

3.1 Elite Consensus

Throughout the GST debate in 2006, both the opposition and the pro-government camp had expressed their objections to the GST proposal. The pro-government parties re-emphasised their existing points of views, highlighting the burdens of introducing a GST on the grassroots populations and the business sectors. In the legislature, pro-government legislators supported the motion against the GST, placing further pressure on the Administration. In the meantime, some Exco members also criticised the GST proposals. From this perspective, there was a debate between the Administration and the pro-government camp. Thus, policy certainty measured by elite consensus remained extremely low during the GST debate.

3.2 Policy Stage

Studying the introduction of GST for 6 years, the Administration had worked out the details of the GST proposal before the launch of public consultation. Nevertheless, this proposed policy was still at a relatively early stage. Even if this proposal passed through public consultation, it had to be endorsed by the Legco before being implemented. In this case, there was space for the legislators to amend or reject this proposal. Thus, there was a high level of uncertainty concerning the GST proposals. In other words, both in terms of elite consensus and policy stage, the policy certainty of the GST proposal was considered to be low during the debate in 2006.

4. Analysis of News Framing

4.1 Methodology

In order to analyse the framing of news coverage concerning the GST debate, article counts and keyword count were applied. News articles and editorials of the three selected newspapers were searched using the Wisers database by entering the keywords 'Goods and Services Tax (商品及服務稅)', 'GST', 'Consumption Tax (消費稅)', 'Sales Tax (銷售稅)', 'tax base (稅基)', 'government income (政府收入)', 'government surplus (財政盈餘)' and 'government deficit (財政赤字)'. Only the texts containing

at least one paragraph relating to the GST debate, tax base, and other issues relating to tax reform were selected and studied, while the irrelevant articles were screened off.

This study focuses on the GST debate after the Administration decided to advocate the GST by public consultation in 2006. Thus, the sampling period started from 22 February 2006 when the Administration announced the consultation plan. The end date of the article search was 5 December 2006, the day the Administration announced that it was ending its advocacy of the GST.

For article count, a coding manual was designed according to the arguments highlighted during the debate in order to analyse the framing of the news coverage. A detailed coding frame is provided in Appendix 11A. Basically, the news stories tended to be framed in three different ways:

Positive framing is a narrative supporting the Administration and its GST proposal. This type of framing consists of the following elements:

- Officials' speeches and voices supporting the introduction of a GST were highlighted.
- The narrow tax base was emphasised and described as along term problem.
- The GST was considered to be the best and the only viable option to resolve the problem of narrow tax base.
- The GST was described as a fair tax.
- The proposed tax relief and compensatory measures such as allowance for the grassroots populations and tax reductions were highlighted.

Negative framing is a narrative favourable to the voices opposing the GST proposal. This type of news coverage consists of the following elements:

- Voices expressed opposing the introduction of a GST were highlighted.
- The Government's considerable levels of fiscal reserve and surplus were highlighted.
- Viable alternatives to resolving the tax base problem were highlighted.

- The GST was described as an unfair tax which would widen gap between rich and poor.
- Administrative fees, costs and other possible burdens on people and businesses caused by a GST were highlighted

In addition, there is a neutral type of framing. The characteristics of this framing are listed as follows:

- Supportive and critical voices were balanced in the same article.
- Neither supportive nor critical arguments were highlighted.
- Technical or procedural issues were described and explained.

For a keyword test, keywords in relation to positive and negative framing were identified. The opponents of a GST highlighted the Government's considerable levels of fiscal reserve surplus and possible Administrative fee, costs and burdens on people and businesses caused by a GST. On the other hand, highlighting the possible fiscal deficit in the future, the Administration described a GST as a stable income source, which was important to the long term interests of Hong Kong. Thus, 'administrative fee (行政費)', 'cost (成本)', 'burden (負擔)', 'surplus (盈餘)' and 'reserve (儲備)' were selected as the keywords associated with the negative frame while 'long term (長遠)', 'stable(穩定)', 'allowance (津貼/補貼)' and 'deficit (赤字)' as positive keywords. The word 'tax base (稅基)' was not regarded as a keyword although it was highlighted by the Administration. This is because both the proponents and opponents admitted that the tax base was narrow, but they supported different alternatives to the problem.

In order to avoid contamination from the irrelevantly used words, only the keywords used in relation to the GST debate were counted. For example, the word 'stable' is counted only when it was used in relation to government income. Usages that referred to organisation names, titles and other irrelevant issues were screened off.

4.2 Results

In the 287-day sampling period between 22 February and 5 December 2006, both the MPDN and ADN ran over 200 relevant articles, while the ODN ran only 134.. As mentioned in the previous chapter, the sampling period could be divided into two analysis periods. The framing analysis results for the three selected papers in these two periods are summarised in Appendix 11B.

This study assumes that media influence is strong enough only when negative coverage is sustained for at least three days. As summarised in Section 1 of Appendix 11C, all three newspapers ran several peaks of sustained coverage during the GST debate. This study also assumes that media pressure is increased if the three selected newspapers run sustained critical coverage simultaneously. Thus, I combined the data of the three papers, finding that between 13 July and 20 October, there were five periods in which all three newspapers ran sustained coverage. The frame analysis results of these five peaks of coverage are listed in Section 2 of Appendix 11C.

As shown in Table 11.1, only in the 13 days between 13 and 25 July, the period following the announcement of consultation on the GST, the overall framing of all three newspapers remained critical. Since there was a high level of media consensus over critical framing in this 13-day period, it was possible for the coverage to influence subsequent policy change.

Date	Length (Days)	Framing decided by the combined results of article and keyword counts		
		MPDN	ADN	ODN
13 – 25/7/2006	13	Neg	Neg	Neg
21 – 25/8/2006	5	Mix	Mix	Mix
4 – 6/9/2006	3	Neg	Mix	Mix
13 – 16/9/2006	4	Mix	Neg	Mix
16 – 20/10/2006	5	Mix	Neg	Mix

These results of framing analysis in July were consistent with the Administration's perception of coverage. On 24 July, the Administration held a press briefing, lobbying the senior financial journalists. According to

an article in the MPDN, an official source claimed that the government had mainly relied on journalists at the local news desk in the past. Due to the deep-rooted negative image of the GST, the critical voices were highlighted. The Administration thus tried a different approach, lobbying financial journalists³. In other words, the Administration perceived a negative tone in the coverage in July 2006.

In the other four periods, however, the framing of the three newspapers remained either mixed or inconsistent. Media consensus was thus considered to be low. In this sense, the media's pressure on policymakers remained at an extremely high level only in the period between 13 and 25 July, subsequently decreasing even though the framing of individual newspapers was critical. After 20 October, the media's pressure on policymakers further declined as the coverage of all the three newspapers remained intermittent.

Nevertheless, the Administration perceived that the news coverage remained unfavourable to the GST proposal in September and October. On 4 September 2006, Henry Tong, at a lunch with journalists, complained that the media coverage was not in-depth enough. The problems of the ageing population and the narrow tax base were not brought to the public for consideration⁴. In other words, the Administration was dissatisfied with the coverage at that time. A month later, Tong further expressed his disappointment. Quoting an official source, the MPDN on 10 October 2006 claimed that Tong was disappointed with two parties. The first was the LP, as a pro-government party, which held an anti-GST protest, and published articles opposing the GST in the press. The second was the media, which did not help the public focus on the problems arising from a narrow tax base⁵. In other words, there was inconsistency between framing analysis results and the Administration's perceptions. Despite media consensus remaining at a low level, the Administration perceived negative framing in September and October 2006.

³ MPDN, 25 July 2006, page A04

⁴ ODN, 5 September 2006, page A08

⁵ MPDN, 10 October 2006, page A07

5. Testing the Hypotheses

5.1 Tracing Time Sequence

As mentioned above, there were two policy changes during the GST debate in 2006. The first one was the anti-GST motion against the GST proposed by the DP on 13 August⁶, and passed by the Legco on 19 October⁷. The second change was the withdrawal of the GST proposal in October⁸. As mentioned above, it is believed that the Administration started considering this change after the anti-GST motion had been passed by the Legco. Both policy changes took place after the three selected newspapers had run sustained critical coverage in July 2006. Although the media consensus declined in the following months, the Administration's perception of news framing remained negative in September and October. From this perspective, media influence on the two policy changes during the GST debate was possible.

5.2 Policy Certainty Measured by Elite Consensus and Policy Stage

There are two hypotheses concerning elite consensus. First, critical coverage is likely to occur when there is an elite debate. Second, when there is a low level of policy certainty measured by elite consensus, it is relatively easy for critical coverage to influence policy.

As mentioned above, since 2000 when the Administration started the study of the GST, the pro-government camp, together with the business sector, had started criticising this tax. During the debate in 2006, the pro-government camp, including some Exco members launched further campaigns, voicing their objections to the GST proposals throughout the debate. Thus, there was disagreement between the pro-government camp and the Administration. This policy uncertainty measured by elite consensus, together with sustained critical coverage in July 2006, supported the first

⁶ MPDN, 14 August 2006, Page A10

⁷ Minutes of the Legco meeting, LC Paper No. CB(3) 188/06-07:
<http://www.legco.gov.hk/yr06-07/english/counmtg/minutes/cm061018.pdf>

⁸ The Administration's press release on the speech by the Financial Secretary:
<http://www.info.gov.hk/gia/general/200612/05/P200612050115.htm>

hypothesis. However, in the following months, while the elite debate continued, media consensus declined. Although the Administration still perceived a negative tone in the news coverage, media consensus over negative framing did not change with the level of elite consensus. The hypothesis was not supported in this case.

Nevertheless, both the elite debate and the Administration's perception of negative news framing persisted throughout the GST debate. There were also policy changes following sustained critical coverage. Thus, critical coverage may have been a factor in policy change during elite debate. The second hypothesis was supported in this case.

This study also hypothesises that it is relatively easy for critical coverage to influence policy with uncertainty measured by policy stage. As mentioned above, in terms of policy stage, the GST proposal was uncertain during the debate in 2006. The withdrawal of this uncertain policy supported the hypothesis that critical coverage could influence an uncertain policy. In this case, the hypothesis was supported.

Taking all of these factors into account, although the hypothesis on media-policy stage was supported, the two hypotheses concerning elite consensus were not fully supported. In this sense, it can be argued that the relation between news framing and policy certainty in terms policy stage is more complex than the hypothesis in this study. Furthermore, it is questionable how the Administration's perception of critical framing resulted from a low level of media consensus in September and October 2006. It is also hard to imagine the influence of this perception lasting for more than a month, triggering high cost changes in December. In this sense, the time sequence of news framing and policy change did not provide a satisfactory explanation for the media effect on policy change.

In order to address these problems, I examine several factors in policy change. Some are independent of media effect, while others are associated with the media. I argue that policy changes result from the co-

existence of these factors and the interaction between these factors and news coverage.

6. Possible Route of Media Effect on Policy

6.1 Institutional Factors

The first factor in policy change is institution, which here refers not only to formal rules and organisations. During the GST debate, two institutional factors, namely the Basic Law and the legislature were particularly important to policy change.

6.1.1 The Basic Law

As mentioned in the case on Central reclamation, according to the principle of the Rule of Law, the Administration and other policymakers are constrained by the legal system. According to the Basic Law, the mini-constitution of Hong Kong, the Administration should achieve a fiscal balance and avoid deficits. As Article 107 of the HKSAR Basic Law states:

The Hong Kong Special Administrative Region shall follow the principle of keeping the expenditure within the limits of revenues in drawing up its budget, and strive to achieve a fiscal balance, avoid deficits and keep the budget commensurate with the growth rate of its gross domestic product.⁹

In this case, the Administration should resolve any matters which cause fiscal problems in the long run. As mentioned in the previous chapter, the Administration has stressed the problem of the narrow tax base since the economic downturn between 2000 and 2003. From this perspective, the Administration proposed the introduction of a GST was because of the constitutional constraints of the Basic Law. News coverage was not a necessary condition for moving forward the study of GST in this case.

6.1.2 The Legislature

The other institutional factor relating to policy stage explains the withdrawal of GST proposal. The introduction of a GST requires the review

⁹ Website of the HKSAR Basic Law:
http://www.basiclaw.gov.hk/en/basiclawtext/chapter_5.html

and amendment of a large number of laws and regulations to enable the government to levy the new tax from various sectors. In this circumstance, the legislature plays a critical role in passing government proposals. Since 1997, the pro-government camp has maintained a majority in the Legco. Thus, legislative proposals can be endorsed with the support of the pro-government parties. However, this institutional advantage depends on consensus between the Administration and the pro-government camp. If pro-government legislators oppose government proposals, they can never be passed by the Legco.

In October 2006, an anti-GST motion was supported both by the opposition and the pro-government camp. In other words, both political camps clearly expressed their objections to the GST proposals. In this case, whether the Administration persisted with the GST proposal or not, any legislation concerning the introduction of a GST was unlikely to be supported by the majority of legislators. From this perspective, in the existing institutional setting, elite debate per se, was a sufficient condition for the withdrawal of the GST proposal. The legislature is an institutional constraint on the Administration in this case.

The opponents of the GST were also constrained by the legislative process. Since the Administration had not initiated the legislative process, the legislature could not completely reject the proposal. In this case, legislators could only initiate an anti-GST motion without legislative effect. Although this motion brought pressure to bear on the Administration, it was not constitutionally necessary for the Administration to follow this motion.

6.2 Ideas and beliefs

The ideas and beliefs of policymakers played an important role in the Administration's decision. As mentioned above, the introduction of a GST was first proposed and advocated by Donald Tsang in 2000 when he was the Financial Secretary. When Tsang took over the role of the CE, the Administration launched a further consultation on a GST. An Exco member, Jasper Tsang also claimed that, having served the Government for many years, Donald Tsang and Henry Tong experienced the fiscal pressure on the

government during the economic downturn. Thus, they considered GST as the best and only viable solution to the tax base problem (interview with Jasper Tsang on 17 January 2008). In this sense, the Administration's proposal of a GST was driven by an idea which was independent of news coverage.

Furthermore, despite the withdrawal of the GST proposal at the end of the debate, the Administration persisted with the idea. According to Jasper Tsang, the Administration did not actually give up on plans to introduce the GST.. Rather, Donald Tsang hoped to introduce the GST within his term. Preparing detailed proposals for the implementation of a GST, the Administration will launch this proposal once there is an opportunity. For example, the opportunity window may be open in a non-election year where there is a high level of justification in doing so, such as a low level of government surplus (ibid). In other words, the Administration not only persists with its idea, but is also moving forward on this policy change in a hidden way. From this perspective, the pressures created by various parties, including the media, are able to influence the Administration's actions, but unable to change the Administration's ideas.

Ideas were also important to the opponents' actions. As mentioned in the previous chapter, the opponents had considered the GST to be a burden on people and businesses before 2006. In all the anti-GST campaigns, these ideas were highlighted. Thus, the passage of an anti-GST motion in the Legco could be considered as the opponents' strategy to express their existing ideas, placing pressure on the Administration. Although these ideas were legitimated and reinforced the critical coverage, these ideas were mainly based on the long-term policy image of the GST and short-term public mood. This point will be discussed later in this chapter.

6.3 Election Cycle

As mentioned above, despite the level of media consensus, the Administration perceived negative news framing in September and October 2006. In this case, I suggest that policymakers' sensitivity to critical coverage is associated with some factors. The first factor enhancing the

media's influence is the election cycle. As the CE, Donald Tsang was running for election to a second term in early 2007, he had to avoid any controversial issues that might affect the government and his popularity.

This argument is supported by Tsang's avoidance of issues relating to the GST. In fact, since Tsang was the Financial Secretary, he had started advocating the introduction of the GST. It was believed that he was keen on the GST proposal. Nevertheless, at his Policy Address¹⁰ on 11 October he announced, Tsang totally ignored issues relating to GST¹¹. During the GST debate in 2006, Tsang delivered only two public statements concerning the GST. One was made on 12 September when he emphasised the rationale for introducing a GST,¹² while the other was made on 5 December when the Administration announced the withdrawal of the GST proposal¹³. In other words, Donald Tsang delivered only one speech defending the GST proposal during the consultation period. Thus, the low profile of Tsang and the withdrawal of the GST proposal could be considered as the Administration's strategy to settle the debate before the election in early 2007. It is also reasonable to suggest that the Administration was particularly sensitive to critical coverage even though there was a low level of media consensus after July 2006. In other words, media influence was increased by the election cycle.

6.4 Long-term Policy Image

The other influential factor is the long-term image of the GST, which relates to public understanding of the tax. Since 2000, the legislators and the media have focused on the proposed tax's impact on people's livelihood and the business environment. In news coverage, the GST is also considered to be a financial burden on people and businesses. In other words, the negative image of the GST has been established since then. These descriptions of the GST were still highlighted throughout the debate in 2006.

¹⁰ Policy address is the annual plan of the Hong Kong Government by the Chief Executive.

¹¹ 2006-07 Policy Address: <http://www.policyaddress.gov.hk/06-07/eng/pdf/speech.pdf>

¹² The press release on the speech by the Chief Executive:
<http://www.info.gov.hk/gia/general/200609/12/P200609120173.htm>

¹³ The press release on the speech by the Chief Executive:
<http://www.info.gov.hk/gia/general/200612/05/P200612050102.htm>

The long-term negative image of the GST can be supported by a news article in the MPDN on 25 July 2006. In this article, an official source claimed there is a deep-rooted negative image of the GST. Thus, journalists of local news tended to highlight criticisms of the GST proposal. Lobbying financial journalists, the Administration tried to highlight the problem of a narrow tax base¹⁴. In other words, the Administration realised the negative image of GST and tried to re-define this image by shifting the issue from the local news to the financial beat. Thus, it was not surprising that the Administration became sensitive to critical coverage even though media consensus declined after July 2006.

Not only the Administration, but also the opponents were influenced by the long-term image of the GST. Traditionally, the grassroots populations are the major supporters of the DAB and FTU. As the GST has been regarded as a burden on low income earners since 2000, it was not surprising that the DAB and FTU opposed the GST proposal. Moreover, the LP's voters, mainly the businesses in the retail, catering and tourism sectors were concerned not only about the GST's influence on public consumption and tourist spending, but also about the high administrative costs resulting from the GST. As the long-term negative image of the GST had been established among people, including voters of pro-government parties, before 2006, the parties had to oppose the GST in order to retain the support of their own voters. Otherwise, the parties would be punished by their voters at future elections. From this perspective, the long-term image of the GST was crucial to the opponents' positions. In this case, it was appropriate to suggest that opponents of the GST paid relatively high levels of attention to coverage of the GST in order to protect their voters' interests.

The relation between the long-term image of GST and news coverage remains unknown unless a study of coverage over years is carried out. In the debate in 2006, the negative image of the GST was established, while opponents had expressed their opinions against the GST before critical coverage was run. Thus, news coverage in 2006 was not a necessary

¹⁴ MPDN, 25 July 2006, page A04

condition for determining the image of the GST and opponents' positions, although critical coverage could reinforce this image and the oppositions' ideas.

6.5 Short-term Public Mood

The short-term public attitude towards the Administration and the GST also influenced the launch and withdrawal of the GST proposal. During the GST debate, public opinion was relatively favourable to the Administration. Since Donald Tsang took over the position of CE in 2005, the Administration became relatively popular. In the first half of 2006, the dissatisfaction rate of Donald Tsang's Government's Administration was below 15%, while the satisfaction rate ranged between 49 to 55%¹⁵. In this circumstance, public opinion was relatively more favourable towards Tsang's government than towards Tung's government.

There was evidence to show that the Administration took account of its popularity when deciding to launch the GST proposal. In May 2006, two months before the launch of consultation on the GST, the MPDN quoted a government official, claiming that because of its relatively high popularity rate, the Administration could afford to handle some controversial issues, including the introduction of a GST¹⁶. In other words, the Administration's confidence in advocating the GST proposal was enhanced by the government's popularity. In this sense, the public mood favourable to the Administration enabled the launch of the GST proposal. As news coverage of GST remained intermittent before the launch of the GST consultation, the role of the media could be excluded in this case.

However, during the consultation on the GST between July and late November 2006, a survey showed that the satisfaction rate of the

¹⁵ Press releases of the Public Opinion Programme, the University of Hong Kong:

<http://hkupop.hku.hk/english/release/release347.html>

<http://hkupop.hku.hk/english/release/release354.html>

<http://hkupop.hku.hk/english/release/release359.html>

<http://hkupop.hku.hk/english/release/release364.html>

<http://hkupop.hku.hk/english/release/release370.html>

<http://hkupop.hku.hk/english/release/release376.html>

¹⁶ MPDN, 10 May 2006, page A08

Government gradually declined from 47% to 40% while the dissatisfaction rate increased from 12% to 18%¹⁷. The other opinion poll also showed the decline in Donald Tsang and Henry Tong's popularity in the same period¹⁸. Although it is questionable whether the GST debate was the only factor for the decline in government popularity, there are numerous surveys conducted by various pro-government and pro-government parties, demonstrating that a majority of people and businesses opposed the introduction of the GST¹⁹. Thus, it was reasonable to argue that the decline of government popularity was partly caused by the GST debate.

The Administration's consideration of public views is evidenced in the government's officials' statements. When announcing the withdrawal of the GST proposal, Henry Tong on the one hand, claimed that the majority of the public understood the tax base problem. On the other hand, Tong said that the majority did not consider GST to be an appropriate option to solve the tax base problem²⁰. On the same day, Donald Tsang claimed that the decision was based on 'public opposition'²¹. Jasper Tsang also claimed that voices against the GST were much stronger than the Administration had expected (interview on 17 January 2008). From this perspective, the short-term change in public views was an influential factor, forcing the Administration to settle any controversies before the CE election.

The short-term public views against the GST were also important to its opponents. Although the pro-government camp had decided their positions before 2006, it can be argued that public views against GST reinforced the opponents' ideas, encouraging the launch of further anti-GST

¹⁷ Press releases of the Public Opinion Programme, the University of Hong Kong:

<http://hkupop.hku.hk/english/release/release387.html>

<http://hkupop.hku.hk/english/release/release397.html>

<http://hkupop.hku.hk/english/release/release413.html>

¹⁸ The Press release of the Hong Kong Institute of Asia-Pacific Studies, the Chinese University of Hong Kong:

<http://www.cuhk.edu.hk/hkiaps/tellab/pdf/telepress/06/tsangDec06.pdf>

¹⁹ MPDN, 19 July 2006, page A04; 20 July 2006, page A09; 1 August 2006, page A12; 11 August 2006, page A12, 30 August 2006, page A11; 22 September 2006, page A18; 27 September 2006, page A19; 11 October 2006, page 20; 19 October 2006, page A12, and 16 October 2006, page A19

²⁰ The Administration's press release on the FS speech:

<http://www.info.gov.hk/gia/general/200612/05/P200612050115.htm>

²¹ The press release on the speech by the CE:

<http://www.info.gov.hk/gia/general/200612/05/P200612050102.htm>

campaigns. However, the opponents were not simply following public opinion. Rather, politicians made use of public views to legitimate their voices. For example, announcing its objections to the GST, the DAB also quoted its opinion poll showing that more than 80% of public opposed the introduction of the GST²². Various businesses also adopted the same strategy, quoting their own surveys to express their voices against the GST²³.

Although there was substantial critical coverage in some periods during the GST debate, it is dangerous to conclude that negative public views had resulted from news coverage. Rather, I argue that there was a relation between news coverage and short-term public views in three ways. First, the media functioned as a communicator, facilitating information flow between the public and the policymakers. Thus, not only could people get a sense of the views of policymakers, but also proponents and opponents could be informed of each others' arguments. Moreover, most news coverage of the opinion polls concluded that the decline of government popularity resulted from the GST debate²⁴. In this case, news coverage alerted government officials and politicians to the possible influence of the GST debate, magnifying the pressure on the Administration. Second, the negative tone of the coverage legitimated the voices against the GST. Being encouraged by critical coverage, the opponents intensified their campaigns while the public reinforced their ideas against GST. In other words, critical coverage reinforced public opinion against GST.

Finally, as mentioned in the case of Article 23, the Administration considered public opinion as a dependent variable affected by news coverage. Thus, when public opinion remained unfavourable to the GST, the Administration not only became relatively sensitive to critical coverage, but also made an effort to lobby the media.

²² MPDN, 11 August 2006, Page A12

²³ MPDN 19 July 2006, page A04; 27 September 2006, page A19; 11 October 2006, page A20; 26 October 2006, page A19.

²⁴ MPDN, 25 July 2006, page A04; 9 August 2006, page A15; 23 August 2006, page A11; 29 August 2006, page A09; ODN 23 August 2006, page A31; 11 October 2006, page A23; ADN, 25 July 2006, page A06; 26 July 2006, page A08; 9 August 2006, page A04; 30 August 2006, page A04; 27 September 2006, page A06.

6.6 Strategies of Actors

As the institutional rational choice approach suggests, political actors are not only constrained by external factors, but also adopt various strategies to maximise their own payoffs. During the GST debate, tactical actions were carried out both by the Administration and opponents of the GST.

Although the legislators could not stop the consultation on the GST, both the pro-democrat and pro-government camps adopted various strategies to maximise pressure on the Administration. Similar to the case of Article 23 and Central reclamation, pro-democrat legislators combined their actions in the Legco with the street campaigns. While the DP initiated a motion against the GST in the Legco, other democrats allied themselves with pro-democrat groups and trade unions, launching a series of anti-GST protests²⁵. The pro-government parties also expressed their objections to the GST in various ways. While the DAB and FTU opposed the GST proposal in a relatively low profile manner, the LP, allied with the business sector, launched an anti-GST protest²⁶. The LP legislators also tried to lobby senior officials of the PRC Government²⁷. Although the PRC Government officially refused to interfere with Hong Kong affairs, the LP's high profile demonstrated the party's determination to oppose the GST proposal, placing pressure on the Administration.

Not only the opponents, but also the Administration adopted strategies to advocate its ideas and protect its interests. As mentioned above, when the Administration realised the persistence of critical news framing, government officials tried to shift the journalistic focus from the local news to the financial section, lobbying financial journalists²⁸. In other words, the Administration tried to influential the focus of coverage, in order to counteract criticisms of the GST. Moreover, despite the withdrawal of the GST proposal at the end of the debate, the Administration acted tactically to

²⁵ MPDN, 21 July 2006, Page A14

²⁶ MPDN, 1 August 2006, Page A12; 7 August 2006, Page A06

²⁷ MPDN, 15 September 2006, Page A10

²⁸ MPDN, 25 July 2006, page A04

persist with its idea. Working on detailed plans for the implementation of the GST, the Administration waited for the opportunity to launch this proposal again (interview with Jasper Tsang on 17 January 2008). In other words, the Administration adjusted its strategy, persisting with its plan in another way.

The withdrawal of the GST proposal was also considered as a strategy to protect the Administration's interests for two reasons. First, as mentioned above, it was a strategy to avoid controversy before the CE election. Second, according to Jasper Tsang, if the Administration persisted with the introduction of the GST, the DAB, as a pro-government party, might be forced to change its position, in support of GST. However, this would seriously affect the popularity of the DAB, impacting on its performance in elections. If the pro-government camp lost its seats in the Legco and the District Councils, the Administration might lose its support in these two bodies (Interview with Jasper Tsang on 17 January 2007). From this perspective, the withdrawal of the GST proposal was a strategy not only to protect the pro-government camp's interests, but also to maintain the Administration's support in the Legco and the DC.

7. Concluding Remarks

Throughout the controversy on GST in 2006, there was a low level of policy certainty measured by elite consensus and policy stage. In addition, the Administration had perceived negative news framing before the two policy changes, namely the anti-GST motion passed by the Legco and the Administration's withdrawal of the GST proposal. This supports the hypothesis that critical coverage can influence policy with uncertainty measured by elite consensus and policy stage.

However, the hypothesis of a relation between news framing and elite consensus is not supported by the GST debate. After the launch of consultation on the GST in July, the three selected newspapers also ran sustained critical coverage simultaneously in the first few weeks. In the following months, however, while elite debate persisted, media consensus declined. In this case, news framing did not simply follow elite consensus.

In addition, the hypotheses of this study could not explain why media consensus declined after July 2006 while the policy remained uncertain. It is also questionable if a low level of media consensus could have resulted in bringing about the Administration's perception of negative coverage, triggering policy change in October and December. In order to address these problems, I examine several factors, namely institutional factors, election cycle, long-term policy image, short-term public views and policymakers' ideas and strategies.

Regarding the decline in media consensus, I argue that the Administration, through lobbying journalists, influenced the framing of some newspapers. However, policymakers' sensitivity to critical coverage was increased by several factors, namely the upcoming CE election, the negative long-term image of the GST and short-term public views against the GST. Thus, despite a decline in media consensus, the Administration perceived a negative tone in the news coverage, resulting in inconsistency between framing analysis results and the Administration's perceptions.

Although the Administration perceived negative news framing, news coverage was not a necessary condition for the two policy changes during the GST debate. The anti-GST motion passed by the Legco was the opponents' strategy to re-emphasise their existing ideas, which mainly resulted from the opponents' strategy and ideas based on long-term policy image and short-term public mood. As the opponents had decided their positions on GST before 2006, critical coverage in 2006 was not a crucial factor. Neither was news coverage a necessary condition for the withdrawal of the GST proposal. Within existing institutional contexts, disagreement between the Administration and the pro-government camp was a sufficient condition for this change. In addition, long-term policy image of the GST and short-term public mood and the upcoming CE election were also taken into account by the Administration. However, these were not sufficient conditions for changing the Administration's ideas. Actually, the Administration carried out tactical actions, moving forward the work to introduce the GST in a hidden way. The withdrawal of the proposal was

merely the Administration's strategy to protect its own interests and those of the pro-government camp.

The role of the media was not completely excluded. It can be argued that critical coverage legitimated and reinforced the voices against the GST. Being encouraged by the coverage, the opponents of the GST campaign intensified their campaigns. As a communicator, the media also facilitated the information flow between the public and policymakers, alerting policymakers to the relations between the GST debate and government popularity, placing further pressure on the Administration. Nevertheless, news coverage was not a necessary condition for the two policy changes during the debate. In this sense, the role of news coverage in the two changes was relatively minor.

In a nutshell, although there were policy changes following critical coverage during the GST debate, the media's influence on policy was not fully evidenced. Rather, as summarised in Table 11.2, policy changes were mainly the results of other factors. Legitimizing and reinforcing the opponents' ideas, which had been decided before 2006, the role of coverage was minor and not necessary for policy changes.

Date	Policy change	Possible influential factors					Media effect
		Institutional factors	Ideas / Beliefs	Short term public mood	Election Cycles	Strategies	
19/10/06	Passing of an anti-GST motion	√	√	√		√	<ul style="list-style-type: none"> • Communicator • Reinforcing opponents' ideas • Magnifying pressure on the Administration
5/12/06	Withdrawal of the GST proposal	√	√	√	√	√	

Chapter 12

Narrative Account of the Case of the Old Star Ferry Pier

1. Introduction:

This chapter provides a narrative account of the fourth case in this thesis, the debate on the demolition of the old Star Ferry Pier (OSFP) in Central. This case is selected because it demonstrates policy changes with a high level of elite consensus and a high level of media consensus over negative framing.

2. Background of the Demolition of the OSFP

The ferry service between Central of Hong Kong Island and Tsim Sha Tsui of Kowloon peninsula is operated by the Star Ferry Company, Limited (SFCL). Because of its long history, the OSFP and its clock tower in Central owned by the Hong Kong Government is generally considered as a tourist and historical icon in Hong Kong. As the Central Reclamation Phase III (CRIII) project affected a range of existing waterfront facilities, the OSFP and the Queen's Pier (QP) nearby were moved to a new location in Central in 2006.

As a part of the CRIII project, the re-provisioning arrangements for the OSFP and QP in Central, like other town planning policies, are mainly managed by the Housing, Planning and Lands Bureau (HPLB) of the Administration. Because of the long history of these two piers, the Home Affairs Bureau (HAB) also assessed their heritage value with reference to advices from the Antiquities Advisory Board (AAB) appointed by the CE.

The re-provisioning arrangements for the OSFP and QP were mainly discussed during scrutiny of the CRIII. Despite the controversy over the CRIII in 2003 and 2004, at the key institutions, including the Legco, District Councils (DC), relevant consultative bodies and environmental groups, the demolition of the two piers was neglected before September 2006. For

example, in 1999, when the Administration consulted the Legco's Panel on Planning, Lands and Works (PLW Panel) on the CRIII, the implications of the reclamation project on the OSFP and QP were not mentioned¹.

In April 2000, when the Public Works Subcommittee (PWSC) of the Legco's Finance Committee considered the funding proposal for the consultants' fees and site investigation of the CRIII, Chan Yuen-han of the FTU claimed that the Administration's information about the re-provisioning of the OSFP was too 'broad-brush'. However, she raised no objection to the refurbishment of the pier at that meeting².

Two years later, the re-creation plan of the OSFP was decided. In March 2002, when the Administration consulted the PLW Panel on the proposal to implement the CRIII project, the Administration mentioned that the location and design of the new SFP approved by the TPB adopted a historical heritage approach, and that it had reached a consensus with the SFCL that the design for the new pier would preserve the special characteristics of the original pier. In the same month, the Administration briefed the AAB regarding the findings and recommendations of a Built Heritage Impact Assessment for the CRIII in 2001. As the OSFP built in 1957 was neither a declared monument nor a graded historical building with sufficient heritage value for in-situ preservation, the AAB did not raise any objection to the re-provisioning arrangements regarding the OSFP and its clock tower³.

In June 2002, PWSC considered the proposal to implement the CRIII project. When the Administration advised the location for re-provisioning of the OSFP at this meeting, Chan Yuen-han urged the Administration to fulfil its earlier promise that the design of the new SFP

¹ PLW Panel paper: http://www.legco.gov.hk/yr98-99/english/panels/plw/papers/pl1006_4.htm, and PLW Panel meeting minutes: <http://www.legco.gov.hk/yr98-99/english/panels/plw/minutes/pl100699.pdf>

² Legco paper: <http://www.legco.gov.hk/yr99-00/english/fc/pwsc/papers/p00-1e.pdf>, and minutes of PWSC meeting: <http://www.legco.gov.hk/yr99-00/english/fc/pwsc/minutes/pw120400.pdf>

³ Minutes of PLW Panel meeting on 20 September 2006 CB(1)414/06-07: <http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf>

would preserve the special characteristics of the OSFP. Nevertheless, nobody raised objections to the demolition plan at the meeting.⁴

In short, there was little discussion about the demolition of the OSFP and QP before 2006. Neither was there any objection to the demolition of these two piers in all the key institutions, although individual legislators urged the Administration to preserve the characteristics of the OSFP.

3. Development of the Debate on the OSFP and QP:

The controversy over the demolition of the OSFP and QP mainly took place in the period between July 2006 and early 2007. The chronology of the debate is summarised in Appendix 12. According to the time of policy change and important events, the development of the debate is divided into five periods as follows:

1. The first period is between 12 May and 9 August 2006. In this period, the design of the new SFP in Central was announced while there were no voices against the demolition of the old pier until a small conservation group launched an online petition.
2. In the period between 10 August and 26 October 2006, the pro-democrat camp changed their views on the demolition of the OSFP, initiating agenda change in the Legco.
3. In the period between 27 October and 30 November 2006, the closing ceremony of the OSFP took place. After 150 thousand people had flocked to the pier, the opponents intensified their voices against the demolition work.
4. The fourth period is between 1 and 15 December 2006. During this period, an official survey report, which was unsupportive of demolition plans, was uncovered by a conservation group. This triggered the agenda change of the Administration.
5. In the final period between 16 December 2006 and 3 February 2007, in addition to the acceleration of demolition work, the Administration launched a series of changes to existing policy.

⁴ PWSC paper: <http://www.legco.gov.hk/yr01-02/english/fc/pwsc/papers/p02-41e.pdf>, and minutes of meeting: <http://www.legco.gov.hk/yr01-02/english/fc/pwsc/minutes/pw020605.pdf>

3.1 From 12 May and to 9 August 2006

As mentioned above, there were no objections to the demolition of the OSFP before July 2006. When the SFCL announced the Victorian design of the new SFP in Central on 12 May 2006, the news media mainly focused on the architecture of the pier⁵. In June 2006, when the Central and Western District Council (WCDC) discussed re-provisioning arrangements for the OSFP and QP at the meetings of Food, Environment, Hygiene and Works Committee and Traffic and Transport Committee, the Committee members focused on the design and the traffic arrangements of the new SFP only.⁶

Objections to the demolition of OSFP were first raised by a small conservation group, the SEE Network. On 17 July 2006, the group launched an on-line petition, urging the government to suspend the demolition plan of the OSFP, its clock tower and the clock⁷. However, neither the Legco nor the Administration responded to this campaign until 10 August.

2.2 From 10 August and 26 October 2006

On 10 August 2006, a pro-democrat legislator, Kwok Ka-ki requested that the PLW Panel hold a special meeting to discuss the issues related to demolition of the OSFP.⁸ In the meantime, the SEE Network allied with some art groups, launching some street campaigns, including art exhibitions at the OSFP. The groups also presented a petition of collected signatures at the Central Government Offices⁹.

On 20 September, the PLW Panel held a special meeting to discuss two items, including the issues relating to the OSFP. At this meeting, the

⁵ MPDN, 13 May 2006, page A08

⁶ Minutes of the Food, Environment, Hygiene and Works Committee meeting of W&CDC (in Chinese): http://www.districtcouncils.gov.hk/central_d/chinese/doc/FEHWC_3_2006_Min_Chinese.doc, and minutes of the Traffic and Transport Committee meeting of W&CDC (in Chinese): http://www.districtcouncils.gov.hk/central_d/chinese/doc/3_TTC_MIN_CHIN_2006.doc

⁷ MPDN, 18 July 2006, page A22

⁸ PLW Panel paper CB(1)2129/05-06(02) (in Chinese): <http://www.legco.gov.hk/yr05-06/chinese/panels/plw/papers/plw0920cb1-2129-2c.pdf>

⁹ MPDN, 21 August 2006, page A11

OSFP was described as an icon of people's collective memory. All six deputations, including those from various conservational groups and the Chairman of the CWDC, opposed the demolition of the OSFP. The Panel also passed a motion, urging the Administration to defer the demolition plan¹⁰. After the PLW Panel meeting, some District Councillors also expressed their objections to the demolition plan. At the Council meeting of the CWDC in October 2006, eight members, including the Council Chairman, called on the Administration to preserve the OSFP and QP.¹¹

However, the Administration persisted with the demolition plan. Quoting a study in 2005, the Administration claimed in a discussion paper that relocating the existing clock to the new clock tower was not feasible because of the unavailability of new parts and components of the clock and subsequent maintenance¹². In October 2006, the Administration, in a written response to the PLW Panel's motion, reiterated that the deferral of demolition of the OSFP would affect public works projects which had to be commenced according to programme and contracts awarded¹³.

In sum, during the period between 10 August and 26 October 2006, while the SEE Network, allied with some art groups, continued their campaigns, some pro-democrat politicians changed their positions on the demolition of OSFP, initiated agenda change in the Legco and DC. Nevertheless, the Administration persisted with the existing plan, stressing that preservation of the pier was infeasible and would affect other development projects.

2.3 From 27 October to 30 November 2006

From late October 2006, the news media had shifted their attention to the closing ceremony of the OSFP held by the SFCL, running stories

¹⁰ Minutes of the PLW Panel meeting CB(1)414/06-07:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf>

¹¹ Minutes of the Council meeting (in Chinese):

http://www.districtcouncils.gov.hk/central_d/chinese/Minutes/doc/DC/19.doc

¹² PLW Panel paper CB(1)2208/05-06(02), paragraph 9:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb1-2208-2e.pdf>

¹³ PLW Panel paper:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb1-46-1-e.pdf>

about the history of the site and people's memories of the pier. In the evening of 11 November, the SFCL held a ceremony and a charity farewell ride with four ferries taking 1800 people from the OSFP in Central to Tsim Sha Tsui. Meanwhile, about 150 thousand people flocked to the OSFP and Central waterfront, some to take the ride at the old pier for the last time, others to photograph the clock tower¹⁴.

On the following day, there was substantial news coverage of people's memorial and farewell activities. Many of the news stories highlighted individuals' memory of the OSFP. Two of the selected newspapers also criticised the demolition of the OSFP. The MPDN's editorial argued that people's attachment to the OSFP reflected the failure of the government's consultation mechanism¹⁵. A column of the ODN claimed that the demolition of the OSFP was the murder of history¹⁶.

From this point onwards, the SEE Network and a small pressure group, Independent Media, together with some major conservation groups and students, gradually intensified their campaigns. On 12 November, about 20 activists started a sit-in outside the OSFP, demanding a halt to demolition work. In the following weeks, the activists launched further protests. For example, some activists climbed onto the roof of the OSFP, and beamed the words 'Save Me' onto the clock tower¹⁷. Some protesters also climbed up to the Star Ferry clock tower¹⁸. Meanwhile, the Conservancy Association, a major conservation group also expressed its support of the campaign for preservation of the OSFP and QP¹⁹.

On the day after the closing ceremony of the OSFP, about 500 members of the Society for the Protection of the Harbour (SPH), the DP and CP staged a protest march in Central, calling on the public to carry on the campaign against reclamation and the demolition of the OSFP²⁰. While this

¹⁴ MPDN, 12 November 2006, page A03

¹⁵ MPDN, 12 November 2006, page A02

¹⁶ ODN, 12 November 2006, page A22

¹⁷ MPDN, 19 November 2006, page A15

¹⁸ MPDN, 1 December 2006, page A17

¹⁹ ADN, 20 November 2006, page A20

²⁰ MPDN, 13 November 2006, page A06

subject was discussed again at the PLW Panel meeting in November 2006, the pro-democrat camp questioned the feasibility of various preservation options and challenged the existing heritage policy. Some suggested that the Administration should preserve the clock tower, while others urged the Administration to consult concerned parties and the relevant DC²¹.

On the contrary, although some pro-government legislators criticised the Administration verbally²², they did not take further action in the Legco. Neither did they express support for the protestors. From this perspective, the pro-government camp still supported the Administration at that time.

In sum, after over a hundred thousand people had flocked to Central during the closing ceremony of the OSFP on 30 November, the news media considered people attachment to the OSFP as the failure of the existing heritage policy. At the same time, the pro-democrat camp and conservation groups intensified their voices against the demolition plan of the OSFP and QP. Despite this, there was no change to the positions of the Administration and the pro-government camp.

3.4 From 1 December to 15 December

Among the DAB legislators, Choy So-yuk of the DAB was the only one who expressed an objection to the demolition of the OSFP. In addition to criticising the demolition of the OSFP in the Legco, Choy accidentally triggered a debate on the Administration's integrity. She asked a written question at the Legco on the criteria for the classification of historical buildings and whether the Administration would re-consider classifying the OSFP as a historical building so that it would be protected by the Antiquities and Monuments Ordinance. On 6 December, in response to Choy's question, the Secretary for Home Affairs (SHA) claimed that, according to the built heritage impact assessment for the CRIII conducted in

²¹ Minute of PLW panel meeting:
<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061114.pdf>

²² *ibid.*

2001, and the AAB's assessment report, the Administration would not re-consider declaring the OSFP as a monument²³.

In SHA's reply, the built heritage impact assessment referred to was the 'Survey Report of Historical Buildings and Structures within the Project Area of the Central Reclamation Phase III' conducted by a heritage consultant commissioned by the Antiquities and Monuments Office in 2001. The Survey Report described the OSFP as a structure of great significance and warned that its destruction would provoke a public outcry and dismay. The Report also recommended that consideration should be given to relocating the clock tower, if not the whole pier building, to a new home suitably in harmony with its surroundings. Meanwhile, the Report pointed out that the QP had been the landing pier for new Governors. Thus, the QP together with Edinburgh Place nearby, had performed some civic and political functions in the colonial period of post-war Hong Kong. Their demolition for reclamation would scrap forever the concrete link to a brief past of local development²⁴. In other words, the Report does not sound supportive of the demolition of the OSFP and QP.

This Survey Report was supposed to be attached to the Environmental Impact Assessment Report on the CRIII as an appendix. However, on 11 December 2006, the SEE Network claimed that the relevant hyperlink to the Survey Report on the Government website was missing. Thus, the group raised the question of whether the Administration had concealed the report²⁵.

The following morning, the AAB held an urgent closed door meeting. Immediately after the meeting, demolition work on the OSFP commenced. The clock face was removed from the clock tower. In the evening of the same day, the Administration issued a press release stating that the AAB had reviewed the discussion paper and minutes regarding the

²³ The Administration's press release on the reply of the Secretary for Home Affairs: <http://www.info.gov.hk/gja/general/200612/06/P200612060159.htm>

²⁴ Survey Report of Historical Buildings and Structures within the Project Area of the Central Reclamation Phase III: <http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-511-2-e.pdf>

²⁵ MPDN, 12 December 2006, page A04

demolition plan of the OSFP in 2002, which recorded that AAB did not raise any objection to the demolition of the pier. Rather, the Board only asked the Government to preserve the significant relics of the clock tower and the QP and consider reconstructing them on the new harbourfront. The Administration also claimed that the website's missing link to the survey report was due to technical problems²⁶.

While the AAB held an urgent meeting on 12 November, some protesters broke the police barricade and rushed into the cordoned-off former Star Ferry terminal in Central. Other protestors outside also continued a sit-in²⁷. On the evening of 13 December, police officers rushed to the spot to remove the demonstrators from the OSFP, along with some legislators. One of the demonstrators was arrested for 'criminal damage' to property²⁸.

When the police was clearing up the OSFP, in order to express support for the protestors, the pro-democrat camp at the Legco's Council meeting, with the permission of the President of the Legco, initiated a motion to adjourn the Council meeting for the purpose of debating the issue of 'Demolition of the clock tower at the Star Ferry Pier'²⁹. At a special meeting of the PLW Panel on 14 December 2006, pro-democrat legislators also suggested that the demolition of the OSFP and its clock tower should be suspended³⁰. Subsequently, the protestors and the pro-democrat camp further strengthened their cooperation. On 15 December 2006, the pro-democrat legislators and the SEE Network launched Heritage Watch, an alliance of academics, students, environmentalists, legislators and activists. The alliance announced that it would organise a candle-light vigil at the OSFP concourse on 24 December.³¹

²⁶ The Administration's press release:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-511-3-e.pdf>

²⁷ MPDN, 13 December 2006, page A02

²⁸ MPDN, 14 December 2006, page A03

²⁹ Minutes of the Legco Council Meeting:

<http://www.legco.gov.hk/yr06-07/english/counmtg/hansard/cm1213-translate-e.pdf>

³⁰ Minutes of the PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061214.pdf>

³¹ MPDN, 16 December 2006, page A06

In response to this, the SHPL stressed that it was too late to change the decision to demolish the pier, and that it was not feasible to preserve the pier building and the clock tower³². The CE also stressed that the Government had spent five years to satisfy all the statutory requirements and consultation procedures before finalising the decision on demolition of the OSFP.³³ In addition, the pro-government camp persisted with its supportive position. At the PLW Panel meeting mentioned above, apart from Choy So-yuk of DAB and Wong Kwok-hing of FTU who criticised the Administration, all the pro-government legislators kept silent³⁴. In this sense, most pro-government legislators did not oppose the Administration.

Nevertheless, on 13 December 2006, the MPDN quoted an official source, claiming that the Administration had initiated a review of heritage policy. In addition to history, the 'social significance' of the heritage buildings would be taken into account.³⁵ In other words, there was an agenda change in the Administration.

In short, during this 15-day period, when an official survey report, which did not sound supportive of the demolition of OSFP and QP, was discovered by the SEE Network, the Administration's integrity was challenged. This not only caused the pro-democrat camp and protestors to intensify their campaigns against the demolition work, but also triggered the agenda changes of the AAB and the Legco. Although the Administration, with the support of the pro-government camp, persisted with the existing project, the Administration changed its agenda, preparing a review of the existing heritage policy.

3.5 From 16 December 2006 to 3 February 2007

In the period subsequent to 16 December 2006, there was a series of policy change. The first was the acceleration of the demolition of the OSFP.

³² The Administration's press release on the response of the SHPL:

<http://www.info.gov.hk/gia/general/200612/13/P200612130316.htm>

³³ The Administration's press release on the speech of the CE:

<http://www.info.gov.hk/gia/general/200612/13/P200612130248.htm>

³⁴ Minutes of the PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061214.pdf>

³⁵ MPDN, 13 December 2006, page A02

Although some members of the PLW Panel urged the Administration to suspend the demolition of the OSFP until 18 December 2006, in the morning of 16 December, workers unusually worked through the night, demolishing the clock tower with the pieces taken away by barge within a few hours³⁶. At the PLW Panel meeting on 18 December 2006, the Administration informed Panel members that the clock tower had been disposed of at the public fill reception facilities and mixed with other materials. However, the Administration had used three-dimensional laser scanning to record the dimensions of the OSFP while the faces and the mechanical parts of the old clock had been preserved for possible use in future. The Administration also claimed that the QP would be demolished as planned but the plaque of the pier would be preserved.³⁷

In response to this, the pro-democrat camp, cooperating with the protestors, continued criticising the Administration and its development projects. On 16 December, 20 protestors started a 49-hour hunger strike in commemoration of the 49 year history of the OSFP.³⁸

On 18 December 2006, the PLW Panel held another special meeting to discuss the subject matter in the presence of ten deputations of various conservation and professional groups³⁹. The infeasibility of restoring the pier's old clock was challenged at this meeting. According to a written submission of the SFCL, the company had donated the faces and parts of the clock to the Hong Kong Museum of History because of the public's strong sentiment towards the clock. However, the company stressed that restoring the piers clock was infeasible⁴⁰. Despite this, the SEE Network and the University of Hong Kong's University Museum and Art Gallery invited Neil Brennan Wright from the clockmaking company, Thwaites & Reed to Hong Kong. This clockmaker had been maintaining the Great Clock of Westminster Palace for 30 years. Having inspected the clock of the OSFP,

³⁶ MPDN, 17 December 2006, page A02

³⁷ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061218.pdf>

³⁸ ODN, 17 December 2006, page A02

³⁹ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061218.pdf>

⁴⁰ PLW Panel paper CB(1)554/06-07(06) (in Chinese):

<http://www.legco.gov.hk/yr06-07/chinese/panels/plw/papers/plw1218cb1-554-6-c.pdf>

Wright, told the Panel that the clock, made by the famous clockmaker Dent in the 1950s, could be re-erected in many forms, such as in a new clock tower or as a museum piece⁴¹. In other words, Wright disagreed to the statement by the Administration and the SFCL that the clock could not be restored and maintained.

In addition to the demolition of the OSFP, the other development plans were criticised. On 17 December, some pro-democrat legislators and District Councilors, together with the protestors, expressed their concerns about various historical sites which might be affected by development projects. These buildings included the F Block of Victoria Prison built in 1841, the old Central Police Station built in 1864, Yau Ma Tei Police Station (YMTPS) built in 1922 and Jade Market which was a favourite for collectors from all over the world⁴². On the following next day, when protestors had finished the 49-hour hunger strike at the OSFP, they shifted their focus, voicing objections to the renewal plan in Wanchai⁴³. Two days later, the pro-democrat legislators, together with Chan Yuen-han of FTU, at a meeting of the PWSC of the Finance Committee, rejected the government's request for an extra fund for the design costs and site investigation of the proposed Central Kowloon Route. Although the Administration claimed that the government needed the money to continue its study on the proposed trunk road, legislators said that they feared the new route would affect the YMTPS and Jade Market nearby⁴⁴.

On 24 December, about 200 people joined the Heritage Watch's a candle-light vigil at the OSFP concourse to mark the demolition of the half-century-old clock tower⁴⁵. In the day prior to this vigil, however, the CE, in a radio programme, announced a second series of policy changes. While stressing that the demolition of the OSFP and QP could not be stopped, the CE promised that the Government would reassemble the OSFP clock and

⁴¹ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061218.pdf>

⁴² MPDN, 18 December 2006, page A06

⁴³ ODN, 19 December 2006, page A02

⁴⁴ Minutes of PWSC meeting:

<http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf>

⁴⁵ MPAN, 25 December 2006, page A04

re-erect it on a new clock tower to be constructed at a suitable location. In addition, the Government would work with experts to preserve the components of the QP as far as possible so that it could be reconstructed at a suitable location.⁴⁶ In other words, the demolition plan of the QP was adjusted. On 23 January 2007, the Administration briefed the PLW Panel on the proposals to 'relocate' the QP. Deputations from various professional and community bodies also expressed their views at the same meeting.⁴⁷ Although the relocation plan had not been decided when the QP was demolished in 2007, the components of the pier was preserved for reassembling.

The other policy change was the amendment of existing heritage policy. As mentioned above, the MPDN disclosed that the Administration had started the review of existing heritage policy on 13 December 2006.⁴⁸ A week later, the amendment plan of existing heritage policy became concrete when the Administration disclosed the plan of consultation on built heritage conservation policy in 2007. Under the new standards for monuments, peoples' collective memory and the social value of historical sites would be taken into account.⁴⁹ At a statement delivered on 23 December 2006, the CE confirmed that he had already asked the Home Affairs Bureau, which had carried out a public consultation on heritage policy in 2004, to again set up a discussion on this policy.. He also pledged that the Government would fully consider the public's collective memory and demands in future.⁵⁰ On 8 January 2007, when a new series of consultations on built heritage conservation was launched, the Secretary for Home Affairs (SHA) said that the Government saw a recent spate of public concern and heated discussions on heritage conservation in the community, particularly on people's yearning for collective memory.⁵¹

⁴⁶ The Administration's press release on the speech:
<http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

⁴⁷ Minutes of the meeting: <http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl070123.pdf>

⁴⁸ MPDN, 13 December 2006, page A02

⁴⁹ MPDN, 20 December 2006, page A08

⁵⁰ The Administration's press release on the speech:
<http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

⁵¹ The Administration's press release on the speech of the Secretary for Home Affairs:
<http://www.info.gov.hk/gia/general/200701/08/P200701080232.htm>

In addition to the change in heritage policy, there were two structural reforms to institutions. The first was personnel change in the AAB. On 24 December 2006, quoting a government source, the ODN disclosed a plan for AAB reform whereby more professionals and conservationists would be appointed as committee members⁵². On 8 January 2007, when the consultation on built heritage conservation policy was launched, the Administration announced that the number of members of the AAB would be increased from 21 to 28. Among the 28 members, fifteen were newly appointed⁵³.

The other structural reform was change to senior government structure. On 3 February 2007, the CE, Donald Tsang claimed that if he won the election for a second term, he would create a Development Bureau in order to co-ordinate and balance the needs for development, and environmental protection and heritage conservation⁵⁴. After Tsang was elected, this plan was officially announced at the Legco meeting on 3 May 2007⁵⁵, and passed by the Legco on 14 June 2007.⁵⁶ On 1 July 2007, the Development Bureau was established. In the subsequent period, the demolition plans of the Victoria Prison and the old Central Policy Station, as well as several other historical sites, were also adjusted.

In short, in the period subsequent to 16 December 2006, there was a series of significant policy changes in the demolition of the OSFP and other areas of heritage policy. Despite voices against the demolition work, the Administration had speeded up demolition of the OSFP. In response to this, the opposition strengthened the cooperation and intensified their campaigns, including organising protests, criticising various development plans and rejecting the Administration's request for fund for a highway project.

⁵² ODN, 24 December 2006, page A19

⁵³ Administration's press release on the speech of the Secretary for Home Affairs: <http://www.info.gov.hk/gia/general/200701/08/P200701080234.htm>

⁵⁴ MPDN, 4 February 2007, page A01

⁵⁵ The Administration's press release on the CE's statement: <http://www.info.gov.hk/gia/general/200705/03/P200705030180.htm>

⁵⁶ MPDN, 15 June 2007, page A06

Subsequently, the Administration launched further policy changes, including amendment to the demolition plan for the QP and consultation on existing heritage policy. There were also alterations in policy making structures. Some development plans which might affect historical sites were also reconsidered.

4. Concluding Remarks

In summary, the controversy over the demolition of the OSFP was triggered by a small conservation group, the SEE Network, in July 2006. When the SEE Network highlighted the historical value of the OSFP, calling on the Administration to preserve the pier, pro-democrat politicians and other conservation groups changed their positions, describing the pier as an icon of people's collective memory, initiating agenda change at the Legco and urging the Administration to suspend its demolition plans.

On the other hand, throughout the debate, the Administration, with the support of the pro-government camp, emphasised the legality of the project, claiming that the development plan had passed through all the statutory consultation process. It was thus impractical and too late to amend the project.

After more than a hundred thousand people flocked to the Central water front during the closing ceremony of the OSFP on 11 November 2006, the media started criticising the demolition plan and the existing heritage policy. Meanwhile, the activists gradually intensified their protests while pro-democrat politicians placed further pressure on the Administration in the Legco. The disclosure of an official survey report, which was unfavourable to the demolition plan, also triggered the agenda change at the AAB.

Subsequently, relatively significant policy changes took place. In addition to the acceleration of demolition work, the Administration adjusted the demolition plan of the QP and launched a consultation on heritage policy. The Administration also launched structural reforms of relevant

institutions and reconsidered various development projects that might affect historical sites.

Despite the failure in preventing the demolition of the OSFP, the pro-democrat camp strengthened its cooperation with activists, organising further protests and expressing concerns about various historical sites. In the Legco, the pro-democrat camp also rejected the Administration's request for a fund for a development project which might affect an historical site.

Chapter 13

Analysis of the Case of the Old Star Ferry Pier

1. Introduction

The previous chapter provides a narrative account of the controversy over the demolition of the old Star Ferry Pier (OSFP) in Central. This chapter further analyses several factors, namely, policy change, policy certainty and news framing. Time sequence of the changes in those factors is traced in order to test the hypotheses of this study. Finally, I discuss other factors and their relations with news coverage and policy change.

2. Analysis of Policy Change

The policy changes during the OSFP debate are summarised in Table 13.1. In the period prior to 15 December 2006, there were only relatively low cost changes, including the agenda change of the Legco and the Administration. After 15 December 2006, however, there were relatively high cost changes in existing demolition plans and heritage policy.

It should be noted that only the new decisions and new initiatives of policymakers are considered to be policy changes. The implementation of the decision is not considered to be policy change. For example, the Administration's review of existing heritage disclosed on 13 December 2006 was regarded as an agenda change. Further disclosures of this review and the launch of re-consultation in the subsequent month were only considered as the implementation of this change.

2.1 Low Cost Changes

The first change to the agenda took place in the Legco's PLW Panel. Between 20 September and 18 December 2006, the Panel held a series of special meetings to discuss issues relating to the demolition of the OSFP. The first meeting was held at the request of a pro-democrat legislator on 10 August 2006¹. At the first special meeting on 20 September 2006, the Panel

¹ PLW Panel paper CB(1)2129/05-06(02) (in Chinese):

also passed a motion, urging the Administration to defer the demolition plan for the OSFP². The second Legco agenda change was initiated by the pro-democrat camp when the police rushed to the spot to remove the demonstrators from the OSFP on 13 December 2006. In order to express support for the protestors, a CP legislator initiated a motion to adjourn the Council meeting to debate the issue of the demolition of the OSFP. However, the Legco did not pass any concluding motion³.

Date	Event	Type of policy change	Cost
10/8/2006	Kwok Ka-ki's request for the PLW Panel	Agenda change	Low
20/9//2006	The PLW Panel's motion demanding the deferral of the demolition of the OSFP	Motion against exiting policy	Low
12/12/2006	The AAB's urgent meeting	Agenda change	Low
13/12/2006	The MPDN disclosed the Administration's review of heritage policy.	Agenda change	Low
13/12/2006	The Legco's debate on the issue of the OSFP	Agenda change	Low
16/12/2006	The acceleration of the demolition of the clock tower	Change in routine operation	High
19/12/2006	The Legco's rejection of the funding request for the CKR	Budgetary change of other project	High
19/12/2006	The disclosure of the plan of re-consultation of heritage policy	Agenda change	Low
23/12/2006	The disclosure of the plan to reform the AAB	Alternation of structure	High
23/12/2006	The announcement of the change in the relocation of the QP	Amendment of existing policy	High
3/2/2007	The CE's proposal to create a Development Bureau.	Alternation of structure	High

<http://www.legco.gov.hk/yr05-06/chinese/panels/plw/papers/plw0920cb1-2129-2c.pdf>

² Minutes of the PLW Panel meeting CB(1)414/06-07:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf>

³ Minutes of the Legco Council Meeting:

<http://www.legco.gov.hk/yr06-07/english/counmtg/hansard/cm1213-translate-e.pdf>

Besides, the Antiquities Advisory Board (AAB) held an urgent meeting on 12 December 2006, after the SEE Network had discovered an official report unfavourable to the demolition of the OSFP and QP⁴. After the meeting, the Administration confirmed that the AAB did not raise any objection to the demolition of the pier⁵ and commenced the demolition work immediately. Nevertheless, the commencement was not regarded as a policy change as it was implemented according to the original plan of the Administration⁶.

The second agenda change of the Administration was disclosed by the MPDN on 13 December 2006. A government source claimed that the Home Affairs Bureau had initiated a review of existing heritage policy⁷. This plan became concrete a week later⁸. Subsequently, this plan was confirmed by the CE on 23 December 2006⁹, and was launched by the Administration on 1 January 2008¹⁰. As existing heritage conservation policy was not changed at that time, the consultation was considered to be an agenda change rather than a change to existing policy.

2.2 High Cost Changes

In the period subsequent to 15 December 2006, there were several high cost changes. The first one was the acceleration of the demolition work. Before the dawn of 16 December 2006, workers unusually worked through the night, and then demolished the clock tower, with the pieces taken away by barge in the morning. On the same day, the clock tower was disposed of at a landfill site, and mixed with other materials¹¹. It was unusual for the workers to work through the night and remove and dispose of the clock tower in a few hours. Thus, it is reasonable to suggest that the Administration speeded up the demolition work.

⁴ MPDN, 12 December 2006, page A04

⁵ The Administration's press release:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-511-3-e.pdf>

⁶ ADN, 12 December 2006, page A22

⁷ MPDN, 13 December 2006, page A02

⁸ MPDN, 20 December 2006, page A08.

⁹ The Administration's press release on the speech:

<http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

¹⁰ The Administration's press release on the speech of the Secretary for Home Affairs:

<http://www.info.gov.hk/gia/general/200701/08/P200701080232.htm>

¹¹ MPDN, 17 December 2006, page A02

The other development project was also affected. On 19 December 2006, the Public Works Subcommittee (PWSC) of the Legco's Finance Committee rejected the government's request for funding the design and investigation of the proposed Central Kowloon Route (CKR) as legislators feared the new route would affect the Yau Ma Tei Police Station (YMTPS) and the Jade Market¹². In addition, there were changes to the demolition plan of the QP. On 18 December 2006, the Administration said that the QP would be demolished as planned¹³. On 23 December 2006, however, the CE claimed that the Government would preserve the components of the QP so that it could be reconstructed at a suitable site¹⁴.

Moreover, there were structural alterations made to relevant policy making institutions. One involved personnel changes to and structural reform of the AAB. These changes were first disclosed by the ODN on 24 December 2006¹⁵ and announced on 8 January 2007¹⁶. The other structural reform was a change to a senior government structure, the creation of a Development Bureau. This plan was announced by the CE on 3 February 2007¹⁷ and was passed by the Legco at 14 June 2007¹⁸.

In sum, the low cost changes, including agenda changes of the Legco and the Administration, took place before 15 December 2006. After 15 December 2006, however, some relatively high cost changes to policies were made or announced by the Administration. These changes included the acceleration of policy implementation, amendment of existing policy and alterations to policy making structures.

¹² Minutes of the meeting: <http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf>

¹³ Minutes of the PLW Panel meeting: <http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061218.pdf>

¹⁴ The Administration's press release on the speech: <http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

¹⁵ ODN, 24 December 2006, page A19

¹⁶ Administration's press release on the speech of the Secretary for Home Affairs: <http://www.info.gov.hk/gia/general/200701/08/P200701080234.htm>

¹⁷ MPDN, 4 Mar 2007, page A01

¹⁸ MPDN, 15 June 2007, p.A06

3. Analysis of Policy Certainty

3.1 Elite Consensus

In the period prior to July 2006, as mentioned in Chapter 12, none of the key institutions, including the Administration, the Legco and other statutory bodies, raised objections to the demolition of the OSFP. After the SEE Network had launched a petition urging the Administration to preserve the pier on 17 July 2006, some professionals, the pro-democrat camp and individual pro-government legislators changed their positions, criticising the demolition plan. These pro-government legislators included Choy So-yuk of the DAB and the three FTU members. Nevertheless, apart from these four legislators, a majority of the pro-government camp remained supportive of the Administration and the demolition plan. At the Legco meetings concerning the demolition of OSFP, most pro-government legislators kept silent. Although some of them verbally criticised the Administration occasionally, they never voted against the Administration¹⁹. Thus, elite consensus in the Administration and the pro-government camp remained high throughout the controversy.

In the period between July and October 2006, a consultative body, the Harbour-front Enhancement Committee (HEC), and the Hong Kong Institute of Architects (HKIA) and some members of the Central and Western District Council (CWDC) raised objections to the demolition plan²⁰. However, none of these bodies are responsible for making policy. Thus, their views were not important to the overall elite consensus level in the Administration and the key institutions.

In sum, during the debate on the OSFP, only the pro-democrat camp and a minority of pro-government legislators changed their views. Despite

¹⁹ PLW Panel paper:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb1-2208-2e.pdf>,

and minutes of the meeting: [http://www.legco.gov.hk/yr05-](http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf)

[06/english/panels/plw/minutes/pl060920.pdf](http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf)

The Administration's press release on the response of the SHPL:

<http://www.info.gov.hk/gia/general/200612/13/P200612130316.htm>

Minutes of the PWSC meeting: [http://www.legco.gov.hk/yr06-](http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf)

[07/english/fc/pwsc/minutes/pw061219.pdf](http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf)

²⁰ ODN, 27 July 2006, page A24; 10 August 2006, p.A26

Minutes of the CWDC Council meeting (in Chinese):

http://www.districtcouncils.gov.hk/central_d/chinese/Minutes/doc/DC/19.doc

verbal criticisms of the demolition plan, a majority of pro-government legislators strictly supported the Administration. This argument is further confirmed by the interview with Choy So-yuk (interview on 21 May 2007) and Jasper Tsang, the founding Chairman of the DAB (interview on 17 January 2008). Thus, the elite consensus level over the demolition of the OSFP was considered to be high throughout the controversy.

3.2 Policy Stage

In terms of policy stage, there was extremely high policy certainty with the demolition of the OSFP. Although the demolition work had not commenced when the debate began in October 2006, the demolition plan, as a part of the CRIII project, was being implemented. Moreover, in December 2006, the Administration further increased policy certainty by means of commencing and accelerating demolition work, removing the most iconic part of the OSFP. These initiatives made irreparable damage to the pier, making the demolition plan become even more certain afterwards.

The demolition plan of the QP was also at the implementation stage. Although the demolition works were scheduled to commence in the July of 2008, the relevant work contracts were awarded. Thus, there was a high level of certainty with this project.

There was also a high level of certainty of the existing heritage conservation policy based on the Antiquities and Monuments Ordinance (AMO). It was because the contexts of the ordinance and relevant decision-making procedures were well established, while the Administration did not initiate any amendment exercise of this law before the debate. Nevertheless, membership of the AAB was uncertain during the debate. As the existing AAB members completed their terms at the end of 2006, a new appointment should be made. In other words, the Administration had to initiate personnel changes at that time.

In addition, the CKR were being planned during the debate. When the Legco rejected the funding request for this project on 19 December 2006,

even the design of this highway had not been confirmed. Thus, the CKR had low certainty measured by policy stage.

Taking both elite consensus and policy stage into account, there was a high level of policy certainty with the demolitions of the OSFP and the QP as well as for existing heritage policy. By contrast, despite the high level of elite consensus, the CKR, which was being planned, was relatively uncertain. There was also an uncertainty of personnel changes to the AAB during the debate.

4. Analysis of News Framing

4.1 Methodology

The framing of news coverage is measured by article count and keyword count. News articles and editorials of the three selected newspapers were searched using the Wisers database by the keywords ‘Star (天星)’ ‘Star Ferry (天星小輪)’, ‘Star Ferry Pier (天星碼頭)’, ‘Queen’s Pier (皇后碼頭)’ and ‘conservation (保育)’. The articles irrelevant to the demolition plan were screened off, while only texts containing at least one paragraph concerning the issues relating to the OSFP, the QP and heritage conservation were selected. The sampling period started from 13 May 2006 when the SFSL announced the design of the new SFP in Central. The end date of the article search was 3 February 2007, the date after the CE announced the last proposed policy change directly relating to the demolition of the OSFP.

For article count, a coding frame was designed according to the arguments of the proponents and opponents of the demolition plan (see Appendix 13A). Positive framing is a narrative supporting the Administration and the demolition of the OSFP and QP. This kind of framing consists of the following elements:

- The overall tune of the article was supportive of the demolition of the OSFP and existing heritage policy.
- The demolition plan was considered to be a development issue related to traffic congestion.

- Voices of government officials and the supporters of the demolition plan were highlighted.
- The problem of traffic congestion was highlighted.
- Preservations of the OSFP and its components were considered to be infeasible and unnecessary.
- Adjustment of the demolition plan was considered to be infeasible and costly
- Protests were considered to be violent or radical
- Protesters were framed as radicals or a minority
- The demolition plan was framed as a legitimate decision which had passed through all the consultation and statutory processes.
- The missing hyperlink in the AAB's Survey Report was described as a technical mistake.
- Existing of heritage policy and its consultation mechanism were considered to be effective and legitimate.
- The OSFP was considered to be a primitive or old building
- The demolition work and police action were considered to be decisive and resolute
- The article consisted of any other elements in favour of the Administration and its heritage policy

Negative framing is a narrative in favour of the voices against the demolition projects. This kind of news coverage consists of the following elements:

- The overall tune of the article was critical of demolition of the OSFP and existing heritage policy.
- The demolition plan was considered to be a heritage conservation issue which discards history and people's memory.
- The voices of the opposition and people missing the OSFP were highlighted.
- People's memories of the OSFP were highlighted
- The preservations of the OSFP and its parts were considered to be viable and necessary

- Adjustment of the demolition plan was considered to be viable and necessary
- Protests were considered to be peaceful or legitimate
- Protesters were framed as fighters or intellectuals such as artists, students and university lecturers
- The demolition plan was framed as a outdated decision which showed up a mismatch with the latest public views
- The missing hyperlink to the AAB's Survey Report was considered to be the Administration's means of concealing unfavourable information
- Existing heritage policy and its consultation mechanism were considered to be inefficient and outdated
- The OSFP was framed as a heritage building or an icon of the people's memory
- The demolition work and the police action were considered to be merciless
- The article consisted of any other elements unfavourable to the Administration and its heritage policy

Besides, there is also a neutral framing. The characteristics of this framing are listed as follows:

- Supportive and critical voices were balanced in the same article
- Neither supportive nor critical arguments were highlighted.
- Technical or procedural issues were described and explained. For example, an article explained the three-dimensional laser scanning technology for recording the dimensions of the OSFP.

The keywords associated with positive and negative framings were also quantified. During the debate, the opponents of the demolition plan described the demolition of the OSFP as issues related to heritage conservation, highlighting people's memory and the history of the pier. Thus, 'conservation (保育)', 'memory (回憶/記憶)' and 'history (歷史)' were selected as keywords associated with negative framing. In contrast, the Administration considered the demolition plan as means of providing relief for traffic congestion. The Administration also stressed that plan had passed

through all the statutory procedures and the contracts had been awarded. Thus, ‘traffic/transport (交通)’, ‘procedure (程序)’ and ‘contract (合約)’ were considered as positive keywords.

In order to avoid contamination from irrelevantly used words, only the keywords used in relation to the debate on OSFP and heritage issues were counted. For example, the word ‘history’ was not counted when it was used in the name of ‘Hong Kong Museum of History’.

4.2 Results

In the 268-day sampling period between and 12 May 2006 and 3 February 2007, the MPDN and ADN ran similar levels of coverage. There were 109 articles (0.41 per day) and 103 articles (0.38 per day) in the MPDN and ADN respectively. The ODN ran 71 articles (0.26 per day), the lowest level among the 3 selected papers. As mentioned in Chapter 12, the development of OSFP debate can be divided into five periods. The framing analysis of coverage in these five periods is summarised in Appendix 13B.

This study assumes that media’s influence on policy is possible only if critical coverage is sustained for at least three days. Moreover, media pressure on policymakers is increased when the three selected newspapers run sustained critical coverage simultaneously. As shown in Appendix 13C, the three papers ran several peaks of sustained coverage during the OSFP debate. Combining the data of the three newspapers, I found two periods in which they all ran sustained coverage.

The first peak of sustained critical coverage started on 10 November 2006, the day prior to the closing ceremony of the OSFP. As shown in Table 13.2, the overall framing of the three newspapers remained negative in this 4-day period. Thus, there was a high level of media consensus over negative framing. This coverage not only highlighted history and people’s memories of the OSFP, but also criticised the existing heritage policy. For example, the editorial of the MPDN argued that people’s attachment to the OSFP

demonstrated the failure of the government's consultation mechanisms²¹. A column of the ODN was also titled 'the demolition of the OSFP is murder of history'²².

Table 13.2: Framing Analysis of Sustained Coverage of the OSFP Debate between 10 and 13 November 2006 (4 Days)				
Article Count				
Framing		No. of total articles (No. of editorial)		
		MPDN	ADN	ODN
Positive / Supportive		0	0	0
Negative / Critical		12 (1)	16	7
Neutral / Descriptive		2	3	1
Total		14 (1)	19	8
Average No. of articles per day		3.50	4.75	2.00
Framing decided by article count		Negative	Negative	Negative
Keyword count				
Framing		Frequency		
Positive / Supportive	Traffic/Transport	0	2	1
	Procedure	4	0	0
	Contract	0	0	0
	Total	4	2	1
Negative / Critical	Conservation	1	0	1
	Memory	9	8	9
	History	12	12	9
	Total	22	20	19
Framing decided by article count		Negative	Negative	Negative
Combined Results				
Overall Framing		Negative	Negative	Negative

Lasting for about 2 weeks, the second peak of sustained critical coverage started when the SEE Network uncovered an official report unfavourable to the demolition plan. In these 2 weeks between 12 and 25 December, the framing of the three newspapers remained negative (see Table 13.3). Media consensus on overall critical framing was considered to be high in this case.

Negative coverage mainly criticised the Administration and sympathised with the protesters. For example, after the protesters had been

²¹ MPDN, 12 November 2006, page A02

²² ODN, 12 November 2006, page A22

removed from the OSFP by the police, both the MPDN and ODN quoted a protestor's father 'I am proud of my son'²³. The ODN also described the protestors as 'brave warriors'²⁴ while the MPDN highlighted the fact that some of the protestors were intellectuals, such as university lecturers and students²⁵. After the rapid destruction of the clock tower, the editorial of the MPDN claimed that the demolition of the pier would result in sequelae, undermining people's trust in the government, and making the development plan even more difficult²⁶. The editorial of the ODN was titled 'The prestige of Government has been broken before the destruction of the Pier.'²⁷

Table 13.3: Framing Analysis of Sustained Coverage of the OSFP Debate between 12 and 25 December 2006 (14 Days)				
Article Count				
Framing		Total No. of article (No. of article)		
		MPDN	ADN	ODN
Positive / Supportive		4	1	2
Negative / Critical		35 (5)	28 (1)	32 (5)
Neutral / Descriptive		14	10	8
Total		53 (5)	39 (1)	42 (5)
Average No. of articles per day		3.79	2.78	3
Framing decided by article count		Negative	Negative	Negative
Keyword count				
Framing		Frequency		
Positive / Supportive	Traffic/Transport	12	1	4
	Procedure	15	3	5
	Contract	5	5	2
	Total	32	9	11
Negative / Critical	Conservation	24	37	27
	Memory	34	20	22
	History	81	29	62
	Total	139	86	111
Framing decided by article count		Negative	Negative	Negative
Combined Results				
Overall Framing		Negative	Negative	Negative

²³ MPDN, 14 December 2006, page A05; ODN, 14 December 2006, page A30

²⁴ ODN, 14 December 2006, page A30

²⁵ MPDN, 14 December 2006, page A05

²⁶ MPDN, 18 December 2006, page A04

²⁷ ODN, 16 December 2006, page A31

In short, during the controversy over the OSFP, there were two periods in which the three selected newspapers ran substantial critical coverage simultaneously. The first peak was around the time of the closing ceremony of the OSFP (10 to 13 November 2006), while the second one was between 12 and 25 December 2006. As there was a high level of media consensus over negative framing, news coverage can be considered as an influential factor for policy change subsequent to this coverage.

5. Testing the hypotheses

5.1 Tracing the time sequence

During the OSFP debate, there were two low cost policy changes prior to the first peak of critical coverage. One is the Legco agenda change on 10 August 2006 while the other is the PLW Panel's motion against the demolition plan on 20 September. Before these events, news coverage of the OSFP in the three selected newspapers remained limited and intermittent. Thus, news coverage is unlikely to have been an influential factor in these two changes..

In the month subsequent to the first peak of critical coverage, although there was no policy change, both the Administration and the pro-democrat camp became extremely sensitive to criticisms. When the SEE Network uncovered an official survey report unfavourable to the demolition plan on 11 December 2006, the AAB held an urgent meeting, confirming that the committee had no objections to the demolition plan the next morning²⁸. When the police removed the protesters from the OSFP on 13 December 2006, pro-democrat legislators immediately initiated a motion debate on the OSFP²⁹.

More importantly, during the second peak of critical coverage, several policy changes were announced or disclosed by the Administration. The first was the plan of the consultation on heritage policy disclosed on 13

²⁸ The Administration's press release:
<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-511-3-e.pdf>

²⁹ Minutes of the Legco Council Meeting:
<http://www.legco.gov.hk/yr06-07/english/counmtg/hansard/cm1213-translate-e.pdf>

December, the second day of the second peak of coverage³⁰. While the 3 newspapers ran critical coverage simultaneously in the following 2 weeks, this plan was moved forward, finally being launched officially on January 2007³¹. The other policy change during the second peak of negative coverage was the rapid destruction of the clock tower on 16 December 2006³². A week later, the CE announced an adjustment to the demolition plan of the QP³³. As the Administration persisted with the demolition plan on 18 December, it can be argued that the plan was changed in the few days subsequent to 18 December. In other words, a decision on this high cost change was made during the second peak of critical coverage.

Reform of the AAB was also decided during the second peak of critical coverage. This reform plan was first disclosed by the media by 24 December 2006³⁴. Although the existing AAB members finished their terms on 31 December 2006, the Administration did not announce new appointments until 8 January 2007³⁵. It can be argued that this late announcement was due to sudden changes to the Administration's plan for AAB appointments. This argument was supported by Patsy Cheng, the Director of the SEE Network, who claimed that the Administration gave her a hurried invitation for AAB membership, which she rejected. (Interview on 15 May 2007). From this perspective, the decision on AAB reform was subsequent to critical news coverage.

The creation of the Development Bureau was also a decision made after the second peak of critical coverage. In fact, a study of policy bureau reform was begun in the fall of 2006. Since September 2006, a few alternatives for reform were disclosed by the media³⁶. However, the creation of a Development Bureau was not disclosed until the CE announced his proposal on 3 February 2007. Moreover, the CE claimed that the mission of

³⁰ MPDN, 13 December 2006, page A02

³¹ The Administration's press release on the speech of the Secretary for Home Affairs: <http://www.info.gov.hk/gia/general/200701/08/P200701080232.htm>

³² MPDN, 17 December 2006, page A02

³³ The Administration's press release on the speech: <http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

³⁴ ODN, 24 December 2006, page A19

³⁵ Administration's press release on the speech of the Secretary for Home Affairs: <http://www.info.gov.hk/gia/general/200701/08/P200701080234.htm>

³⁶ ODN, 10 September 2006, page A23

the new bureau was to co-ordinate and balance needs for development, and needs for environmental protection and heritage conservation³⁷. In other words, the new bureau was created to address the heritage problems which were highlighted during the OSFP debate.

The opponents also initiated policy changes during the second peak of critical coverage. On 19 December 2006, pro-democrat legislators, together with the FTU legislators, rejected the government's request for funding the design and investigation of the CKR³⁸. As these legislators never expressed any objections to the project before this time, it is reasonable to suggest that these legislators changed their positions during the second peak of critical coverage.

In sum, news coverage in the three selected newspapers remained intermittent until November 2006. Thus, process tracing showed that news coverage was not a factor affecting the Legco's agenda changes in August 2006 and the motion passed by the PLW Panel in September 2006. After the first peak of critical coverage between 10 and 13 November 2006, however, policymakers became sensitive to the issues related to the OSFP. When the three papers ran the second peak of critical coverage in December 2006, various types of policy change were launched. These changes included agenda changes to the Legco and the AAB. The Administration also started a reviewed of heritage policy and launched several high cost changes, including the acceleration of demolition work, changes to demolition plans of the QP, reform of the AAB and the creation of a Development Bureau. Since these decisions on policy change were made during or after substantial critical coverage was run, media influence on those policy changes was possible.

³⁷ MPDN, 4 Feb 2007, page A01

³⁸ Minutes of the meeting: <http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf>

5.2 Policy Certainty

5.2.1 Elite Consensus

There are two hypotheses concerning elite consensus. First, critical coverage is unlikely to occur when there is a high level of elite consensus. Second, it is relatively easy for critical coverage to influence policy during an elite debate. These two hypotheses were not supported by the OSFP debate. While the pro-government camp supported the Administration and its policy throughout the debate, there was a high level of media consensus over critical framing in two periods. In this sense, despite a high level of elite consensus, all the selected media ran substantial critical coverage. The first hypothesis was not supported in this case.

In addition, process tracing showed that sustained critical coverage was followed by various types of policy changes. Although demolition of the OSFP continued, the Administration did not work as ordinarily planned. Rather the demolition work was speeded up. From this perspective, media influence on policy was possible although elite consensus remained at a high level.

5.2.2 Policy Stage

This study also assumed that it is relatively easy for critical coverage to influence policy with high certainty measured by policy stage. As mentioned above, the CKR and the personnel of the AAB were relatively uncertain in terms of policy stage. These two policies were changed after substantial critical coverage was run. In this sense, this hypothesis was supported.

The demolition of the OSFP and the QP were under implementation during the debate. Thus, there was a high level of certainty over these two projects. Despite the continuation of the two projects, some adjustments were made by the Administration after substantial critical coverage was run. Similarly, existing heritage policy under the AMO was certain. However, the Administration launched a consultation on it. From this perspective,

media influence on policy is possible despite a high level of certainty measured by policy stage.

Taking all of these factors into account, the hypotheses of this study were not supported by the case of demolition of the OSFP. In spite of the high level of policy certainty measured by elite consensus and policy stage, media influence on policy was possible. Furthermore, previous studies usually suggest that substantial critical coverage pushes policymakers down a particular path (Robinson 2002; Linsky 1986). However, during the OSFP debate, the Administration worked against the critical coverage, speeding up the demolition work. In these circumstances, the media-policy relation was more complex than the hypotheses and previous studies allow for.

In order to provide a better account of media-policy relations, I examine other possible factors affecting policy changes and their relations with news coverage. I suggest that policy outcomes, including the actions and inactions of political actors, are the result of the co-existence of and interaction between these factors.

5. Possible Causes of Policy Change

5.1 Institutions

The first influential factor is the institutions referring to formal rules, organisations and past decisions of political actors. The institutional approach provided an important insight into the period between the two peaks of critical coverage (the period between 14 November and 11 December 2006) in which no policy change by the Administration was launched. This 'gap period' could be explained by bureaucratic procedures. It is reasonable to suggest that there is a series of discussions and a study of the feasibility, legality, fiscal and political costs of various alternatives before the Administration makes a decision on policy change. This process usually takes a certain time. Thus, the Administration's inaction in the period between the two peaks of critical coverage can be explained by this type of institutional constraint.

In addition, there was evidence to show that both the Administration and the pro-democrat camp were constrained by past decisions. Throughout the debate, the Administration stressed the legality of the demolition plan, and the infeasibility of any adjustment of the plan. As the demolition plan had passed through all the statutory processes, including endorsements by the Town Planning Board (TPB), the AAB and the Legco, any adjustments would have to be re-considered by those statutory bodies. This would not only cause a delay in the demolition of the OSFP, but also would affect the schedules for all other related development projects, including the Central-Wanchai Bypass (CWB). As Michael Suen said, 'We (the government) have constructed the two ends of the highway (CWB). We should finish the rest of the project anyway.' (Interview on 22 Jan 2008) Besides, as contracts for the project had been awarded, any amendments or delays to the plans might be costly in terms of compensation for contractors. In this sense, the Administration was bound by the existing policy as decided in the past.

Moreover, after July 2006, conservation groups and pro-democrat legislators changed their positions while the media paid relatively high attention to the issue. Although all the key policy making institutes were still dominated by pro-government members, these members might have been influenced by the criticisms, including those by the media. Even the TPB member appointed by the Administration claimed that he tried to avoid being criticised by the media (interview with a TPB member requesting anonymity on 14 May 2007). In this circumstance, the reconsideration of the demolition plans would result in a high level of uncertainty of the policy. The fiscal and political costs of reconsidering the existing policy may be increased as a result of critical coverage, together with past decisions.

Not only the Administration, but also pro-democrat legislators were bound by their past decisions. During the OSFP debate, the DP members played supportive roles, adopting a low profile approach. All the Legco agenda changes were initiated by the newly elected pro-democrat legislators, namely Kwok Ka-ki, Alan Leong and Fernando Cheung, who were not involved in approval of the demolition plan. According to the DP Vice-Chairman, Sin Chung-Kai, at an early stage of scrutiny, the DP and other

parties in the Legco did not raise any objections to the demolition plans. Sin claimed that legislators, including those of the DP, changed their positions mainly because they had perceived public opinion to oppose the demolition plan (this point will be discussed later in this chapter). However, the DP did not want to overthrow its previous commitment. Thus, the party neither supported the Administration, nor played a leading role in the campaign. Rather, the DP supported the protesters in a low profile manner (interview on 11 November 2008).

In short, the institutional approach explained the inactions of the pro-government camp and the relatively low profile adopted by some pro-democrat legislators. The institutions, together with pressure created by critical coverage, also increased the cost of policy changes, resulting in the continued demolition of the OSFP and QP.

5.2 Ideas and Beliefs of Actors

According to the Patsy Cheng, the campaign for the preservation of the OSFP was based on an idea. Carrying out research on the history of the OSFP, the Society realised the significance of the pier and the Administration's 'misinterpretation' of history. Thus, the Society launched an on-line petition, urging the Administration to suspend the demolition plan (interview on 15 May 2007). From this perspective, the campaign was mainly triggered by the SEE Network's new ideas.

In this case, the media played an important role in reinforcing and disseminating the ideas. According to the framing analysis, on the day after the launch of the SEE Network's online petition, both the MPDN and ADN ran only one relevant article, while the ODN completely ignored the issue. Neither was there any coverage of this issue in the three papers in the following month. Nevertheless, Cheng perceived a substantial quantity of news coverage of the online petition. This subjective perception made her feel that the issue was extremely significant. In the following week, the Society also received a few thousand email signatures supporting the campaign. Cheng's confidence in the campaign was thus further reinforced (ibid). From this perspective, the media not only enhanced the Society's

confidence in its ideas, but also functioned as a communicator, disseminating the Society's ideas within the general public. Meanwhile, the actors' ideas were reinforced not only through the perception of coverage, but also through public feedback.

The other type of idea is political stance, which affects the liaison between political actors. According to Patsy Cheng, she had conversations with an Exco member and a senior official of the CE's Office. Through the conversations, Cheng learnt that the Administration wondered whether the protesters were backed by some 'unknown forces', refusing to respond to the protesters. Thus, Cheng tried to clarify the fact that the protesters had no liaison with any political groups though some pro-democracy legislators showed up for the protests (ibid). Bernard Chan, the Exco member talking to Cheng and other protesters, also claimed that, through face-to face-conservations, he had a relatively in-depth understanding of the protesters and their demands (interview on 6 November 2008).

Two insights were identified in this circumstance. First, the Administration's inaction at an early stage of the debate was based on the Administration's consideration of political stance. As the Administration considered the protesters as members of the pro-democrat camp, the government officials refused to respond to the campaign. Second, although news media facilitate communication among policymakers and the public, news coverage is not an effective channel for in-depth communication among actors. Misunderstanding may result from news coverage. In this case, direct conversation provides a better channel for communication between actors.

Political stance also prevented the pro-government camp from supporting the protesters. As mentioned in the case of the reclamation debate, because of the political stance of the party and its supporters, the DAB usually avoids supporting the people who are not from the pro-government camp. The former Chairman of the DAB, Jasper Tsang claimed that the party had this consideration during the OSFP debate (interview on 17 January 2008). In contrast, the pro-democrat camp, as the opposition,

was relatively free to cooperate with the opponents of the existing policy even though the SEE Network and other protesters had no political position. Thus, the democrats not only showed up in the protest, but also initiated Legco agenda change to put pressure on the Administration. It can be argued that the political stance of democrats was an important factor in these agenda changes while coverage was unlikely to be a necessary condition.

In sum, the ideas played two roles during the OSFP debate. First, the campaign for preserving the OSFP was triggered by the new ideas of the SEE Network. In this case, news coverage not only disseminated new ideas among the general public, but also, together with public feedback, reinforced the ideas, encouraging the SEE Network to intensify its campaign. Second, the political stance affected relations among the actors. The political stance prohibited the Administration and the pro-government camp from liaising and supporting the protesters. In this case, the media did not provide an effective channel for the political actors.

5.3 Short-term Public Mood

During the debate on the OSFP, public opinion was relatively favourable both to the Administration and the demolition plan. As mentioned in the case of the GST debate, since Donald Tsang took over his position as CE in 2005, the Administration became relatively popular. The public mood was also relatively favourable to the demolition of the OSFP. Despite the substantial negative coverage, the surveys both by the Administration and the DAB showed that the proportion of people supporting the demolition of the OSFP was higher than that opposing the plan (off-the-record briefing on 22 January 2008; interview with Jasper Tsang on 17 January 2008). Thus, it is reasonable to suggest that the Administration, with the support of the public views perceived, worked against critical coverage, accelerating the demolition of the clock tower and persisting on the issue of the demolition of the OSFP and QP.

However, the media's pressure on the Administration was not simply weakened by public opinion. As mentioned in the case of Article 23, the Administration and some Exco members believed that coverage could

influence public views. It can be argued that the Administration tried to settle the debate before the public views had been changed by coverage. From this perspective, the acceleration of demolition work was based on the potential media effect on public opinion. In this case, the media functioned as a catalyst.

5.4 Election Cycle

The other influential factor is the election cycle. There was a CE election in February 2007, a few months prior to the OSFP debate. In addition, the CE is elected by an 800-member election committee returned by various functional constituencies. The election of this committee took place on 10 December 2006 when issues relating to the OSFP were under debate. Thus, any criticisms of the Administration, including those by the media, might have influenced the performance of the pro-government candidates. In this case, the Administration would become sensitive to critical coverage.

Moreover, according to a government source quoted by the MPDN, the CE, Donald Tsang worried that the OSFP debate would become as huge as the controversy over Central reclamation in 2003, and that the pro-democrat CE candidate, Alan Leong, together with other democrats, would highlight OSFP issues during the CE election. Thus, Tsang ordered the relevant policy bureaus to re-confirm the legality of the demolition plan, and to implement the demolition plan as soon as possible³⁹. From this perspective, it is reasonable to suggest that election cycle was taken into account when the Administration decided to accelerate the demolition work and to launch subsequent policy changes, including the AAB reform, the adjustment of the QP demolition plan and the creation of a Development Bureau. In this case, election cycle not only put pressure on the Administration, but also increased media pressure, resulting in these policy changes.

³⁹ MPDN, 13 December 2006, page A04

5.5 Mass Movements

In the OSFP debate, mass movements played an important role. The first types of mass movements were the protests organised by the SEE Network and other groups. During the second peak of critical coverage, the protestors and their campaigns were two of the main focuses in media coverage. In addition, according to Patsy Cheng, she felt that the campaign was supported by the journalists during the controversy over the OSFP (interview on 15 May 2007). In other words, critical coverage reinforced the protestors' confidence in the campaign, encouraging them to intensify their actions. From this perspective, there was a positive reinforcement relation between news coverage and the opposition's actions.

There was evidence to show that the Administration took the protests into account. During the second peak of critical coverage, the CE announced policy changes, including the adjustment of the QP demolition plan and the re-consultation on heritage policy in the day prior to the Heritage Watch's candle-light vigil. It can be argued that the Administration intended to ease people's discontents with the demolition plan in order to avoid triggering a large-scale protest. From this perspective, the protests were taken into account when the Administration decided the timing of announcing policy changes.

The other type of critical mass movement was the aggregation of 150 thousand people at Central during the closing ceremony of the OSFP on 11 November 2006. Different from the SEE Network's protests, this gathering was not organised. Neither were those people expressing their objections to demolition of the OSFP. According to the news coverage, most people merely flocked to Central to take a ride at the old pier for the last time and to photograph the clock tower⁴⁰. Nevertheless, this gathering not only triggered sustained critical coverage, but also reinforced the opposition's confidence in their campaigns. In fact, in the period before November 2006, although the SEE Network and other groups held several protests, coverage in the selected newspapers remained limited. Since the

⁴⁰ MPDN, 12 November 2006, page A03

closing ceremony, however, the newspapers started running the first peak of critical coverage, describing people's attachments to the OSFP as the failure of heritage policy. Meanwhile, conservation groups and the pro-democrat camp intensified their voices against the demolition plan. From this perspective, this large-scale gathering was reinterpreted by the media and the opposition to legitimate and magnify the voices against the demolition plan, although the voices of the participants of the gathering were distorted.

Taking all these factors into account, I suggest that mass movements played an important role in the OSFP debate. Through reinterpreting the large-scale gathering of people, both the media and the protestors legitimated and intensified their voices against the demolition plan. While the protests provided a focus of media coverage, the protestors sensed media support in the news coverage. From this perspective, there was a reinforcement relationship between the news coverage, the protestors and the pro-democrat camp.

5.6 Strategies of Actors

As the institutional rational choice approach suggests, political actors were not simply influenced by external factors. Rather, actors, within their own institutional positions, adopted a series of strategies to mediate with various factors in order to maximise their payoffs or minimise their losses.

For the Administration with its constitutional powers, strategies were adopted to manipulate policy changes in order to retain control over heritage policy. Because of media pressure, the Administration also tried to address the issues highlighted by news coverage. However, as policy did not change in accordance with coverage, the media effect on policy was actually limited. This argument is supported by the following examples. Firstly, when the consultation on heritage was launched, the government claimed that people's 'collective memory' would be taken into account. However, the Administration claimed that the application of 'collective memory' within

heritage policy depended on the results of consultation.⁴¹ In this case, there was still room for the Administration to manipulate the amendment of heritage policy. More importantly, the Administration did not change the standards of monuments when the debate on the OSFP had faded out. In other words, the consultation was merely a gesture rather than a concrete policy change.

Secondly, although the CE claimed that the QP would be preserved, the Administration did not give up its demolition plan. Actually, what the CE promised was to reconstruct the pier at a suitable site only⁴². In other words, the QP demolition plan continued. Thirdly, despite the structural reform and personnel changes, the terms of reference of the AAB remained unchanged. Neither did the Administration take the AAB's decision seriously. On 9 May 2007, the QP was assessed as a Grade I historic building (the highest status monument) by the new AAB⁴³. On the same day, in response to the AAB's decision, the Administration claimed that a Grade I building did not require preservation, repeatedly stressing that in-situ preservation of the QP was impossible⁴⁴. Thus, the adjustment of the QP demolition plan did not really change the project. Neither was there any actual change to the AAB power of influence over heritage policy.

The other strategy of the Administration was to create irreversible accomplished facts. While some legislators at a PLW Panel meeting urged the Administration to suspend the demolition work, the Administration dismantled the clock tower rapidly, bringing irreparable damage to the OSFP. Although the criticisms by the media became even stronger the following week, critical coverage gradually faded out. In this case, rapid demolition work could be considered as a strategy to remove the subject of debate before the Legco and the media placed further pressure on the Administration. Thus, it can be argued that there was potential media effect.

⁴¹ MPDN, 9 May 2007, page A04.

⁴² The Administration's press release on the speech:

<http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

⁴³ The Administration's press release:

<http://www.info.gov.hk/gia/general/200705/09/P200705090272.htm>

⁴⁴ Press release on the Speech by SHPL:

<http://www.info.gov.hk/gia/general/200705/09/P200705090294.htm>

In addition to the policy outcomes, the timing of announcing new policies were also controlled by the Administration. As mentioned above, in the ‘gap period’ between the peaks of sustained critical coverage, no policy change was launched by the Administration. However, on 12 December 2006, when the media questioned the government on covering up the survey report against the demolition of the OSFP, the demolition work commenced. On the same day, the Administration revealed to the press that the existing heritage policy was under review⁴⁵. It is reasonable to suggest that the Administration had prepared its change of policy before 12 December. When pressure was created by the media and other parties, the Administration disclosed the policy initiative in order to counteract the criticisms immediately. Similarly, in the day prior to the protest on 24 December 2006, the AAB reform and changes to the QP demolition plan were announced. In this case, it can be argued that the Administration tried to counteract the opponents before the protest.

Not only the Administration, but also pro-government legislators adopted strategies to protect their interests. As most coverage criticised the demolition plan, the pro-government camp adopted strategies to cover up their support of the demolition plan. At most of the Legco meetings concerning the OSFP, most pro-government legislators kept silent. Their silence could be considered as a strategy to avoid being criticised by the media. This argument was confirmed by Jasper Tsang (interview on 17 January 2008). In this case, the media prohibited the actors’ expression of their opinions.

The rejection of the funding request for the CKR also demonstrated the opposition’s strategy. As mentioned above, there was no formal channel for the legislators to change the demolition plan under implementation. What the democrats could change was the projects to be approved by the Legco. In this case, the pro-democrat legislators, together with Chan Yuen-han, voted against the funding request for other similar development projects in order to put pressure on the Administration. As the news framing

⁴⁵ MPDN, 13 Dec 2006, page A02

remained negative at that time, it can be argued that the opponents' confidence in rejecting funding requests was reinforced by the media.

The other strategy adopted by the democrats was to combine their actions in the Legco with the protests in order to magnify pressure on the Administration. Thus, the democrats' initiation of Legco agenda changes was based on their strategies. In these circumstances, critical coverage legitimised the democrats' actions, reinforcing their confidence in their campaigns.

In a nutshell, political actors, within their institutional positions, adopted strategies to maximise their payoffs. With its institutional advantage, the Administration manipulated and packaged policy change in order to persist on the demolition plan and to retain control over heritage policy. In the meantime, the pro-government camp concealed their positions to avoid being criticised by the media. Being legitimised through critical coverage, the democrats combined their action in the Legco with protests and rejected other development projects in order to place further pressure on the Administration.

5.7 Long-term Policy Image

As mentioned in the other three cases, the Administration's sensitivity to the negative coverage might be associated with long-term public understanding of an issue. In the case of the OSFP, as mentioned above, there was extremely limited discussion on the demolition plans before July 2006. Moreover, the OSFP debate lasted only for around 6 months. From this perspective, there was no long-term image of the OSFP. This factor was thus not taken into account.

6. Concluding Remarks

In conclusion, despite the high level of policy certainty measured by elite consensus and policy stage, process tracing showed that critical coverage was an influential factor for policy change during the OSFP debate. Since the hypotheses of this study were not supported, I examined other

possible factors for political actors' actions and inactions in order to provide a better account of the policy outcomes. These factors included institutions, ideas, public mood, mass movements, election cycle and strategies of actors.

The campaign for conservation was triggered by the SEE Network's ideas, which were reinforced by the group's perceptions of news coverage. However, news coverage was unlikely to have been an influence on the actors of the Administration and legislators' action before the three selected newspaper started running the first peak of critical coverage in November 2006. The two Legco agenda changes initiated by pro-democrat legislators in August and September 2006 were mainly influenced by their oppositional political stances and the strategy to put pressure on the Administration.

Since the first peak of sustained critical coverage in November 2006, the media played a relatively significant role. Reinterpreting the large-scale gathering of the public at the OSFP closing ceremony, the coverage criticised the demolition plans and existing policy. The media also treated the protesters sympathetically and highlighted the voices against the demolition plan, consequently, placing high pressure on the Administration and reinforcing the opponents' confidence in their campaigns. With the support of critical coverage, the democrats requested an adjournment debate on the OSFP and rejected the funding request for other projects to magnify pressure on the Administration.

On the other hand, because of the critical coverage and the change in the democrats' views, the fiscal and political costs for reconsidering the existing projects became high. In this circumstance, with its institutional advantage and favourable public attitudes, the Administration manipulated the policy changes in order to minimise its losses and to settle the controversy before the CE election. Thus, the Administration worked against critical coverage, rapidly dismantling the Star Ferry clock tower. Further initiatives, including changes to the QP demolition, AAB reform and re-consultations on heritage policy, were announced to counteract the protests against the demolition plans. During the CE election, the CE also proposed the creation of a new bureau to address heritage issues.

Nevertheless, as the changes in those policies were limited, the Administration in fact retained overwhelming control over heritage policy..

Taking all of these factors into account, as summarised in Table 13.4, policy outcomes resulted from the co-existence and interaction of various factors. News coverage was only one of these factors, while its influence varied from different positions of political actors and different cases.

Date	Policy change	Possible influential factors						Media effect
		Institutional factors	Ideas / Beliefs	Short term public mood	Mass Movements	Election Cycles	Strategies	
10/8/2006	KWOK Ka-ki's request for the PLW Panel		√				√	Not necessary
20/9//2006	The PLW Panel's motion demanding the deferral of the demolition of the OSFP		√				√	Not necessary
12/12/2006	AAB's urgent meeting					√		Potential effect
13/12/2006	Disclosure of the Administration's review of heritage policy.					√	√	Potential effect
13/12/2006	Legco's adjournment debate on OSFP issues	√	√		√		√	Reinforcing opponents' ideas
16/12/2006	Acceleration of demolition of the clock tower	√		√		√	√	Potential effect/ increasing cost of change
19/12/2006	The Legco's rejection of the funding request for the CKR	√	√				√	Reinforcing opponents' ideas
19/12/2006	Disclosure of the plan of re-consultation of heritage policy	√				√	√	Potential effect
23/12/2006	Disclosure of the plan to reform AAB	√			√	√	√	Potential effect
23/12/2006	Announcement of the change in the relocation of the QP	√			√	√	√	Potential effect/ increasing cost of change
3/2/2007	CE's proposal to create a Development Bureau.	√				√	√	Potential effect

Chapter 14

Analysis of In-depth Interview Data

1. Introduction

This chapter summarises the data derived from in-depth interviews with policymakers and journalists. As mentioned in Chapter 5, the objective of elite interviews is to explore the key actor's mind-set (Richards, 1996:199-200) and to understand the logic of an interviewee's arguments that led them to particular conclusions (Devine, 1995:138). In order to explore the relations between news coverage and various factors, semi-structured interviews were conducted with two government officials, 14 policymakers and four journalists. The interviews mainly focused on a range of aspects, including considerations during policy making; policymakers' channels to learn about public opinion; the understanding the relation between news coverage and public views and possible influences on policymakers' decisions.

In order to examine the difference in media influence on actors with different institutional positions, interviewees are basically divided into three groups, namely the Administration, including government officials and Exco members, legislators including those belonging to pro-government and pro-democrat camps, and journalists.

2. Considerations during Policy Making

2.1 The Administration

As mentioned in the case of Central reclamation, when explaining his considerations in the case of the CRIII and SFP, Michael Suen, the Secretary for Housing, Planning and Lands (2002-2007) emphasised the institutional constraints on the Administration, including the decision making processes, past decisions and existing policy. In addition, Suen stressed other institutional factors, i.e., the legal debate on the PHO. Suen stressed that the continuation of the reclamation project should be decided according to the court ruling. This was the reason why the Administration

resumed repairable work in the harbour only before the FCA delivered its judgment (interview on 22 January 2008).

In addition to institutional factors, both the pro-government and pro-democrat camps claimed that the Administration took people's views into account, although the CE and the principle officials are not returned by universal suffrage. As mentioned in the case of the GST debate, the DAB Chairman and Exco member Jasper Tsang said that the Administration had to consider the popularity of the pro-government camp in order to maintain support of the Administration in the Legco in the DCs (interview on 17 January 2008). In addition to the views of pro-government voters, those of floating voters are also important. According to the DP Vice-Chairman Sin Chung-kai, it is difficult for the government to lobby the core supporters of the pro-democrat camp. Thus, in his experience, the Administration usually tries to rope in floating voters to support government policy during a policy debate (interview on 11 November 2008).

2. Legislators

The considerations highlighted by politicians are different from those of the Administration. All the 12 members of the Legco and the Exco interviewed claimed that many factors were taken into account during policy making. These factors included overall interests within society and the feasibility of proposals. However, 10 of these politicians claimed that their chief considerations were associated with their belief systems. Belief systems may vary between individuals even in the same party. For example, Jasper Tsang said that the DAB was concerned about the interests of the grassroots population and those of disadvantaged groups (interview on 17 January 2008), while another DAB member, Choy So-yuk, described her belief system as 'something good and close to her heart' which referred to environmental protection and heritage conservation (interview on 21 May 2007).

Nevertheless, politicians in the same political camp have similar beliefs. The pro-government politicians usually intend to support the PRC and SAR Governments. As President of the FTU, Cheng Yiu-tong said,

‘Fundamentally, the so-called political stance is the attitude towards China. In this case, we have a very clear position. We promote and support patriotism (interview on 2 January 2008).’ Jasper Tsang also claimed that the DAB’s beliefs included support for the principles of the Basic Law and the RPC Government’s policy on Hong Kong. This belief influences the party’s position during policy debate. He said:

We are naturally born pro-establishment. We usually listen to the government’s explanations. There is a difference (between pro-government and the pro-democrat camps). The other side (the pro-democrat camp) is ‘presumes guilt’. They usually presume that there are problems with government proposals when they study policy. (Interview on 17 January 2008)

For the pro-democrat camp, the values of human rights and democracy are usually highlighted. Lee Wing-tat of the DP claimed that the ‘public interest’ was the most important account. Public interests, according to the party’s belief, include the core values of democracy and rule of law, as well as the interests of the middle and lower classes (interview on 23 January 2008). Alan Leong of the CP also emphasised that his beliefs in democracy, freedom and the rule of law were extremely important to his decisions during policy debates (interview on 28 November 2008). This finding is consistent with Sabatier’s (1998) argument that beliefs function as ‘glue’ inside a coalition.

The other important consideration highlighted by politicians is public opinion. Of the 12 politicians interviewed, seven ranked it as the second most important factor in policy making. A pro-democrat legislator, Kwok Ka-ki even ranked public views as his chief consideration (interview on 30 January 2008). Nevertheless, politicians are particularly concerned with their supporters’ views. For example, Jasper Tsang claimed that the DAB should consider the views of its loyal supporters, who were mainly people from the pro-government grassroots. Although sometimes the DAB tried to adjust its position in order to win the support of other people, the party usually worried that changes would be criticised by their existing supporters. He claimed:

We always claim that we support the Government's right policy and criticise its faults, and that we do not support the Government in a blind way. In most circumstances, however, it is difficult to lift the constraints on us. We call it '20-80 dilemma'. About 20% of people are our most loyal supporters. If we draw ourselves close to the other 80% of people, we may lose our existing 20%, while we are not sure if we can gain the support of those 80% of people. (Interview with on 17 January 2008)

In addition, as mentioned in the case of the OSFP, the DAB's supporters resisted the party's cooperation with people from the other political camp (*ibid.*). In this sense, the voters' views influence not only the DAB's position on an issue, but also the party's relations with other political actors.

Pro-democrat politicians also paid particular attention to their supporters' views. Lee Wing-tat of DP said that the interpretation of people's views was associated with their understanding of the public interest. Since the DP mainly focuses on the interests of the middle and lower classes, the views of those groups are given relatively more importance (interview on 23 January 2008). The DP Vice-Chairman Sin Chung-kai also claimed that, as a political party, the DP ought to consider its supporters' views. According to Sin, during elections, the DP has about 25% of supporters in each geographical constituency, while the DAB received around 20%. Of all the voters, about 30% are the core supporters of the pro-democrat camp, while 25% are pro-government supporters. The remaining 40% are floating voters whose positions vary from issue to issue. As it is difficult for the pro-democrat camp to change the views of pro-government voters, the DP usually targets pro-democrat supporters and floating voters (interview on 11 November 2008).

However, the influence of politicians' beliefs and people's views vary from case to case. As Jasper Tsang stated, sometimes there were conflicts between the DAB's beliefs and the supporters' views. However, he could not decide which of these was the chief consideration, as it depended on the level of conflict (interview on 17 January 2008). For the DP, the weighting of the party's beliefs and people's views also varies from issue to

issue. According to Sin Chung-Kai, the party's core value system is a crucial consideration in debates on political issues: He stated:

In the debate on political issues relating to democracy, human rights and rule of law, the party's value system is an overwhelming factor. For example, when the NPCSC interpreted the Basic Law¹, we worked against public opinion. Our value system is overwhelmingly important regardless of public views in this case. By contrast, some social policy issues such as the demolition of the OSFP are irrelevant to our values. In these circumstances, we tactically take people's views into account and compromise. However, we never compromise in issues concerning our value system (Interview with Sin Chung-Kai on 11 November 2008)

Taking all of these factors into account, I suggest that the Administration mainly focuses on institutional factors while legislators consider their beliefs as the most important factor affecting policy making. Each of the political camps also pays particular attention to the views of its supporters in order to maintain their seats in the Legco and DCs. However, the relative weighting of these two factors varies from case to case. When the issue is directly associated with core values, politicians tend to insist on their ideas regardless of supporters' views. By contrast, politicians can deal with people's views tactically and adjust their positions on issues irrelevant to their core values.

3. How do policymakers learn about people's views?

3.1 The Administration and the Pro-government Parties

As public opinion is one of the considerations of politicians, it is worth studying how policymakers learn about the views of the public or their voters. According to an off-the-record briefing by a government

¹ The debate on the rights of abode started in July 1997 when some Hong Kong residents' children born in mainland China claimed their rights of residency in Hong Kong according to Articles 22 and 24 of the Basic Law. In January 1999, the Court of Final Appeal (CFA) delivered its ruling, entitling such people born outside of Hong Kong to the right of abode. In late April 1999, the SAR Government estimated the migration figure from the mainland to be 1.67 million, subsequently asking the NPCSC to re-interpret Articles 22 and 24 to overturn the CFA judgment. In June 1999, the NPCSC issued its interpretation, specifying that children born outside Hong Kong will only be eligible for the right of abode if at least one of their parents had already acquired permanent residence status at the time of their birth, and that such people are required to apply on the mainland for an exit permit. This interpretation was welcomed by the public generally as it revoked the abode rights for 1.5million migrants from the mainland. However, the democrats, the Bar Association and some legal professionals criticised the fact that the interpretation undermined the rule of law and the autonomy of Hong Kong.

official, during a policy debate, the Administration usually carries out an opinion poll, studying general public views for reference (briefing by an official on 22 January 2008). Thus, it is believed that opinion polls are an important channel for the Administration to learn about public views.

In addition, Exco members and their parties also help to collect public opinions. An Exco member and legislator Bernard Chan claimed that he gathers information on people's views mainly from his personal network. He said:

It is easy to see the people who oppose you. There are numerous email messages and people (groups) seeking appointments with you. However, it is difficult to hear the supportive voices of the silent mass. Fortunately, I have a big network. Thus, I can listen to various groups...I come from the business sector where I have many friends. As the Chairman of the Hong Kong Council of Social Service², I can hear the voices of non-government organisations and the grassroots. I also serve as the Chairman of some foreign chambers of commerce from which I can get to know about views of foreign countries. (Interview with on 6 November 2008).

The other two Exco members stressed that they mainly rely on their parties' community networks through which parties keep direct contacts with voters. According to Jasper Tsang, through the 120 offices in various regions, the DAB organised various activities in the communities, getting a sense of their supporters' views through direct contact. Tsang also spends a great deal of time in his constituency, communicating with his voters via direct contact (interview on 17 January 2008). Selina Chow of the LP also highlighted the importance of her party' community networks: She claimed:

At community level, we have District Councilors and district officers. If they find people are concerned about an issue, they will report it to us. If we have some important proposals, our members in the communities can 'take the pulse' (test people's response). (Interview on 16 January 2008).

The other two pro-government legislators, Choy So-yuk of the DAB (interview on 21 May 2007) and Chan Yuen-han of the FTU also claimed that direct contact with voters in the communities was the most important

² The Council is an umbrella organisation of over 350 non-governmental welfare agencies that provide over 90% of social welfare services in Hong Kong

way to learn people's views (interview on 23 May 2007). In this sense, the personal and party networks in the community were the main channels used by pro-government politicians.

3.2 The Pro-democrat Camp

The pro-democrat camp also learnt about people's views the similar ways. Lee Wing-tat of the DP highlighted the role of opinion polls. According to Lee, the party has been conducting monthly tracking surveys for over 10 years, studying the general public's views on the party and other issues. The party also pays attention to opinion polls conducted by other parties and academic institutes. Meanwhile, Lee claimed that the community network was also important to the party. Through various community activities, party members get a sense of its supporters' views (interview on 23 January 2008).

Sin Chung-kai of the DP claimed that the party could sense its popularity directly when it raised funds in the street. However, it was relatively difficult to learn about people's views on the DP's position on a specific issue. In this case, the party could gauge its supporters' views by gut feeling only. This was 'qualitative judgment' rather than a scientific and quantitative judgment, although opinion poll and the community network could help to some extent (interview on 11 November 2008). The other pro-democrat legislator, Kwok Ka Ki, also said that public opinion was at times not clear. In this case, he had to use guess work based on by common sense and experience (interview on 30 January 2008).

The size of a constituency also influences how politicians learn about their voters' views. As mentioned in Chapter 4, the Legco in Hong Kong is composed of types of legislators. One is returned to power by geographical constituencies (GCs), each with a few hundred thousand voters. Another group of legislators is returned by various functional constituencies (FCs) which are mainly business and professional sectors with a limited number of voters. Before 2004, Selina Chow was returned by the FC for wholesale and retail, which consisted of about 4000 voters, mainly business owners. In 2004, she was returned by the GC of the New Territories West

with over 900 thousand of voters. In Chow's experience, it is relatively easy for the FC legislators to reach their voters:

As a directly elected legislator (legislator returned by the GC), I am relatively more anxious about media coverage. The media's influence covers a majority of the public. The role of the media is important in this case. For FC, we focus on other aspects (the interests of the sector). We also have alternative ways to reach our voters. However, it is difficult to reach voters in the GC...We completely rely on the mass media in this case. But for FC, it is much easier to communicate with the voters, explaining your position (interview on 16 January 2008).

Tam Yiu-chung of the DAB had similar views, claiming that the FC legislators usually have channels for maintaining contact with their voters (interview on 16 January 2008). In this sense, because of the limited numbers of voters, legislators returned by the FC can bypass the media and communicate with most of the voters directly.

In short, regardless of institutional position, policymakers learn about people's opinions in similar ways, namely opinion poll, community network and personal network. Of these, community network and personal network are particularly important. This is because, as mentioned above, politicians tend to pay high levels of attention to their supporters' views. Through community and personal networks, politicians can identify their target voters, learning about their views. In this case, I suggest that the compact living environment in Hong Kong is important as mentioned in Chapter 4. Although there are a few hundred thousand voters in each GC, population density is extremely high. Because of this, politicians can have frequent direct contact with their voters in the community. For legislators returned by FCs, direct contact is even easier because of the limited number of voters.

4. Policymakers' Understanding of Media-Public Opinion

Relations

4.1 The Administration

Policymakers stress the importance of people's views, while, as mentioned in the case of Article 23, they also believe that people's views may be influenced by news coverage. Thus, this section explores policymakers' understanding of the relations between news coverage and public opinion.

In an off-the-record briefing, an official claimed that the Administration conducted an analysis of all the newspapers during policy debates, counting the articles with various types of framing. However, government officials did not think that the news coverage represented public opinion. Neither did they believe that all the media could influence their readers. This official claimed that most readers of popular newspapers did not take news coverage seriously. Thus, the influential power of these papers was limited. By contrast, elitist papers were relatively influential as their readers were mainly intellectuals who took news coverage seriously. In this sense, for the Administration, the popular papers such as the ADN and ODN are less important than the elitist papers such as the MPDN (briefing by an official on 22 January 2008).

This finding was further evidenced by interviews with journalists. Journalist A claimed that government officials usually made a great effort to lobby the MPDN as they believed it was an influential newspaper. On the contrary, Journalist A felt that government officials did not have great expectations of the ODN as the paper was grassroots (interview on 29 January 2008). Journalist C also felt that some officials were reluctant to take criticisms by the ADN seriously. She claimed that because of the poor relationships between the owner of the ADN and the PRC Government, some Hong Kong officials even avoided having any contact with this paper (interview on 30 January 2008). From this perspective, I suggest that government officials consider news coverage as an influential factor in public views. Thus, the officials pay relatively high levels of attention to

and a great deal of effort lobbying elitist papers, which are considered relatively influential.

The Exco members also highlighted the media's influence on people's views and expressed their doubts about the representative role of the media. When asked if media coverage was a channel to learn about people's views, Jasper Tsang claimed that the DAB analysed the framing of news coverage of the party and its legislators. In his view, this analysis only helped the DAB understand the general public's attitudes to the party and its members. However, this analysis could not help the party learn about its supporters' views (interview on 17 January 2008).

The other Exco member, Selina Chow, regarded the media as one of the channels for learning about public opinion. However, she did not think that media coverage reflected public views. Rather, she believed that only some of the public's views were highlighted by the media, and that people's views could be influenced by media coverage (interview on 16 January 2008). The other Exco member, Cheng Yiu-tong, had the similar views, claiming that it was the media that overturned opinions during the debate on Article 23 legislation (interview on 2 January 2008).

4.2 The Legislators

The other pro-government legislators, Choy So-yuk of DAB (interview on 21 May 2007) and Chan Yuen-han of the FTU said that the media coverage was an important channel for them to get a sense of public views. However, both of them recognised the limitations of the media and emphasised the importance of direct contact with people. Chan also claimed that different newspapers reflected different sections within public opinion. Thus, she had to read all the newspapers in order to learn about all aspects of public opinion (interview on 23 May 2007).

Despite the different institutional positions, the pro-democrat camp also doubted the representative role of the media. Being asked if the coverage reflected public opinion, Lee Wing-tat of DP said:

Each newspaper has its tendency which is reflected by photos, editorials and sidebar stories...If you read the news without an analytical mind, this will make you panic. Over some very controversial issues, the headline of the papers may be very critical of us. But we do not worry (interview on 23 January 2008).

In other words, Lee believed that the media expressed their own political views during policy debates. In this case, he did not tend to learn about public opinion from the media.

While considering media coverage as a way of learning about public views, Alan Leong of the CP also stressed that direct contact with people is equally important:

It is difficult to say which one is more important. They can help each other. If I read newspapers only, I have no sense of real life. When we meet up, we have face-to-face contact with people, hearing their voices, seeing their faces. They (media coverage and direct contact with people) confirm each other. I would confirm my experience based on the newspaper through face-to-face experience with people... I would not consider the message from the press as the whole of the fact. (Interview on 28 November 2008).

Taking all of these aspects into account, most politicians and the Administration do not simply get a sense of public opinion from media coverage. This is because they all understand that news framing is influenced by the news organisation's political views. However, media coverage is important to politicians because some of them believe that coverage may influence public views. The Administration has similar considerations. However, the officials believe that the power to influence varies from newspaper to newspaper. As the Administration believes that elitist newspapers are relatively more influential than popular newspapers, government officials pay relatively higher levels of attention to elitist papers.

5. Media Influence on Policymakers

5.1 The Administration

As mentioned above, none of the interviewees consider news coverage as a major consideration during policy making. Neither do they

recognise the representative role of the media. Nevertheless, these findings do not completely exclude the role of news coverage during policy making.

Being asked whether he had experienced of being influenced by the media, Michael Suen said:

I will not say no. However, the media is not the only consideration. **(Could you specify?)** Sometimes, the media raise issues we ignore. If we agree with them, we will take this into account. In some circumstances, I believe 'all roads lead to Rome'. If the media suggest an alternative which will result in a better outcome, a smoother process and higher levels of acceptance by people, we will accept it.

Nevertheless, Suen immediately added: 'But in some cases, we have no choice. We either do it or not. There is no alternative in between' (interview on 22 January 2008).

From this perspective, although Suen did not deny the media's influence on his decision, he tried to downplay the role of media. In his view, the media effect was limited for at least two reasons. First, numerous factors were taken into account during decision making with media coverage as only one of these considerations. Second, the nature of the policy limited the available alternatives. Although government officials became aware of opinions from media coverage, there is no room to adjust policy.

Furthermore, according to an off-the-record briefing by an official, during the controversy over an issue, the Administration usually conducts a content analysis of all newspapers, counting all the supportive and critical coverage concerned. However, officials do not apply the data systematically during decision making. Rather, data is used for reference only. In this circumstance, the media's influence on officials' decisions is limited (briefing on 22 January 2008).

Two Exco members, Cheng Yiu-Tong (interview on 2 January 2008) and Selina Chow also denied the media's influence on themselves, saying that they never changed their ideas because of media coverage. Chow even

stressed that, to a certain extent, she tried her best to avoid being influenced by critical coverage although she acknowledged that the media could influence public views. Rather, Chow claimed that she always lobbied the media when there was conflict between media coverage and her ideas (interview on 16 January 2008).

The other two Exco members admitted the possible influence of media coverage on their ideas. However, this influence was limited. Bernard Chan claimed that the media's influence on his ideas was possible, but he never changed his position on a policy proposal because of news coverage (interview on 6 November 2008). Jasper Tsang also said that media pressure reflected public pressure, affecting the government in some circumstances. He believed that the deferral of the launch of some policy proposals was due to critical media coverage. However, Tsang could not find any examples of high cost policy change. Moreover, during the debates on the CRIII, SFP, Article 23 legislation, Tsang claimed that the DAB only adjusted their arguments and strategy under media pressure. However, the party never changed its positions on these issues (interview on 17 January 2008).

5.2 The Legislators

Not all pro-government legislators are reluctant to confirm media influence. As shown in the process tracing of the case studies, some non-core members of the pro-government camp changed their positions after critical coverage was run even though they denied media effect on themselves. Chan Yuen-han of the FTU (interview on 23 May 2007) and Choy So-yuk of the DAB (interview on 21 May 2007) stated that they never changed their ideas because of media's influence. However, process tracing showed that Choy had never expressed her objections to the CRIII and the demolition of the OSPF before there was negative coverage concerned. According to the minutes of the Legco, Chan changed her position from 'preserving the characteristics of the pier' to 'preserving the pier' after substantial critical coverage was run. Thus, media influence on Chan and Choy's positions was possible. In this sense, these two non-core members of

the pro-government camp are relatively less reluctant to be influenced by the media.

Unlike the Administration and pro-government politicians, the pro-democratic legislators highlighted the relations between media coverage and their actions, although they all denied immediate and drastic media effect on their own positions. The former DP Chairman Lee Wing-tat said that his party never changed its position because of the media because a political party needed to be consistent over its political stance. In his experience, the DP refined its position after being confronted by various factors including knowledge, world experience, views from academics and their friends, public opinions and the media. However, Lee stressed that it was long-term change which took place over years. In addition, the media was only one of the factors in such change (interview on 23 January 2008).

However, according to Lee, the DP's launch of a campaign was usually associated with news coverage. Proactively monitoring news coverage of all the newspapers everyday, Lee claimed that he had a scope in his mind. Sometimes an issue was ignored by his party but was on his 'radar', which means that he was particularly sensitive to some issues. According to Lee, the party even had a well established mechanism for following the issue. Once he had become aware of some significant issues raised by the media, he would consider further actions, including discussion of strategy, objectives and the division of labour at the weekly meeting of the party's legislators or urgent phone meeting, assigning the person in charge who monitors the development of the issue. Being asked what actions would be taken in these circumstances, Lee said:

We would take actions both inside and outside the Legco. If we rely on the debate in the Legco only, we will lose. For example, during the debates on Article 23, we not only attend Legco meetings, but also organised other campaigns outside the Legco (interview on 23 January 2008).

The other DP legislator, James To also claimed that dramatic changes in his position were unlikely to be the result of media coverage. However, his ideas might be adjusted gradually after being confronted by

the media. He described this process as a ‘continuous daily interaction between his ideas and the media’. For example, he opposed the Administration’s proposal for the development of a ‘super-scale prison’ at the beginning. However, when the media highlighted the economic efficiency and the safety of a large-scale prison, he adjusted his position, later, supporting a medium size prison. In his view, the media’s support was necessary to the promotion of an idea. Thus, he regarded some journalists as members of his ‘opinion system’, which was a personal network composed of a few dozen friends. Through direct discussion with these journalists at various levels, he not only refined his views, but also tested whether an idea was supported by the media (interview on 31 January 2008).

Sin Chung-kai of the DP claimed that there was a ‘positive reinforcement’ or ‘trial and error’ relationship between media coverage and the party’s actions. According to Sin, when the media picked up an issue as a headline story, the party would monitor radio phone-in programmes. If the phone-in programmes also focused on the issue, the party would conduct a opinion poll. A petition or protest might be launched. Taking the issue of Lehman Brothers minibond³ as an example, Sin described the process of positive reinforcement:

When those investors called us to seek for an appointment, we asked them to come to our office. Actually those people just wanted the legislators’ help. The next day, when we met the representatives of the Securities and Futures Commission, about 100 investors joined us. Meanwhile, all the TV stations came and used this meeting as a headline. This alerted us to the significance of this issue. That was a positive reinforcement. During the meeting, the investors made a lot of complaints (about the distributors of the minibond). When they demanded a protest, we organised it for them the next day. Subsequently, there was further substantial coverage...After the media had run substantial coverage for two days, we began to conduct an opinion poll. That was a process of trial and error (Interview on 11 November 2008).

The other independent pro-democrat legislator, Kwok Ka-ki also emphasised the connection between media coverage and street campaigns.

³ Minibond was a synthetic derivative product issued by Lehman Brothers Holdings Ltd. This product was sold through distributors, including banks, to individual investors. When Lehman went bankrupt in 2008, the value of minibonds dropped dramatically. Subsequently, minibond buyers complained about the mis-selling of the distributors.

As mentioned in the case of Central reclamation, he launched a series of anti-reclamation protests only when he perceived a substantial quantity of critical coverage (interview on 30 January 2008).

In this sense, there was a positive reinforcement relation between news coverage and the pro-democrat camp's campaigns. Democrats tend to intensify their voices and launch campaigns against government policy only when they perceive substantial critical coverage. At the same time, these campaigns provide an opportunity for the media to run further coverage of the issue, encouraging the democrats' campaigns. In this process, democrats not only reinforce their ideas, but also adjust their strategy according to news coverage.

5.3 Journalists

All the four journalists interviewed claimed that they hope to 'resolve problems' or 'influence government policy'. Journalist A claimed that the MPDM had strong 'sense of justice'. Thus, the newspaper usually uses many direct comments and opinions of professionals and academics, and expects that politicians and officials to take these into account. Journalist C also claims that when she uncovered a problem, she expected that the government considered the criticisms in the news articles and resolved the problem. Journalist B of the ODN made similar considerations, although he believed that the media's influence on governments varied from case to case. Moreover, all four journalists said that they usually received verbal responses from legislators, which means that they pay attention to coverage. However, all four journalists did not know if legislators considered comments from news coverage during policy making. It was also unknown whether government officials paid attention to coverage as government officials' direct response to all these three newspapers was rare (interview with Journalist A on 29 January 2008; Journalist B on 30 January 2008; Journalist C on 30 January 2008; Journalist D on 10 February 2008). In this sense, although all the journalists aim to influence government policy, the actual influence remains unknown.

In short, comparing the various groups of key actors interviewed, I suggest the response to media coverage varies according to institutional position. Although journalists aim to influence government policy, the Administration and the core members (Exco members) of the pro-government camp are relatively reluctant as regards media influence. Although some of them admit possible media influence on them, they only adjust their arguments or strategy under pressure of critical coverage.

By contrast, the influence on some other politicians is relatively significant. There is evidence showing that the two non-core pro-government legislators changed their positions after critical coverage was run. For the pro-democrat camp, there was also a positive reinforcement relation between critical coverage and actions taken against existing policy. When perceiving a substantial quantity of critical coverage, the pro-democrat camp will take the opportunity, initiating agenda change in the Legco and launching social campaigns outside the Legco. This provides opportunities for the media to run further critical coverage. Pressure on the Administration is thus magnified.

7. Concluding Remarks

In short, the data derived from in-depth interview shows that there are differences between the government officials and politicians during policy making. Government officials mainly focus on institutional factors, including past decisions, legal constraints and bureaucratic procedures in decision making, although the popularity of the pro-government parties is taken into account. On the other hand, regardless of political tendency, politicians highlighted their belief systems and the views of their supporters as being crucial. The weighting of these two factors varies from case to case. When an issue is related to politicians' core value systems, they tend to persist with their beliefs regardless of people's views. By contrast, politicians take people's views on board in tactical ways and compromise if an issue is irrelevant to their core values.

Since policymakers usually focus on their beliefs and supporter's views during a policy debate, the media's influence on policymakers is

weakened for four reasons. Firstly, media coverage is not a main consideration for policymakers. During policy making, there are some more important considerations, including beliefs and peoples' views. Secondly, politicians get a sense of people's views through many channels, including opinion polls, community and personal networks, and direct responses such as e-mail and phone calls from people. News coverage is only one of these channels. Thirdly, politicians mainly focus on their own supporters' views rather than on general public opinion. The media cannot help politicians assess their supporters' views. Rather, community and personal networks are relatively effective channels to reach their supporters, although assessment through these channels may be biased and unsystematic. Finally, although government officials and politicians take general public views as reference, they do not believe that news coverage represents public views. Rather, in the views of officials and politicians, news framing is associated with the newspaper's political tendency.

Despite all of this, the role of the media is not completely eliminated as news coverage is one consideration of policymakers during policy debate. Because of the different understandings of the media's role, there are differences in policymakers' strategies and different responses to coverage. Government officials and Exco members pay attention to news coverage mainly because they consider the media as an influential factor in public views. When news framing is unfavourable to the government and its policies, the Administration does not tend to make dramatic changes to its policies. Rather, the Administration makes great efforts to lobby elitist newspapers such as the MPDN as government officials believe that those newspapers may influence people's views. Although government officials and pro-democrat politicians do not deny the influence on their ideas, in their experience, only relatively low cost changes such as agenda change and adjustment of arguments can be triggered by news coverage.

On the other hand, pro-democrat politicians considered news coverage as part of their 'radar'. Proactively monitoring news coverage, democrats prepare further actions once they discover a significant issue. When substantial coverage was run, the democrats will intensify their voices

and launch further campaigns against government policy, which provide an opportunity for the media to run further coverage, resulting in the positive reinforcement of the relationship between critical coverage and democrats' actions. This finding provides a further explanation of Baumgartner and Jones's (1993) argument that it is relatively easy for minor groups to magnify their voices and attack existing policy when the policy image measured by news framing becomes negative.

Chapter 15

Comparative Analysis of the Four Cases

1. Introduction

According to my hypothesis, which is developed from Robinson's (2002) CNN effect model, critical news coverage of government policies or proposals can place pressure on policymakers, consequently changing government actions or policies. However, media coverage can influence policymakers only under particular conditions, including a high level of media consensus over critical framing and a low level of policy certainty measured by elite consensus and policy stage. In order to examine these hypothesised conditions, it is necessary to apply a variable-oriented approach, which aims to examine the relationship between factors applied across a series of cases (Hague et al 1992:273). In this Chapter, I employ what Hague et al (1992:280-2) called 'focused comparison' which concentrates on the intensive analysis of some aspects across four selected cases.

The comparative analysis in this chapter firstly focuses on policy changes, media framing, media consensus, elite consensus and policy stage. I argue that the analysis of media framing, media consensus and elite consensus does not provide a satisfactory explanation for policy change. Drawing insights from existing public policy theories and data derived from in-depth interviews, I further analyse several factors, namely policymakers' ideas, long-term image of policy, short-term government popularity and public attitude towards government policy. The role of institutional factors, including institutional positions of policymakers and election cycle, are also discussed. I suggest that these factors not only influence policymakers' sensitivity and response to news coverage, but also trigger policy change.

2. Testing the Hypotheses

2.1 Policy Change

As mentioned in Chapter 5, policy changes were classified into two categories according to the fiscal and political costs involved. As shown in

Table 15.1, in all four cases, the pro-democrat camp initiated agenda changes in the Legco, such as the motions against existing policies, panel meetings and the hearings regarding issues in debates. The Administration also initiated agenda change, including urgent meetings and review of existing policy. The costs of these changes are considered to be relatively low.

Table 15.1: Policy Changes in the Four Case Studies		
Cases	Low cost change	High cost change
Article 23 (before 1/7/03)	<ul style="list-style-type: none"> • Legco agenda changes 	<ul style="list-style-type: none"> • Amendments to proposals
Article 23 (after 1/7/03)	<ul style="list-style-type: none"> • Exco agenda changes • Legco agenda changes • PRC Government agenda changes 	<ul style="list-style-type: none"> • Amendments, deferral & withdrawal of proposals • Key personnel changes • Creation of a new structure in the PRC Government
CRIII	<ul style="list-style-type: none"> • Legco agenda changes • Administration agenda changes 	<ul style="list-style-type: none"> • Continuation of project per se • Temporary & partial suspension of project • Structural & operational change in the TPB • Creation of a new advisory body
GST	<ul style="list-style-type: none"> • Legco agenda changes 	<ul style="list-style-type: none"> • Withdrawal of proposal
OSFP	<ul style="list-style-type: none"> • Legco agenda changes • Administration agenda changes 	<ul style="list-style-type: none"> • Continuation of project per se • Acceleration of demolition work • Structural alternations of the AAB • Re-consultation on heritage policy • Revision or reconsideration of other projects

In addition, there are various high cost policy changes in the four cases. In the cases of the CRIII and OSFP, although the projects under debate continued, the Administration launched some initiatives such as temporary suspension and partial resumption of work on the CRIII, and the acceleration of demolition of the OSFP. Moreover, there were changes in the relevant policy areas. In the case of the CRIII, the Administration launched some changes in development policy, including the new appointment of TPB members, opening up some TPB meetings, and the creation of a Harbour-front Enhancement Committee (HEC). Following the

debate on the OSFP, the Administration also initiated a series of changes to their heritage policy, including reform of the Antiquities Advisory Board (AAB) and the launch of a new round of consultations on heritage conservation policy. Some demolition plans, including Queen's Pier, Victoria Prison and Wanchai Market were also reconsidered.

In the cases of Article 23 and the GST, the government proposals under debate were withdrawn. However, there is a major difference between these two cases. In the 4-month debate on the GST, the Administration did not suggest any important amendments to its proposals before ending its advocacy of the GST. By contrast, there were a series of changes to Article 23 proposal before the withdrawal of the legislative plan in early September 2003. During its consultation and scrutiny in the Legco, the Administration suggested some relatively minor changes to the Article 23 proposal. When elite consensus declined after a large-scale demonstration on 1 July 2003, there were even more significant changes, including critical amendments to the Article 23 proposal, James Tien's resignation from the Exco, and the deferral of legislative work. Changes were also made in the relevant policy areas. Following the July 1 rally, the PRC government set up a high level Central Leading Group on Hong Kong and Macau Affairs overlooking policy towards Hong Kong.

In short, various high cost and low cost policy changes were identified in all the four case studies. While the CRIII and OSFP projects continued after the debates, the government proposals were withdrawn in the cases of Article 23 and the GST. The difference in policy outcomes between these two pairs of cases can be explained by elite consensus and policy stage, which will be discussed later in this chapter. Moreover, in the cases of Article 23, the CRIII and the OSFP, policy changes were made in the relevant policy areas. Thus, I suggest that the study of policy change should focus not only on the policy per se, but also on changes in the relevant policy area.

2.2 News Framing and Media Consensus

According to the hypothesis of this study, media pressure on policymakers is high only when most of the media run substantial critical coverage of the policies simultaneously. By contrast, policy is unlikely to change when news framing is supportive or divided between different media outlets.

The results of the framing analysis in the four case studies are summarised in Table 15.2. During the OSFP debate, all three selected newspapers carried substantial critical coverage. In the first few weeks subsequent to the launch of the GST consultation, the three newspapers also remained critically framed. From this perspective, media consensus on negative framing remained at a high level in these two cases. The pressures on policymakers were, therefore, considered to be relatively high. News articles also showed that the Administration perceived negative news framing and took it into account¹. In other words, the Administration's perceptions were consistent with the high level of media consensus demonstrated by framing analysis.

Cases	Framing			Media Consensus
	MPDN	ODN	ADN	
Article 23 (before 1/7/03)	Neg	Mix	Neg	Medium
Article 23 (after 1/7/03)	Neg	Mix	Neg	Medium
CRIII	Mix	Mix	Neg	Low
OSFP	Neg	Neg	Neg	High
GST	Neg Became Mix Subsequently	Neg Became Mix Subsequently	Neg Became Mix Subsequently	High Became Low Subsequently

By contrast, throughout the debate on Article 23, only the MPDN and ADN ran substantial negative coverage, while the framing of the ODN remained mixed. Thus, the media consensus level was considered to be

¹ MPDN, 25 July 2006, page A04; 14 December 2006, page A04; ODN; 5 September 2006, page A08

medium. In the case of CRIII, there was an even lower level of media consensus, as only the ADN's framing remained critical. Thus, the pressure on policymakers was considered to be relatively low in these two cases.

Nevertheless, according to the findings of interviews and textual analysis of officials' statements, an Exco member believed that changes in public views were the result of negative coverage (interview with Cheng Yiu-tong on 2 January 2008). The Secretary of Security, Regina Ip, also claimed that it was media coverage that had changed public opinion². During an interview, Michael Suen, who managed the CRIII project, claimed that the news coverage was unfavourable to the Administration during the debate on the CRIII (interview on 22 January 2008). In addition, when the three newspapers became mixed framed in the later stages of the GST debate, the Administration's perception of negative news framing persisted³. In other words, there was inconsistency between framing analysis results and policymakers' perceptions of news framing when framing analysis demonstrated a low level of media consensus. More importantly, as most policy changes took place after the policymakers commented on news framing, it is believed that these subjective perceptions of news coverage could be an influential factor in policy change.

This findings provide two important insights into the study of media effect on policy. Firstly, framing analysis by article count and keyword test is usually considered to be a systematic and objective method which can produce repeatable data. By contrast, the data produced by in-depth interview and textual analysis is relatively subjective and unsystematic. Thus, the reliability of this qualitative data may be questionable. However, as policy change usually results from the decisions of policymakers, their perceptions of news coverage are particularly important to the study of media-policy relations. As mentioned in Chapter 14, although the Administration conducts framing analysis which covers all the newspapers during policy debates, government officials do not apply the results of the analysis systematically. Rather, their accounts of the coverage are based on

² MPDN, 1 November 2002, page A07; 3 November 2002, page A04

³ ODN, 5 September 2006, page A08; MPDN 10 October 2006, page A07

their perceptions (off-the-record briefing by an official on 22 January 2008). Thus, in-depth interviews with policymakers and textual analysis of their statement are necessary.

Moreover, a comparison across the four cases shows that the Administration's perceptions are inconsistent with the framing analysis results when there is a low level of media consensus. When a high level media consensus over negative framing is demonstrated by framing analysis, the Administration perceives similar news framing. In this sense, I suggest that qualitative data derived from in-depth interviews and textual analysis are particularly necessary when framing analysis shows a low level of media consensus.

Secondly, an explanation of the inconsistency between a policymaker's perceptions and framing analysis provides another insight. It can be argued that policymakers' perceptions are mainly due to officials paying particular attention to elitist newspapers. As government officials consider the MPDN as a relatively influential newspaper (off-the-record briefing on 22 January 2008), media consensus is not a necessary condition for media influence. However, this argument is only supported by the case of Article 23 in which the MPDN's framing remained negative. During the CRIII debate, however, the overall framing of the MPDN remained mixed most of the time, whilst the Administration perceived negative framing. Therefore, this argument is unlikely to be valid.

The other explanation is that policymakers' perceptions of news framing, as a subjective feeling, may be affected by various factors. Moreover, news coverage is only one of the numerous factors that are taken into account during policymaking (interview with Michael Suen on 22 January 2008). Thus, it is reasonable to suggest that policymakers may become relatively sensitive to negative coverage in some circumstances. For example, when public views are unfavourable to the government and its policy, or in the period close to an election, limited quantity of critical coverage may create high levels of pressure on policymakers. In these cases, it is necessary to examine the factors influencing policymakers' sensitivity

to critical coverage. The evidence for this argument will be discussed later in this chapter.

In a nutshell, in all the four selected cases, the Administration perceived that news framing was unfavourable to the government although the level of media consensus level varied from case to case. However, the cases of Article 23, the CRIII and the GST debates showed that policymakers' perceptions of negative news framing could influence policy despite the low level of media consensus. From this perspective, the researcher should consider policymakers' perceptions of news framing as the chief consideration when such perceptions are inconsistent with the results of framing analysis.. Moreover, as perceptions of news framing, as a subjective feeling can be affected by various factors, it is necessary to examine the factors influencing policymakers' sensitivity to critical coverage.

2.3 Policy Certainty Measured by Elite Consensus

The second hypothesised condition for the media's influence on policy is policy certainty measured by elite consensus. Following Robinson's (2002) CNN effect model, this study hypothesises that the media may pick up and magnify the ideas of particular groups, criticising the ideas of the other side during an elite debate. Thus, news coverage is likely to influence policy only when there is a relatively high level of disagreement among policymakers. By contrast, when there is a high level of elite consensus over an issue, policymakers will try their best to promote their ideas. In this case, media coverage tends to follow official policy rather than criticise the government's decisions. In other words, there is a two-way interaction in which the media and the policymakers may influence each other. In addition, elite consensus is considered to be a stronger variable compared with critical coverage.

In the cases of the CRIII and the OSFP, as a majority of the pro-government camp members supported the Administration throughout the debates, the level of elite consensus remained high. During the GST debate, on the other hand, the major pro-government parties strongly opposed the

proposed tax, resulting in a high level of disagreement inside the pro-government camp.

In the three cases above, there was no significant change in the level of elite consensus in all three cases mentioned above. By contrast, during the controversy over the Article 23 legislation, the elite consensus level changed dramatically. Before the large-scale demonstration on 1 July 2003, the PRC Government and all the pro-government parties supported the Administration, moving forward the scrutiny of the NSB. The level of elite consensus was thus considered to be high at that time. After 1 July, however, the LP and other pro-government legislators refused to support the legislative plan. After the SAR Government had deferred the legislative work in early July, there was also a disagreement between the PRC and SAR Governments in the following months. In this sense, there was an elite debate in the period subsequent to 1 July 2003.

In order to test the hypothesis of the two-way interaction between media framing and elite consensus, I summarise the news framing, media consensus, elite consensus and policy changes of the four cases in Table 15.3. In the case of the CRIII, the level of elite consensus remained high. Although the government officials perceived a negative news framing, there was a low level of media consensus as the framing of two selected newspapers remained mixed. By contrast, there was disagreement inside the pro-government camp during the GST debate, while all the three selected newspapers ran substantial critical coverage. From this perspective, the hypothesis on the two-way interaction between the government and the media seems to be evidenced by the cases of the CRIII and GST.

However, the hypothesis is not supported by the other two cases. During the OSFP debate, the framing of all the three selected newspapers remained negative despite the high level of elite consensus. In the case of Article 23, two of the selected newspapers ran critical coverage continuously although pro-government camp supported the government proposal before 1 July 2003. In these cases, despite the high level of elite consensus, negative coverage occurred.

Cases	Media Consensus over Neg. Framing	Elite Consensus	Policy Stage	Policy Change
Article 23 (before 1/7/03)	Medium	High	Early	<ul style="list-style-type: none"> • Minor amendments of proposal
Article 23 (after 1/7/03)	Medium	Low	Early	<ul style="list-style-type: none"> • Major amendments of proposal • Deferral & withdrawal of proposal
CRIII	Low	High	Late	<ul style="list-style-type: none"> • Temporary & partial suspension of project • Structural alternations • Project continued
GST	High Became Low Subsequently	Low	Early	<ul style="list-style-type: none"> • Withdrawal of proposal
OSFP	High	High	Late	<ul style="list-style-type: none"> • Acceleration of demolition work • Structural alternations • Project continued

The second part of the hypothesis considers elite consensus as a stronger variable compared with critical coverage. This part of the hypothesis seems to be supported. During the GST debate, all the three selected newspapers ran substantial negative coverage, while most pro-government parties opposed the government proposal. Subsequently, the Administration withdrew the GST proposal. On the contrary, in the cases of the CRIII and OSFP, elite consensus within the pro-government camp remained high throughout the controversies. Although the Administration perceived negative coverage, the government projects continued. In these circumstances, the hypothesis is supported.

In addition, throughout the controversy over Article 23, two of the three selected newspapers criticised the government proposal. While the elite consensus within the pro-government camp remained at a high level

before the protest on 1 July 2003, only relatively minor amendments to the proposal were made by the Administration. After 1 July, the two newspapers' framing remained negative, while the elite consensus declined dramatically. Subsequently, the Administration suggested critical amendments to the proposal, and then deferred and withdrew the legislative plan. From this perspective, all the four cases show that negative coverage can lead to high cost policy changes only if there is an elite disagreement.

Nevertheless, those accounts show up at least two problems. First, as mentioned above, studying policy change should focus not only on the policy per se, but also on the relevant policy areas. In the cases of the CRIII and OSFP, despite the continuation of the government projects, there were some high cost changes, including structural and operational alterations, in the policy areas of town planning and heritage conservation. During the debate, there were also some temporary changes in the government projects, including temporary and partial suspension of the CRIII and the acceleration of the demolition of the OSFP. Furthermore, in the case of Article 23, despite the elite consensus before 1 July 2003, there were some low cost policy changes including a series of amendments to the proposed law. Thus, it can be argued that critical coverage can influence policy outcomes, regardless of the level of elite consensus.

The second problem of the media-elite consensus account is that it considers news coverage as the major influential factor of policy change, downplaying the fact that elite consensus itself is crucial to the policy outcome. Since the pro-government camp is the majority in the Legco, a policy proposal cannot be endorsed without the support of the pro-government legislators. As most of the pro-government parties strongly opposed the GST proposal, it was unlikely to be passed by the Legco even if the Administration persisted with the proposal. Thus, elite disagreement is considered to be a sufficient condition for the withdrawal of the GST proposal.

The importance of elite consensus is further supported by the case of Article 23. Although the MPDN and ADN ran substantial critical coverage,

the pro-government camp supported the Administration's proposal before 1 July 2003. In this period, only relatively minor amendments to the legislative proposals were made by the Administration. After half a million people had joined the anti-government protest on 1 July, however, the LP insisted on deferring the legislative work. As the Article 23 proposal could not be passed by the Legco without the support of the LP, the Administration made significant policy changes including major amendments to the bill, deferral and withdrawal of the Article 23 proposal. From this perspective, news coverage can be an influential factor only for minor changes to the Article 23 proposal. The most crucial changes did not take place until after the decline of elite consensus.

It can be argued that the elite debates in the cases of the GST and Article 23 might have been triggered by critical coverage. However, this argument is rejected by the findings of process tracing. In the case of the GST, the pro-government parties had expressed their objections to the introduction of the GST before the newspapers ran negative coverage. In other words, elite debate is prior to the critical coverage. Thus, news coverage is unlikely to change the level of elite consensus, although the existing ideas of the opponents can be reinforced by critical coverage.

During the Article 23 controversy, in both periods before and after 1 July 2003, the MPDN and ADN ran critical coverage while the framing of the ODN remained mixed. In other words, there was consistency of the level of media consensus over news framing throughout the controversy. The pressure created by the media coverage was thus considered to be consistent. However, the LP did not change its position until the large-scale protest on 1 July 2003. Neither did the other independent pro-government legislators hesitate about the Article 23 proposal before 1 July. Thus, the decline of elite consensus was most likely to have been triggered by the July 1 protest rather than by critical coverage.

It can be also argued that critical news coverage legitimised the voices against the government proposals, placing further pressure on the Administration in the cases of Article 23 and the GST. This argument is

supported by interview data suggesting that the pro-democrat legislators felt that they were supported by the news coverage highlighting their criticisms of the Article 23 proposal (interview with James To on 31 January 2008 and Alan Leong on 28 November 2008). Even if this argument is valid, the media coverage is unlikely to be a sufficient condition for change in policymakers' positions.

In short, the comparison across the four selected cases demonstrates that critical coverage occurs regardless of elite consensus. Moreover, despite the high level of elite consensus, there were policy changes subsequent to the negative coverage during the debates on Article 23 (before 1 July 2003), the CRIII and the OSFP. The cases of Article 23 and the GST also demonstrate that critical coverage is unlikely to be a sufficient condition for change in elite consensus and policy outcome. Rather, elite consensus itself is crucial to high cost policy changes. Taking all of these factors into account, I suggest that the hypothesis regarding news framing and elite consensus does not provide a satisfactory explanation of policy change.

2.4 Policy Certainty Measured by Policy Stage

The third hypothesised condition of the media's influence on policy is policy certainty measured by policy stage. This study hypothesises that critical coverage can influence a relatively early-stage policy, such as those under consultation, legislation and evaluation. For the policy at a later stage, such as those being implemented, critical coverage is unlikely to be an influential factor. Among the four cases, one of the major differences is policy stage (see Table 15.3). Thus, comparison across these four cases can provide important insights into possible media influence at different policy stages.

As mentioned in Chapter 9 and 13, the CRIII and the demolition of OSFP were being implemented during the controversies. Thus, any amendments to these projects needed the re-scrutiny by statutory bodies and the Legco. This would result in a large amount of compensation to the contractors and delay some development plans. From this perspective, the Administration was bound by a series of institutional factors when the

policies were under implementation. Moreover, these constraints are particularly significant in the development of policy which involves a lot of infrastructures and a series of technical and statutory procedures. Thus, the CRIII and the demolition of the OSFP continued, despite the Administration's perception of negative news framing.

On the contrary, Article 23 legislation and the introduction of the GST were at a relatively early stage during the controversies. Thus, the Administration could adjust these proposals at a relatively low cost. In the case of Article 23, the Administration could propose amendments to the NSB during public consultation and scrutiny of the Bill in the Legco. In addition, since the Basic Law does not fix the schedule of Article 23 legislation, the Administration had room to suspend the legislative plan. The introduction of the GST was at an even earlier stage. During the debate in 2006, the proposed tax was merely under consultation. From these perspectives, the hypothesis of the media-policy stage relations seems to be supported by these four cases.

Nevertheless, these accounts have the same problems as the media-elite consensus hypothesis. Firstly, despite the persistence of the CRIII and OSFP projects, the Administration launched some low cost changes in the projects and other high cost changes in relevant policy areas, including structural and operational alterations. In this sense, despite the late-stage of the policy, media influence is possible. Secondly, focusing on media influence, the media-policy stage hypothesis neglected other possible factors, including the importance of elite consensus per se for policy change. In order to provide a better account of media effect on policy outcomes, I explore other factors in the following sections.

3. Ideas of Policymakers

The first factor to be discussed is ideas, which refers to the understanding of an issue, the belief or value system and the political tendency. As mentioned in Chapter 14, most policymakers described their ideas and beliefs as the chief consideration during policymaking. The four selected cases also show that political actors' ideas and beliefs play at least

two roles during a policy debate. First, as mentioned in the analysis of the four cases, political actors' actions and positions on issues are mainly based on their ideas and beliefs, including their values and understanding of the issue. Second, political stances of actors not only enable an alliance between some groups, but also inhibit the cooperation among actors with different political tendencies.

However, as the interview data has shown, policymakers' ideas are not always consistent. Rather, sometimes, politicians take people's views and compromise tactically. The cross case comparison also shows that persistency of ideas also varies from group to group. In all four cases, there was no change in the ideas of the Administration and a majority of DAB members. Despite the withdrawal of the GST proposal and the NSB, the Administration and the DAB persisted with their ideas (interview with Jasper Tsang on 17 January 2008).

By contrast, the LP and other independent pro-government legislators were relatively less persistent with their ideas. They changed their supportive position, urging the Administration to defer the NSB after the 1 July rally, which was considered as the expression of strong people's views against the Administration and the proposed law. The persistency of ideas of the pro-democrat camp and some non-core pro-government legislators were even lower. In the case of the CRIII and the OSFP, the pro-government camp, Choy So-yuk of the DAB and Chan Yuen-han of the FTU started criticising the government projects after the controversies had began.

Taking all of these factors into account, policy debate can be triggered by conflicts between any policymakers' ideas. However, the ideas of policymakers can be influenced by people's views they perceived. The persistency of ideas also depends on the actors' institutional positions. The pro-government camp and non-core members of the -pro-government camp tend to take people's views into account, adjusting their ideas. The LP and other independent pro-government legislators did not change their positions until a strong voice had been demonstrated by a large-scale demonstration.

By contrast, the Administration and the DAB persisted with their ideas regardless of general public opinion.

From this perspective, public views can be an influential factor for policymakers' ideas. In addition, as the interview data has shown policymakers take people's views into account during policy making. Thus, I examine three factors relating to public views in the following section.

4. Policy Image and Short-term Public Opinion

The first groups of hypothesised factors associated with policymaker's sensitivity to critical news coverage are associated with the public understanding of the Administration and its policy. One is long-term policy image while the other is short-term public opinion. The idea of long-term policy image is consistent with Baumgartner and Jones's (1993) concept of 'policy image', which refer to public understanding of policy and issues. According to Baumgartner and Jones, when there is a negative image of an existing policy, any criticisms may be easily magnified by the opponents. Following this argument, I hypothesise that government officials become particularly sensitive to negative news coverage when there is a long-term negative image of a policy or an issue. Otherwise, the opponents will take the opportunity to magnify their voices in order to attack government policy.

The other two hypothesised conditions are two types of short-term public opinion during policy debate. The first one is government popularity, which refers to public attitudes towards the government. The second is public attitude towards a specific policy or issue. I hypothesise that policymakers become relatively sensitive to criticisms, including those by the media, when there are unfavourable public attitudes towards either the Government or its policy.. As mentioned in Chapter 14, in order to maintain their support in elections, policymakers usually focus on their own supporters' views rather than on general public opinion. However, there are about 40% of floating voters, who are the targets of the Administration and all politicians (interview with Sin Chung-kai on 11 November 2008). Thus, it is reasonable to suggest that policymakers proactively monitor public

attitudes towards the government and its policy during policy debates. When any one of these views is unfavourable at a particular time, the Administration and the pro-government camp will become relatively sensitive to criticisms, including those by the media.

4.1 Long-Term Policy Image

As shown in Table 15.4, of the four case studies, three had long-term negative policy images, which were well established before the controversies. As mentioned in the previous chapters, the long-term negative policy image of Article 23, the CRIII and the GST were established before the controversies over these issues.

Cases	Media consensus over neg. framing	Officials' perception of framing	Long-term policy image	Short-term public attitudes	
				Towards the Administration	Towards policy
Article 23	Medium	Neg	Neg	Neg	Neg
CRIII	Low	Neg	Neg	Neg	Neg
OSFP	High	Neg	Nil	Pos	Pos
GST	High	Neg	Neg	Pos	Neg

During the Article 23 and CRIII debates, the media consensus remained at a medium and a low level, respectively. Nevertheless, the Administration perceived negative news framing. Although the CRIII project continued after the debate, the Administration temporarily and partially suspended reclamation work during the debate. Before the July 1 protest, the Administration also made some amendments to the Article 23 proposal. At the later-stage of the GST, despite the decline of media consensus, the Administration perceived negative news framing, and subsequently withdrew the tax proposal. From this perspective, it can be argued that the Administration becomes relatively sensitive to critical coverage and pro-actively responds to the criticisms when there is negative policy image.

By contrast, there was no such long-term negative image of the demolition of the OSFP, although the media and the protestors described the

pier as an icon of people's collective memory. In fact, the media and the public had not been aware of the demolition project until the closing ceremony of the pier in October 2003. In addition, the controversy over the OSFP lasted for only a few months. Thus, it is reasonable to suggest that the image of the demolition project had not been well established when the Administration speeded up the demolition work.

In a nutshell, according to the framing analysis, there was a high level of media consensus over critical framing during the OSFP and GST debates. Thus, it is not surprising that government officials and the pro-government camp perceived negative news framing. In the cases of Article 23 and the CRIII, the Administration's perception of news framing remained negative, although media consensus over negative tone was not high. As the long-term negative image of Article 23 and the CRIII had been established before the controversies, it can be argued that the Administration and the pro-government politicians' sensitivity to critical coverage was increased in these two cases. The hypothesis of policy image-politician's sensitivity relations was supported.

4.2 Short-term Public Attitudes

As I mentioned in previous chapter, since the Asian Financial Crisis in 1997, the Hong Kong economy had begun to slide into recession, which caused financial difficulties for many people. Subsequently, there was a gradual decline in the SAR Government's popularity, which was evidenced by the opinion polls. As mentioned in Chapter 7, there was evidence showing that the Administration and the pro-government camp had been aware of the unfavourable public mood before 2003⁴. Thus, it is believed that the unpopularity was taken into account when the Administration proposed amendments to Article 23 before initiating the official legislative process in early 2003.

In addition, during the scrutiny of the NSB in the Legco in 2003, there were several incidents that resulted in further discontentment in

⁴ MPDN, 25 December 2002, page A04.

society. These included the outbreak of SARS, the increase in the income tax rate⁵ and the Financial Secretary's car-purchasing scandal. Consequently, in the period between January and July 2003, the satisfaction rate of the government remained at a low⁶. Finally, half a million people took to the streets on 1 July 2003. Moreover, the Administration was aware of a reversal in public opinion on the Article 23 proposal (interview with CHENG Yiu-tong on 2 January 2008).

During the CRIII debate in the second half of 2003, the Administration still perceived an unfavourable public attitude towards the government. The Administration also perceived negative public mood and took it into account⁷. Although the media consensus over critical framing was not high in the cases of Article 23 and the CRIII, the Administration and pro-government camp were aware of negative news framing (interviews with Michael Suen on 22 January 2008, and Cheng Yiu-Tong on 2 January 2008). It can be argued that when the public mood was unfavourable, the Administration and the pro-government camp became extremely sensitive to critical coverage. Thus, the Administration's initiatives, including the amendments to the Article 23 proposals, the partial resumption of reclamation work, the creation of the HEC, and reform of the TPB, were to demonstrate its response as sincere intention to listen to the public⁸.

By contrast, the Administration became relatively popular during the debates on the GST and the OSFP in the second half of 2006. Nevertheless, there was a significant difference in the public views on the policies under debate between these two cases. In 2006, the opinion polls conducted by both the pro-government and the pro-democrat camps showed that a majority of the public opposed the introduction of the GST⁹. When the GST proposal was withdrawn, the Administration also admitted that the majority

⁵ Budget Speech 2003/04, paragraph 77-79:

<http://www.budget.gov.hk/2003/eng/budget.htm#Salaries%20Tax>

⁶ Press release on 5 August 2003, Website of Public Opinion Programme, the University of Hong Kong: <http://hkupop.hku.hk/english/release/release127.html>

⁷ MPDN, 7 October 2003, page A02

⁸ MPDN, 7 October 2003, page A02

⁹ DAB's press release on 10 August 2006:

[http://www.dab.org.hk/tr/main.jsp?content=article-](http://www.dab.org.hk/tr/main.jsp?content=article-content.jsp&articleId=5105&categoryId=1205)

[content.jsp&articleId=5105&categoryId=1205](http://www.dab.org.hk/tr/main.jsp?content=article-content.jsp&articleId=5105&categoryId=1205) ; The Democratic Party's press release on 29 August 2006: <http://www.dphk.org/2003/images/thumbphoto/060829press.doc>

did not consider GST to be an appropriate option to solve the tax base problem¹⁰. It is thus believed that the public did not support the GST proposal. In addition, there was a high level of media consensus over the critical framing of the GST. In these circumstances, it was difficult for the Administration to promote its proposal.

On the other hand, the public mood was relatively favourable to the demolition of the OSFP. Despite the high level of media consensus over negative framing, as mentioned in the previous chapter, the surveys by various parties showed that a majority of the public supported the demolition of the OSFP (off-the-record briefing on 22 January 2008, interview with Jasper Tsang on 17 January 2008). Thus, it was relatively easy for the Administration, with the support of the public, to go against the critical coverage, accelerating the demolition work.

In short, in the cases of Article 23, the CRIII and the GST, the public mood was unfavourable both to the Administration and to government policy. It can be argued that the Administration's high sensitivity and the concessions in these three cases were based on considerations of the unfavourable public mood. On the contrary, the OSFP is the only case in which the public mood was supportive of both the Administration and government policy. In this case, despite the high level of media consensus over negative framing, the Administration, with the support of the public, could act against the news coverage.

Taking both the short-term public mood and the long-term policy image into account, the Administration and the pro-government camp are likely to become relatively sensitive when either short-term public mood or long-term image is unfavourable to the Administration. This argument explains why the Administration perceived negative news framing even though there was media consensus over critical framing in the cases of Article 23 and the CRIII.

¹⁰ The Administration's press release on the speech by FS:
<http://www.info.gov.hk/gia/general/200612/05/P200612050115.htm>

A comparison between the policy outcomes of the GST and OSFP debates provides further evidence. During the GST debate, despite the supportive public views on the government, there was negative policy image and unfavourable public attitudes towards the GST. Thus, the Administration withdrew the GST proposal. On the contrary, during the OSFP debate, without the effect of negative image, the Administration, with supportive public attitudes towards both the government and the demolition plan, could neglect critical coverage, speeding up demolition of the OSFP.

5. Institutions

The examination of policymakers' ideas demonstrates that actors in different institutional positions give different response to people's views. This section further explores the influence of institutional factors, which relate to formal rule and procedures, and government organisations in which political behaviour takes place. As most institutionalists suggest, political behaviour is influenced by institutional context. However, according to institutional rational choice theory, political actors are not simply constrained by institutions. Rather, actors adopt strategies in order to maximise their payoffs within their institutional positions.

Thus, I suggest two hypotheses regarding institutions. First, the political actors in different institutional positions are under different constraints, enjoying different institutional powers. Thus, institutional position influences political actors' strategies and responses to media coverage. Second, election cycle, as an institutional constraint, not only influences the time frame of a debate and the strategies of political actors, but also influences policymakers' sensitivity to criticisms, including those by the media.

5.1 Institutional Positions

5.1.1 The Administration

In all the four cases in this study, the Administration adopted similar strategies. During the debates, the Administration played a relatively passive role, responding to opponents' criticisms of existing official policies or

proposals. This finding is consistent with Michael Suen's claim that there was no room for the Administration to adjust its strategies during the debate on the OSFP, even though the officials had learnt to simplify their messages. According to Suen, the opponents could attack the existing policy in all aspects. What the Administration could do was defend its policy in these circumstances (interview on 22 January 2008). From this perspective, during the debate, the opponents of an existing policy are relatively free to shape their arguments, while the Administration was bound by its own policies or proposals.

The constraints on the Administration can be explained by its institutional procedures of decision-making. When an official proposal or a policy change is announced, the Administration is usually supposed to propose a concrete and viable policy alternative. In order to prepare this type of concrete proposal, the Administration should go through a series of processes of decision-making, such as the study of various alternatives and discussion. For example, the consultation documents on Article 23 and the GST provided many concrete details on the proposal, together with analysis of foreign experience. The decisions on the CRIII project and the demolition of the OSFP were not only based on data regarding town planning and transportation, but also endorsed by the Exco, various government departments and consultative and statutory bodies. Thus, any changes in these policies or proposals were constrained by institutional procedures.

However, the Administration is not simply bound by institutional constraints. Rather, the institution enables the Administration to initiate policy changes in order to respond to pressure created by the opponents and the media. Moreover, the Administration can also minimise the costs of such policy changes. In the cases of the CRIII and the OSFP, although the projects continued, the Administration launched many initiatives both in town planning and heritage conservation.. Despite structural changes, such as the creation of the HEC and reform of the AAB, the members of these bodies were all appointed by the Administration. More importantly, the terms of reference of these advisory bodies were limited. In other words, it is unlikely that the town planning and heritage conservation polices have

been influenced by these structural changes. Thus, the costs of the policy changes were in fact relatively low.

In spite of personnel changes to the CE, the comparison across the four cases shows that the administration adopted similar strategies. The Administration on the one hand played a passive role defending its policy. On the other hand, it manipulated policy change in order to minimise the costs of change. In this sense, the strategies of the Administration are mainly based on its institutional position.

From this perspective, the institutional dimension for the Administration is a double-edged sword. On the one hand, it is constrained by institutional factors. In this case, it is relatively difficult for the government to adjust its policy following criticisms. On the other hand, institutional power enables the Administration to manipulate policy change and minimise the costs of change. Thus, the Administration can launch some low cost initiatives in response the criticisms, including those by the media.

5.1.2 The Pro-government Camp

The pro-government camp played an even more passive role during the debates. As the close partners of the Administration, these parties are supposed to support the Administration in most cases. In fact, during the controversies over Article 23, the CRIII and the OSFP, most pro-government parties were bound by their partnership with the Administration, in support of government policy.

However, the pro-government parties did not simply express their support for the Administration. In the cases of the CRIII, the OSFP and Article 23, while the opposition strongly criticised the Administration in the Legco, most pro-government legislators neither agreed with the opposition nor defended the Administration. Instead, the pro-government legislators kept silent most of the time. According to Jasper Tsang, when the government was criticised, one of the DAB's strategies was to keep silent in order to avoid further criticisms by the media (interview on 17 January

2008). In other words, despite the persistence of its position, the pro-government camp took their own interests into account, trying to avoid being criticised by the media when news framing was not unfavourable to government policy.

Moreover, when their interests were seriously affected, the pro-government parties would express their objections to government policy or proposals. As the pro-business LP and the pro-grassroots DAB and FTU considered the GST proposal as a financial burden both on the business sector and the grassroots population, the pro-government parties, together with the democrats, opposed the proposed tax. In the case of Article 23, after the legislative plan had been deferred because of changes in the LP's position, some Exco members, including Jasper Tsang, suggested suspending the legislative work. It is believed that the pro-government parties realised that legislative work could not be carried out before the DC election in November 2003. In order to avoid being affected by the controversy during the election, the pro-government parties urged the Administration to withdraw its proposal.

From this perspective, under institutional constraints, the pro-government parties play a relatively passive role in supporting the Administration. Nevertheless, they take their own interests into account, adopting some strategies to minimise their losses when public views and new framing are unfavourable. When their own interests are seriously affected, they even opposed government policy.

5.13 Non-domestic Actors

In the case of Article 23, two groups of non-domestic actors, namely the PRC Government and western governments played an active role. According to the Basic Law, Hong Kong enjoys a high degree of autonomy¹¹. In this case, the PRC Government is not supposed to officially interfere in the local policy making of Hong Kong in most cases, even though it is unknown whether there is any hidden interaction between the

¹¹ The HKSAR Basic Law, Article 2: http://www.info.gov.hk/basic_law/fulltext/index.htm

two governments. From this perspective, the PRC Government is constrained by institutional setting, and is not allowed to intervene in Hong Kong. Neither is there any official channel for western governments to intervene in domestic policy-making in Hong Kong.

However, as mentioned in Chapters 6 and 7, through informal channels, the PRC and western governments played important roles in the case of Article 23 legislation. While the PRC Government delivered public speeches, encouraged the Administration and pro-government camp and launched some economic initiatives, western governments criticised the proposed laws through press statements. There was also evidence showing the influence of the PRC and western governments on the SAR Administration's decisions, including the adjustment, deferral and withdrawal of the NSB.

From this perspective, although there was no official channel for the PRC and western governments to intervene in the legislation of Article 23, these non-domestic actors were able to bypass institutions, influencing policy through unofficial channels. This point will be discussed in Chapter 16.

5.1.4 The Opponents

Despite their limited power of influence over the establishment, the pro-democrat camp and other opponents of government policy were relatively free from institutional constraints. Unlike the Administration and pro-government camp, the opposition neither needed to propose viable policy alternatives, nor to follow the Administration. In all four cases, the pro-democrat camp just initiated agenda change in the Legco, challenging government policies or proposals in all aspects.

In addition, playing either a leading or supportive role, the pro-democrat camp linked their campaigns with mass movements outside the establishment. In the case of Article 23, the pro-democrat camp collaborated with other pro-democrat groups, organising a series of protests against government proposals. This strategy was confirmed by the data derived

from interviews with pro-democrat legislators (interviews with Lee Wing-tat on 23 January 2008, Kwok Ka-ki on 30 January 2008, and Sin Chung-kai on 11 November 2008).

The use of this strategy can be explained by the institutional position of the opposition. The pro-democrat camp, as a minority in the Legco, has limited influence on this key policy making body. In order to place pressure on the Administration, they collaborate with other groups, launching social movements. In this process, according to pro-democrat legislators, critical coverage is particularly important. When politicians have perceived substantial critical coverage of government policy, their ideas are reinforced. In this case, politicians are encouraged to intensify their campaign against the government policy or proposal. This provides an opportunity for the media to run further critical coverage, further reinforcing politicians' confidence in their campaigns (ibid). From this perspective, during policy debates, there is a positive reinforcement relation between critical coverage and opponents' ideas and actions.

The pro-government parties sometimes also adopt a similar strategy. During the debate on Article 23, the pro-government parties organised a series of rallies backing the Administration. However, all these pro-Article 23 campaigns were organised after the opposition announced their activities against Article 23. In other words, the pro-government camp only played a passive role, counteracting the pro-democrat camp's campaign. The LP, together with the retail and wholesale sectors, organised an anti-GST campaign only when their interests were seriously affected by the government proposals. From this perspective, the pro-government camp links their campaign with the mass movements only on certain occasions.

Taking all of these factors into account, I suggest that institutional position influences the strategies of political actors in various positions. The Administration, on the one hand, is constrained by institutional processes of policy making. On the other hand, with its institutional power, it can manipulate policy change in order to respond to criticisms, including those by the media. This account explains not only why government policy

persisted under media pressure, but also why the Administration could launch policy changes in the relevant policy areas in the cases of the CRIII and the OSFP.

The pro-government camp is also bound by its institutional relations with the Administration. However, these parties take their own interests seriously, trying to minimise their losses when there are unfavourable public views and news framing. This is the reason why the pro-government legislators maintained silent most of the time during the debates on Article 23, the CRIII and the OSFP. In addition, when their interests are affected seriously, the pro-government parties can disregard institutional constraints, opposing government policy.

For the democrats and other opponents of government policy, the institutional constraints are relatively weak. Thus, they are relatively free to attack government policy. In addition, because of their limited power in key policy making institutes, the opposition tends to influence policy through mass movements. In this process, there is a positive reinforcement relation between critical coverage and the opponents' ideas and campaigns.

From this perspective, policymakers' strategies are influenced by their own institutional positions. Moreover, policymakers in various institutional positions make different uses of, and have different responses to, media coverage. In other words, the media effects on policymakers are institutionally specific.

5.2 Election Cycle

The other institutional element is election cycle. As mentioned in Chapter 4, the political structure in Hong Kong has been challenged by the democrats since the drafting of the Basic Law in the 1980s. To avoid a further stirring up of discontentment in society, the PRC and SAR governments tried to settle all their controversies in the periods close to the CE election. In addition, in order to maintain its support in the Legco and the DCs, the Administration should consider the interests of the pro-government camp during elections (interview with Jasper Tsang on 17

January 2008). During the period close to elections, any criticisms of the Administration and the pro-government camp are considered to be favourable to the opposition. Thus, it is sensible to suggest that policymakers are relatively sensitive to critical coverage of the Administration and its policy.

As mentioned in the analysis of the four selected cases, the Administration and the pro-government camp adopt strategies to settle debates before elections. For example, the Administration planned to complete the Article 23 legislation in early July 2003, a few months before the DC election. In the case of Central Reclamation, the Administration launched a series of policy changes in response to criticisms before the Legco election in September 2004. In the cases of the GST and the OSFP, the Administration tried to settle the controversies before the CE election in February 2007. In addition, regardless of the results of framing analysis, in all four cases, the Administration perceived negative news framing and took it into account. For instance, during the GST debate, the Administration made a great effort to lobby journalists after media consensus had declined to a low level.

Nevertheless, in all four cases of this study, controversies took place in the period close to elections. In other words, the possible influence of election cycle existed in all four cases. In order to provide a better examination of the influence of election cycle on policymakers' sensitivity to news coverage, it is necessary to compare these cases with others without an election factor. This point will be discussed at the end of this thesis.

6. Concluding Remarks:

The hypothesis of this study is based on Robinson's (2002) model, which focuses on news framing and elite consensus in relation to US foreign policy. This study of domestic policy shows that elite consensus itself is a crucial to policy change, while negative news coverage is also an important account of policymakers. However, the hypotheses of this study do not provide a satisfactory account of domestic policy changes.

Policymakers' sensitivity to critical coverage is specific to people's views. When short-term public mood and long-term image are unfavourable to the government or its policy, the Administration will become relatively sensitive to criticisms, including those by the media.

Institutional contexts are also critical to media effects on policy. In order to maximise their interests, policymakers in different institutional positions adopt different strategies and give different responses to media coverage. The institutional contexts of policy also vary from stage to stage. Thus, it is relatively easy for critical coverage to influence a policy at an early stage. By contrast, the policy under implementation is unlikely to be changed by news coverage, even though coverage may trigger change in relevant policy areas.

Taking all of these factors into account, I suggest that media effects on policy are specific to a series of conditions, including short-term public attitudes towards the government and its policies long-term policy image, institutional positions of policymakers and policy stage. In addition to the level of elite consensus and news framing, these conditions should be taken into account for media-policy relations.

Chapter 16

Conclusion

1. Introduction

A comparison across four selected cases demonstrates that the media-policy relation is much more complex than my hypothetical framework suggested. In this chapter, I argue that media effects on policy are specific to policymakers' institutional positions. Furthermore, as policy change is mainly based on policymakers' decisions, policymakers' perceptions of news framing may be influenced by various factors. Sensitivity to critical coverage is increased when any one of three factors associated with people's views, namely long-term policy image, short-term government popularity and short-term public attitudes towards government policy, is unfavourable.

Moreover, I suggest that studying policymakers' understanding of media-public opinion relations can help identify power of different media outlets to exert an influence. I also raise three issues of research design concerning media-policy relations, namely the definition of policy change, methodology and the scope of news coverage analysis. Finally, I suggest two directions for future research.

2. Institutional Position

Recognising the importance of the internal dynamics of institutions during policy making, Robinson tries to explore the relations between media coverage and consensus level of the three central policy sub-systems of the US executive, namely the White House, the Pentagon and the State Department (Robinson 2002:133-6). However, there are at least two problems with Robinson's model when we apply it to cases of domestic policy making.

First, as the US foreign and defence policies may be tightly controlled by the federal government, Robinson can focus on the three sub-systems of the executive. In the case of domestic policy making, however,

various actors, including the legislature (the parliament), also play a significant role. For this reason, I suggest that the study of elite consensus should be extended to include the relationship between the Administration and pro-government parties in the legislature.

Second, if we consider elite consensus to be the agreement between the Administration and the legislature, it is unrealistic to assume that different political actors in different institutional positions adopt the same strategies during the debate. Thus, we need to discriminate between different groups of political actors, each with their own institutional position, strategy and response to media coverage. In other words, we need to explore the possibility that media influence on policymakers may vary from position to position. In this study, comparison across four selected cases demonstrates that political actors in different institutional positions adopt different strategies.

2.1 Domestic Actors

For the Administration, the institution serves as a double-edged sword. On the one hand, the Administration is constrained by the bureaucratic procedures of decision making and the high fiscal and political costs of policy changes. Thus, in all four cases, the Administration played a passive role, defending its policies or proposals. On the other hand, as mentioned in Chapter 4, because of the design of the constitution in accordance with the 'executive-led' principles, the Administration enjoys overwhelming power in policy making. Thus, it can manipulate policy changes and minimise costs in response to criticisms by opponents and the media. In some cases, the Administration, together with the pro-government camp, may even ignore its opponents, acting against the criticisms, including those expressed by the media.

Being bound by the partnership with the Administration, the pro-government camp also plays a passive role in support of government policies and proposals. Nevertheless, the pro-government camp also takes its own interests into account, adopting some strategies to minimise its

losses when long-term and short-term public views are unfavourable. For example, pro-government legislators keep silent to avoid being criticised by the media. When their interests are seriously affected, they even oppose government policy.

By contrast, the pro-democrat camp and other opponents of government policy are relatively free from institutional constraints. These groups can attack all aspects of government policies or proposals. In addition, they may play either a leading or supporting role, linking their campaigns with mass movements outside the Legco, as was found in all four cases. This strategy might be explained by the positions of the opposition and other minor groups. Because of their limited power in key policy making institutes, the opposition collaborates with other groups, launching social movements. Their perceptions of substantial critical coverage of government policy also reinforce their ideas, encouraging them to carry on or intensify their campaigns. From this perspective, during a policy debate, media coverage is particularly important to the opponents of government policy.

This pro-democrat camp's strategy can also be explained by the development of pressure groups in Hong Kong. Some pro-democrat politicians, such as Lee Wing-tat of the DP, were pressure groups leaders in the 1970s and 1980s. Tracing the development of media and political contexts in Hong Kong, Chan argues that in the 1970s such pressure groups, with limited organisational resources, had to rely on the media to achieve publicity to exert pressure on the government. In addition, through the media, the action of one group became the rallying point for other people to form their own groups and for other groups to join hands for the same cause (Chan 1992:116-7). Since then, leaders of pressure groups have learned to attract media attention through social movements, placing pressure on the government. In such cases, the media were crucial to the campaigns of pressure groups.

At the same time, Chan argues that the media has to fulfil the requirement to provide balanced reporting, which became established as a

professional norm among Hong Kong journalists in the 1970s. Because of their outspokenness and availability to the media, leaders of pressure groups have become popular sources of reaction to government policies. Thus, journalists reflect the views both of pressure groups and the government (Chan 1992: 116). This concept of balanced reporting cannot explain occasional overwhelmingly critical coverage of government policy. However, this argument provides an important insight into the requirements of journalistic practice, which can be fulfilled by the oppositional positions of leaders of pressure groups' outspokenness and availability. From this perspective, both the media and the pressure groups benefit from reporting voices against government policy.

The strategy differences between the pro-government camp and the opposition can be further explained by their constituencies. As mentioned in Chapter 4, the legislators in Hong Kong are returned by three types of constituencies. The first is geographical constituency (GC) in which legislators are elected by a minimum of a few hundred thousand voters in various geographical districts. The second type of constituency is returned by functional constituency (FC), each with a few hundred or a few thousand voters from the business or professional sectors, trade unions or interest groups. Finally, before 2004, there were 6 legislators returned by an 800-member Election Committee (EC) which were mainly elected by FC voters¹. The pro-democrat camp dominates the GCs and some FCs such as for law, education, social services and information technology, whilst a majority of FC seats and all EC seats are occupied by the pro-government camp.

Type of constituency can influence legislators' strategies for two main reasons. The first is the interests of voters. As mentioned in Chapter 4, since the 1980s, most chambers of commerce and professional institutes have become close to the PRC Government (Holliday et al 2004:206-1). Thus, the legislators returned by those groups tend to support the PRC and SAR governments in most cases. The second reason is the size of the constituency. Most pro-government legislators are returned by FC and EC. In most FCs, the number of voters is much lower than in GCs. As Selina

¹ The seats returned by the EC have been replaced by GC seats since 2004.

Chow of LP says, it is relatively easy for FC legislators to have a direct channel to their voters. In this case, media pressure can be avoided. However, GC legislators have to rely on the media as it is impossible to talk to all the voters (interview on 16 January 2008). Tam Yiu-chuen of DAB also claimed that, compared to FC legislators, those returned by GCs are more sensitive to media coverage (interview on 16 January 2008).

From this perspective, the limited sizes of FCs and EC enable pro-government legislators to bypass the media, communicating with their voters directly. This explains why pro-government legislators can persist with their positions even under media pressure. On the contrary, those returned by GCs rely more on the media because of the large number of voters. This also explains why the pro-democrat legislators, who are mainly returned by GCs, are relatively sensitive to media coverage.

2.2 Non-domestic Actors

In addition to domestic actors, the case of Article 23 demonstrates the influence of the PRC and western governments, even though they do not play any official role in domestic policy making of Hong Kong. The PRC Government is not supposed to officially intervene in domestic policy, which is the responsibility of the Hong Kong SAR, although it is unknown whether there is any hidden interaction between the two governments. From this perspective, the PRC Government is constrained by the institutional setting. However, as mentioned in Chapter 4, the PRC Government can exercise a great deal of control over decisions made by the SAR Government and the pro-government camp via various informal channels, including the key personnel appointments of the SAR Government and liaison with pro-government legislators and their parties.

Although there was no evidence showing that the PRC Government was involved in the cases of CRIII, GST and OSFP, the PRC Government pro-actively supported legislative plans concerning Article 23 by mobilising the pro-government camp in Hong Kong, delivering public speeches and launching some economic initiatives settling the social discontent. The PRC Government's role was also critical to the SAR Administration's decisions.

The SAR Government did not announce the withdrawal of the NSB until the PRC Government agreed to do so. Moreover, after 1 July 2003, the PRC Government set up a new high-level leading group, pro-actively to monitor the social and political development of Hong Kong. In other words, despite a lack of official channels, the PRC Government was able to influence policy unofficially.

Nevertheless, the PRC Government is located in a relatively detached position. During the Article 23 debate, negative coverage mainly focused on the SAR Government. Criticisms of the PRC Government were limited. More importantly, most Hong Kong newspapers are not allowed to circulate in Mainland China. In other words, the pressure from the Hong Kong press on the PRC Government was very limited. This detached position also resulted in the PRC Government's insensitivity and delayed response to the domestic political environment in Hong Kong. Consequently, the PRC Government was the last actor to change its position during the debate. This case demonstrates the limited influence of the local media. Whilst central government plays a crucial role in local policy, it is relatively insensitive to the local political environment, including criticisms expressed by the local media.

The other non-domestic actors are western governments. During the debate on Article 23, western governments, mainly those of the US and the UK, kept expressing their concerns about the proposed law. Like the PRC Government, western governments are relatively detached from the domestic political system and media pressure in Hong Kong. During the debate on Article 23, however, there was evidence showing that both the Administration and the opposition took western governments' views seriously. For example, following the July 1 protest, the Administration also proposed to delete the whole section on the proscription of organisations, which was the focus of western countries' main objections.

In short, the case of Article 23 demonstrates the role of non-domestic actors in policy making. On the one hand, via various informal channels, these non-domestic actors are able to influence local government's

domestic policy making. On the other hand, the local media are unable to put pressure on non-domestic actors as they are relatively detached from the local political system. In other words, their detached position enables non-domestic actors to avoid being influenced by the domestic media.

Taking all of these factors into account, I suggest that the media effects on political actors are specific to institutional position. Actors, in different positions of the political structure, adopt different strategies in order to maximise payoffs. Domestic actors, especially the Administration and the pro-government camp, mainly act under the constraints set by official channels. It is difficult for the Administration and the pro-government camp to adjust their positions as they are constrained by the bureaucratic process of policy making, and partnership with the Administration, respectively. However, small size FCs and EC and the specific interests of voters enable the CE and pro-government politicians to have direct contact with their voters, weakening the role of the media. Thus, media influence on the Administration and the pro-government camp is weakened. Moreover, the Administration, with its constitutional powers, can manipulate policy change in order to respond to criticisms and minimise the loss of policy change.

On the contrary, the opposition is relatively free to attack government policy in all aspects. As a minority in the Legco, pro-government politicians link their campaigns with mass movements outside the establishment. In this case, their perceptions of critical coverage of government policy not only reinforce their ideas, but also encourage them to intensify their campaigns in order to magnify pressure on the Administration. In this case, there is a positive reinforcement relationship between critical coverage and the opposition's actions.

Being detached from the political system of Hong Kong, non-domestic actors can avoid being influenced by the domestic media. Despite their lack of an official role, such actors can intervene in domestic policy making via various informal channels in order to achieve their goals.

This finding provides two important insights. First, it is consistent with the arguments within institutional rational choice theory mentioned in Chapter 2. Second, the non-domestic actors' influence demonstrates not only the limitations of traditional concepts of media-state relations, but also the complex relations between domestic policy making and supranational bodies. These two points will be discussed later.

3. News Coverage and Public Opinion

The other finding in this study is policymakers' understanding of the relations between news coverage and public opinion. This issue is important because it can help explain why and how media coverage can influence policymakers' decisions. From this, the influential powers of different media outlets can be assessed.

Some previous studies suggest that policymakers usually get a sense of public attitudes from the media (e.g. Entman 2000:21-2, Kull and Ramsay 2000:105). However, the findings from interviews with officials, legislators and journalists show that there are various understandings of the relations between news coverage and public opinion. The hypothesis on media-public opinion relations is not supported for four reasons.

First, most policymakers have doubts about the representative role of the media, although some of them agree that the media reflect public views. For the Administration and the pro-government camp, media coverage is important because it can influence public opinion. For example, the Administration and Exco members claimed that it was critical coverage that changed public attitudes towards the Article 23 proposal (interview with Cheng Yiu-tong on 2 January 2008). During the debate on GST, the Administration also complained that the news coverage did not lead the public to discuss the tax base problem². Most legislators also claimed that they paid a great deal of attention to the press because they believed that coverage may influence their readers. In other words, for those policymakers, public opinion is considered to be a dependent variable which

² MPDN, 25 July 2006, page A04; ODN, 5 September 2006, page A08

can be influenced by news coverage. If the ideas of a particular group dominate news coverage, public attitudes are likely to become favourable to these ideas. This argument explains why the Administration tries to manipulate coverage by all means possible during the debates on issues.

Second, although some policymakers claim that they can learn about public response to an issue through news coverage, this is just one of the channels through which public opinion can be assessed. In fact, the Administration and most political parties conduct opinion polls during policy debates. Policymakers also pay attention to surveys carried out by independent institutes, such as universities. As there are various channels to assess public views, policymakers sometimes realise the difference between news framing and public opinion. Even if survey data is not available, legislators claim that they can estimate the opinions of different sectors according to their own experience or gut feeling (interviews with Choy So-yuk on 21 May 2007, Kwok Ka-ki on 31 January 2008 and Sin Chung-kai on 11 November 2008). In these circumstances, the influence of critical coverage depends on whether news framing matches data concerning other sources of opinion and policymakers' judgments. For example, while all the three selected newspapers ran negative coverage during the OSFP debate, the opinion polls by various parties showed that a majority of the public supported the government project. Thus, media pressure on the Administration was weakened. This also explains why the Administration acted against news coverage, speeding up the demolition work.

Thirdly, all the legislators interviewed believed that the media did not simply report the 'facts'. Rather, they perceived that the media highlighted opinions according to news values, the organisations' political stances and market positions. In this case, different media frame the same issue in different ways. Policymakers tend to interpret the implications of coverage according to their understanding of media organisations' political stances. As Lee Wing-tat says, 'If you read the news without an analytical mind, this will result in a panic.' (Interview on 23 January 2008) From this perspective, pro-democrat politicians are not surprised when they are criticised by pro-government newspapers. Similarly, the critical coverage

run by pro-democrat newspapers have relatively little effect on the Administration and the pro-government camp.

Nevertheless, policymakers claimed that through the press they can get the information they need, including the issues highlighted by the media (interview with Cheng Yiu-tong on 2 January 2008) and the latest arguments and tendencies of their opponents (interviews with Tam Yiu-chung on 16 January 2008, Jasper Tsang on 17 January 2008 and Lee Wing-tat on 23 January 2008). In other words, although newspapers with clear tendencies exert a limited influence on policymakers, these newspapers function as communicators or information providers for policymakers.

In addition to political stances, policymakers also take account of media market positions. The Administration believes that people seldom take the coverage of popular press seriously. Thus, the influence of those newspapers is limited. On the contrary, the reader profile of elitist papers mainly covers the middle class, intellectuals, professionals who pay relatively high attention to coverage (off the record briefing by an official on 22 January 2008). In this case, the Administration is relatively sensitive to elitist papers' coverage, spending much effort lobbying those journalists (interview with Journalist A on 29 January 2008). From this perspective, for the Administration, MPND as the best selling elitist newspaper is more influential than the two best selling popular newspapers, the ODN and ADN.

Finally, perhaps most significantly, news coverage is only one channel via which general public attitudes can be assessed. For most of the legislators interviewed, the views of their own supporters are more important than general public opinion. For the legislators returned by FCs, the voters come from various business and professional sectors. For the GCs, most of the DAB's voters are pro-government grassroots supporters, while the supporters of the pro-democrat camp mainly belong to the lower and middle classes. In order to hold their seats in the Legco, legislators have to consider their supporters' views even though general public opinions are also taken into account (interview with Jasper Tsang on 17 January 2008 and Sin Chung-kai on 11 November 2008).

As the views of particular groups are unlikely to be reflected in the media, legislators usually prefer to assess their supporters' views through direct contact and community networks, although such approaches are unsystematic and inefficient. In fact, direct contact and personnel networks are particularly important for the legislators of small-size FCs with a few hundred or a few thousand voters. Thus, media influence on such FC legislators and their voters is relatively limited. For the GCs with at least a few hundred thousand voters, legislators rely more on the media (interview with Selina Chow on 16 January 2008). However, thanks to the compact living environment in Hong Kong, GC legislators are also informed of their voters' views through party networks and community activities organised by their district offices (interviews with Jasper Tsang on 17 January 2008 and Lee Wing-tat on 23 January 2008). In this case, media influence is weakened.

In sum, this study finds that policymakers' understanding of the media-public opinion relationship is much more complex than previous studies have suggested. Policymakers pro-actively monitor the news coverage of various newspapers for two reasons. First, policymakers believe that public views may be influenced by news coverage. This explains why all political actors try the best to promote their ideas in order to dominate news coverage during a debate. Second, the media serve as communicators to provide information, including the arguments and tendencies of their opponents.

Nevertheless, policymakers are not simply informed about public opinion by news coverage. For policymakers, public opinions may be assessed via various channels. News coverage is only one of range of alternative information sources covering public views. Moreover, for legislators, their supporters' views are more important than the general public's attitudes. Thus, politicians intend to learn about their voters' views through direct contact and the party's community networks. The media influence on policymakers is weakened in these cases. In addition, policymakers assess the implications of coverage according to the media's

political tendencies and market positions and try to avoid being influenced by the ‘biased’ coverage of newspapers with clear political stances. The Administration also believes that elitist newspapers are more influential than popular newspapers, and make a great deal of effort to lobby the journalists of elitist newspapers. In these circumstances, the influence of some media outlets is further weakened.

In short, I argue that it is necessary to discriminate between different groups of policymakers, each with their own understanding of the implications of different kinds of media outlets. This study finds that policymakers in Hong Kong usually avoid being influenced by the coverage of newspapers with clear political stances. In addition, the Administration and the pro-government politicians consider elitist newspapers to be more influential than popular ones although legislators believe that both types of newspapers may influence people’s views. From this perspective, it is reasonable to argue that MPND as the best selling elitist and centrist newspaper is the most influential of the three selected newspapers although the policymakers also keep a close eye on the pro-democrat ADN and the pro-government ODN.

4. Generalisability and Contribution of this Thesis

Due to the uniqueness of each country and each policy area, it is difficult to make generalisations about media-policy relations from only one case study. However, I suggest that, because of the consistency between the findings of this study and some well-established studies, it is possible to generalise from some major arguments of this thesis to other policy areas and other countries, including both domestic and foreign policies in the US. Furthermore, I suggest that this thesis can make contributions to the field of the media-policy relation by supplementing these well-established models.

First of all, the previous studies of media-policy relations quoted in this thesis are mainly based on the US experience. It is believed that news coverage is relatively likely to influence policy if the media such as those in the US play a relatively independent role, with freedom to criticise the government during a policy debate. In this circumstance, the features of the

media system are critical to the possibility of the media's influence. As the media system in Hong Kong shares several important common features with those in liberal countries such as the US, the findings in Hong Kong can be generalised to the US situation to some extent.

As Hallin and Mancini (2004) suggest, the media system in North America and Europe can be classified according to three models, namely, the democratic corporatist model represented by Northern continental Europe, the polarized pluralist model represented by Mediterranean countries in southern Europe, and the North Atlantic or liberal model including Britain, Ireland, Canada and the US. Despite substantial internal differences between the four liberal countries, the authors argue that there are important common features of the liberal media systems in these countries. First, there are the early development and overwhelming dominance of commercial newspapers with relatively little state involvement, while partisan papers are marginalised. Second, there is a tradition of political neutrality within journalism. Apart from the British case, the political parallelism between the media and political parties is weak. Third, there is a relative strongly developed journalistic professionalism which leans towards political neutrality and the notion of 'objectivity'. Even in Britain, where political parallelism is strong, journalists have their own set criteria for the selection and presentation of news. In this circumstance, instrumentalisation of the media by their owners is diminished (ibid: 217-22). Finally, the autonomous legal system and the separation of the civil service from party politics not only establishes a culture with a notion and preference for neutral professionalism, but also provides an authoritative source of politically neutral information and reduces the tendency for media owners to form alliances with political parties (ibid: 243-6).

The media system in Hong Kong is similar to those of liberal countries in several respects. First, as mentioned in Chapter 4, since the early 1970s, the media system in Hong Kong has been overwhelmingly dominated by commercial media, while the partisan newspapers controlled by the CCP and KMT have been marginalised. The government also plays a

minimal role in regulating the media, particularly in the press market. Although the ideology of the press system parallels the political spectrum, the connection between the major media outlets and political parties is weak and informal. As the cases of OSFP and GST demonstrate, even a pro-government paper may criticise the administration at times. More importantly, centrist papers such as the MPDN, play a significant and independent role during political debates. Journalistic professionalism is also strongly developed. Since the 1970s, balanced reporting has been established as a professional norm among Hong Kong journalists (Chan 1992: 116). Most journalists also emphasise the watchdog function of the media (Chan and So: 2003: 259-61, Chan and Lee, 2007:158-9). The independent legal system and politically neutral civil service in Hong Kong also favour the cultural context for the development of politically neutral professionalism. From this perspective, I suggest that this thesis's findings concerning the media's performance during policy debates can be generalised to the other liberal countries.

Secondly, some well-established models of domestic and foreign policy are not only consistent with, but also supplemented by the major arguments of this thesis. These arguments are that, according to the institutional rational choice approach, the influence of the media varies among different actors in different positions with different power, working within different constraints and adopting different strategies. In addition, I suggest that policy outcomes result from the interaction between actors' beliefs and short-term and long-term public views.

As mentioned in Chapter 2, the institutional rational choice approach is deployed by some models of domestic policy in the US. According to Kingdon, political actors are motivated by a combination of their concern about certain problems, their self-interest and their policy values (Kingdon 1984:129, 214). Key government decision makers have less need for media coverage, whilst advantaged actors might need media coverage more to exert an influence on policy (ibid:64). In other words, Kingdon recognises that relations between the media and political actors vary with different positions. Kingdon also highlights the role of public opinion, claiming that,

as a component of the political stream, it can set limits on and affect an agenda of subjects (ibid:152).

The institutional rational choice approach and the concept of policy image are also key elements in Baumgartner and Jones's (1993) punctuated equilibrium model. According to this model, the stability of policy and institutions is maintained by two forces, namely policy venues (institutional policymaking locations) and policy image measured by long-term news framing (ibid: 15). Since a single policy may affect groups of people in different ways, different people, including proponents and opponents of a policy, can hold different images of that policy. Members of existing venues tend to manipulate policy image to their advantage, while disadvantaged interests often re-define events in order to attract the attention of government officials, the mass media and the public (ibid: 8-12, 25-9).

However, Kingdon (1984) does not provide evidence of relations between media and institutional position. Neither does he further distinguish between different kinds of public views. Baumgartner and Jones (1993) focus mainly on long-term relations between policy image and policy change. However, the short-term influence of the media was not examined. The in-depth case study of this thesis not only supports Kingdon and Baumgartner and Jones's arguments, but also explains how the actors in different positions adopt different strategies in response to short-term news coverage.

Not only the models of domestic policy, but also the study of foreign policy, highlight the importance of the long-term image of issues and actors' institutional positions, strategies and beliefs. For examples, according to his cascading activation model, Entman (2003) considers framing as a process of contestation in which government officials, political elites and journalists exercise political influence over each other and over the public (ibid: 417). He describes the framing process as cascading waterfalls operating on several levels, namely the administration (including the president and top officials), other elites (including Congress members and lobbyists), the national media (including journalists, producers and publishers), news

coverage and the public. The outcomes of frame contests can be explained by four variables, namely motivations (including economic pressure, incentives, norms and values), power and strategies as well as cultural congruence. Because of its public relation skills and powers over policy making, the administration at the top level enjoys the highest ability to promote their ideas. By contrast, public opinion at the bottom of the cascade is usually a dependent variable. However, the ease with which a news frame can spread through different levels is determined by cultural congruence (ibid: 420-3). Taking the post 9/11 war on terrorism as an example, Entman (2003) argues that the Bush administration was ultimately successful in dominating the framing as cultural congruence already considered Iraq and Hussein as enemies and a terrorist threat (ibid: 428-9).

Wolfsfeld (1997) also recognises the importance of actors' institutional positions and strategies. Wolfsfeld considers the relationship between the media and political actors as can be explained by the exchange of information for publicity. Thus, power on either side is determined by news values, which depend on four main factors. The first is the level of political and social status, which relates to the formal and informal standing of actors in the social and political system. The second factor is the level of organisation and resources, which refers to the ability to produce newsworthy information and events. The third factor is the ability to carry out exceptional behaviour. The final factor is the level of control over the political environment including events, information flow and elite support (ibid: 13-25). Despite the inherent advantages in status and resources to produce exceptional important events, advantaged actors are not always able to fully control the political environment. When disadvantaged actors adopt strategies to create exceptional deviant events, circumventing the control over information flow of those in positions of power, or mobilise members of elites, they will attract media attention and promote conflictual news framing, consequently leading to an even higher level of elite mobilisation (ibid:24-30).

Both Entman (2003) and Wolfsfeld (1997) recognise the importance of motivations (including interests and values) and the power and strategy of

actors, and that these factors vary according to institutional position. In addition, despite its ambiguous definition, the cultural factors highlighted by Entman are consistent with Baumgartner and Jones (1993) and this thesis's concept of long-term policy image measured by long-term news framing. From this perspective, the arguments of this thesis are consistent with Entman and Wolfsfeld's studies. Thus, it is reasonable to suggest that the rational institutional choice approach and the concept of policy image can be applied to the study of media-foreign policy relations.

However, both Entman and Wolfsfeld's studies concentrate on the influence of political actors on the media. Entman focuses mainly on the administration's influence on news framing, while Wolfsfeld explains how disadvantaged groups influence the media agenda. Thus, the causal link between news coverage and policy outcomes remains unknown. For example, studying the case of the Palestinian Intifada beginning in 1987 against Israeli occupation, Wolfsfeld argues that the Israeli government's failure to control the political environment is one of the reasons why the Israeli and international media gave an advantage to Palestinians over Israelis (Wolfsfeld 1997:167-8). Quoting other researchers' interviews with US officials, Wolfsfeld claims that the media was a 'key contributing factor' of the US's decision to intervene in the dispute (ibid: 208-9). Apart from this, however, Wolfsfeld does not provide further evidence of the media's influence on policy outcomes. The contribution of this thesis is not only to examine the influence of news coverage and other elements of policy theories in order to explain policy outcomes, but also to elaborate these arguments in terms of public policy theories, linking the disciplines of public policy and media studies.

Thirdly, this thesis also argues that news media can run critical coverage, influencing domestic policy, regardless of the level of consensus between the administration and the pro-government camp. Although this argument is not supported by Robinson's CNN effect model and indexing theories which are based on US foreign policy, it is consistent with other well-established theories based on domestic policy.

As mentioned in Chapter 3, Robinson's (2002) assumptions concerning elite consensus-news framing relations are based on previous studies of manufacturing consent and indexing theories based on US foreign policy. For example, Bennett's study of US press coverage of Nicaragua showed that the news framing was consistent with the views expressed by prominent foreign policy elites (Bennett, 1990:106-7). Only when there was an important debate within the centres of power, journalists would highlight the problem of executive policy (ibid:110). Hallin's (1986) study of news coverage of the Vietnam War not only supports the ideas of indexing theory, but also highlights the role of public views and social values. He suggests that the journalist's world is divided into three concentric circles. The sphere of consensus in the central region encompasses social values supported by journalists and society. The sphere of legitimate controversy in the middle region is that relating to legislative debates and issues recognised by major political elites, including Congress members and government officials. Beyond the sphere of legitimate controversy lies the sphere of deviance, the region of actors and views which journalists and the political mainstream reject as unworthy of being heard (ibid: 16-7). Despite complaints about the damage done by news coverage during the Vietnam War, Hallin found that the behaviour of the media was mainly related to the unity of the government and consensus in society at large. Critical coverage of the war occurred only after elite consensus and public support for the war declined. In addition, Hallin argues that most coverage was run within the spheres of consensus and legitimate controversy. In other words, the media reflected a consensus and debates by the major policymakers and rarely challenged consensus-led values within society.

However, some studies of US domestic policy demonstrate that critical news framing may precede elite debate, triggering policy changes. For example, Kingdon (1984: 63-4) claims that the media not only pick up on and magnify some policymakers' ideas and movements, but also may affect public opinion agendas and policymakers' attention, influencing policy agendas. Baumgartner and Jones (1993: 103) also consider the shifting attention of the media as a major source of instability in policy. Although the authors do not focus on the relation between elite consensus

and news framing, they found that media attention sometimes precedes and sometimes follows on from changes in attention by government agencies. Thus, they argue that media coverage and policy institutions can affect each other (ibid: 125). From this perspective, not only in Hong Kong, but also in the US, there is evidence of media influence on domestic policy, regardless of the level of elite consensus. In this sense, it can be argued that the inconsistency in elite-media relations between this thesis and Robinson's (2002) model is due to the difference in policy area rather than regional difference. In other words, this thesis's argument concerning the media-elite consensus relation is likely to be applicable to domestic policy debate rather than to debate on foreign policy.

Fourthly, two arguments in this thesis are basically consistent with Robinson's (2002) findings. The first is that critical coverage is able to trigger relatively low cost policy change, while high cost change is unlikely to be influenced by the media. The second argument is that it is relatively easy for critical coverage to influence the policy at an early stage, such as when policy is under consultation and legislation. For the later policy stage policy, including those being implemented, news coverage is unlikely to be an influential factor. As mentioned in Chapter 3, Robinson found that news coverage was able to trigger the deployment of air power in the two cases of Bosnia, but was unable to influence ground troop operations in the Somalia and Iraq cases (ibid:121-6). Since this idea of policy stage is also modified from Robinson's definition of policy uncertain in sense of absence of policy or wavering of policy (ibid: 26-7; 135-6). Thus, it is sensible to suggest that these two arguments are applicable to US foreign policy.

Finally, this thesis suggests the asymmetric relations between the domestic media and non-domestic actors. These actors are not only relatively free from local media pressure, but are also able to influence domestic policy through informal channels. Although the central-local relationship between the PRC and SAR governments is unique, the findings of this thesis are consistent with Linsky's (1986) findings concerning the Social Security disability review in the US in the 1980s. The White House did not respond to the criticisms by the local press in 1980. Near the end of

1981, however, the White House became involved suddenly when this critical coverage began to move to Washington, and to television (Linsky 1986:109-10).

Moreover, the roles of western governments in the Article 23 debate provides important insights into the complexity of domestic policy making in the age of globalization, which implies a degree of functional integration between internationally dispersed political and economic activities, international organisations and international laws (Dicken 1992:1). In fact, although it is not new to suggest a global influence on domestic policy making (e.g. Peterson 1995; Held and McGrew 1993), previous studies of the media-policy model usually presume an autonomous state and neglect the role of non-domestic actors. However, in some cases, the autonomy of the domestic government is influenced by non-domestic actors, including supranational organisations (e.g. the EU) and international organisations (e.g. WTO, IMF) and even individual states (e.g. the US). In order to develop a sophisticated model for the media-policy relationship, it is necessary to examine the media's influence and informal politics in cases that involve both domestic and non-domestic actors. In this sense, the findings concerning media-non-domestic actors may not only be generalised to cover central-local relations, but also provide significant insights for studying the media-policy relation in the age of globalisation.

Despite the consistency of the findings between this thesis and previous studies, it should be noted that some unique features of the Hong Kong context may affect the generalisability of this study. The first one is the legitimacy of the Hong Kong Government. As mentioned in Chapter 4, the political system of Hong Kong has become controversial since 1980s. The SAR CE is returned by an election committee and is appointed by the PRC Government. In addition, the pro-government camp dominates the Legco seats returned by this election committee and functional constituencies with only a limited number of voters. Thus, the legitimacy of the CE and pro-government legislators is always challenged by the opposition. By contrast, the Legco seats returned by geographical constituencies are dominated by the democrats. In this sense, a majority of

the public tends to support the pro-democrat camp. In other words, the pro-democrat camp enjoys a high degree of legitimacy although it occupies a minority position in the Legco with limited power over policy making. As the media intend to provide coverage for legitimate voices, it is not surprising that democrats can trigger considerable critical coverage despite a consensus between the administration and the pro-government camp. From this perspective, the occurrence of critical coverage during elite consensus may be caused by the unique problem of the legitimacy of the Hong Kong Government.

Second, as mentioned above, although news coverage is one of the channels through which to learn about general public opinion, politicians usually play high levels of attention to the views of their own voters in order to maintain their support. Because of the extremely compact living environment, politicians and their parties can establish community networks, communicating with their own voters directly. Most FC legislators are also able to have direct contact with their voters because of the small sizes of their constituencies. In these circumstances, politicians may ignore media coverage when they have a good understanding of their voters' views. In other words, the media's influence on policymakers is weakened by this compact environment and the size of some constituencies.

Nevertheless, provided that these unique features of Hong Kong are kept in mind, the generalisability of the major arguments of this thesis is supported by consistency with well-established models of media-policy relations. Thus, it is appropriate to argue that, apart from the argument of the media-elite consensus relation which is applicable to domestic policy only, most of the arguments in this thesis can be generalised to cases of both foreign and domestic policies in the US. More importantly, this thesis not only supplements these models, but also incorporates the concepts of public policy theories into media-policy relations, linking the disciplines of public policy and media studies.

5. Problems of Research Design

This thesis raises three problems of research design. The first one is the definition of policy change. As Robinson's (2002) study mainly focuses on US military interventions, policy outcomes are considered either as action or inaction. This study shows that in the case of domestic policy making, there are various types of policy change, each with its fiscal and political costs and sensitivity to the media. Moreover, changes can be found not only in relation to policies under debate, but also from relevant policy areas. Thus, in the study of policy change, the changes in all relevant policies should be taken into account. Furthermore, it is necessary to define different types of change, each with its costs.

The second problem is methodology. In most previous studies of media-policy relations, the analysis of news framing is usually based either on the study of policymakers' perceptions (e.g. Linsky 1986; Davis 2007) or the quantitative analysis of news coverage (e.g. Baumgartner and Jones 1993; Livingstone 1997; Robinson 2002). Both of these approaches have their advantages and limitations. Surveys and interviews with policymakers provide important insights into the key actors' views on media coverage during decision making. Nevertheless, the findings are based on interviewees' subjective interpretations and incomplete memory. The quantitative approaches provide a relatively systematic and reproducible analysis of news coverage. However, as Hansen et al (1998:95) argue, content analysis presumes that the frequency of specified characteristics of news coverage is associated with the intensity of the meaning or the impact of the text. However, there is no such simple relationship between media content and its reception and social implications. In other words, there is no simple causal relationship between critical news coverage and policymakers' perceptions.

This study demonstrates the possibility that policymakers' perceptions on news framing are inconsistent with data derived from framing analysis. In the cases of GST and OSFP, the framing analysis shows that all the three selected newspapers ran substantial critical coverage, while policymakers perceived negative coverage. In the cases of CRIII and

Article 23, however, policymakers perceived negative framing even though media consensus over critical framing was low. In other words, the results of the framing analysis are consistent with policymakers' perceptions when there is a high level of media consensus over critical framing. Nevertheless, sometimes policymakers may perceive negative news framing even though there is limited critical coverage. While these situations are open to interpretation, a comparison across the four cases provides an important insight into the relations between news framing and policymakers' perceptions. When there is a high level of media consensus over negative framing, framing analysis is a valid method for studying policymakers' perceptions. However, policymakers may perceive negative news framing despite the limited quantity of critical coverage. In this case, data derived from in-depth interviews should be taken as the chief reference, particularly when framing analysis demonstrates that media consensus is not high.

Moreover, since policymakers' perceptions on news framing are based on their own interpretations, it is difficult to determine the quantity of news coverage which can place pressure on policymakers. Moreover, media pressure is only one among many considerations of policymakers. In addition, policymakers' sensitivity to media coverage and the weights of various considerations may vary from case to case. Thus, the qualitative analysis of policymakers' perceptions is necessary when we study media effects on policy making. In this case, I suggest that quantitative analysis of news framing should be triangulated with other qualitative data such as those derived from in-depth interviews with policymakers or textual analysis of policymakers' speeches.

The third problem of research design is the scope of news coverage analysis. This study argues that policymakers become relatively sensitive to negative coverage in some circumstances. When there is long-term negative policy image or unfavourable short-term public attitudes towards the government and its policy, a limited amount of critical coverage may put high levels of pressure on government officials and the pro-government camp. However, people's views are not independent variables. Neither are they affected only by the coverage of a particular issue. Rather, they can be

influenced by both long-term and short-term news coverage of various issues.

Long term relations between media coverage and policy image are evidenced by Baumgartner and Jones (1993). However, their study mainly focuses on relations between policy change and the coverage of relevant policy areas. The influence of other coverage on public attitudes towards the government or policymakers is ignored. In the case of Article 23, several incidents, including the Asia Financial Crisis, the outbreak of SARS, the increase in salary tax and the Financial Secretary's car purchase scandal, triggered considerable critical coverage of the government. The other study focusing on the July 1 protest also demonstrates that the discourse among selected papers, including the ODN, ADN and MPDN after 1 July, legitimated the protest and criticised the overall performance of the government (Chan and Lee, 2006). Although all this coverage was irrelevant to Article 23, high levels of pressure were placed on the Administration and the pro-government camp at that time. Thus, the Administration launched some initiatives, including amendments to Article 23 proposals, to ease media pressure. In other words, policy changes can be triggered, at least partially, by critical coverage of irrelevant issues. From this perspective, I suggest that the study of media effects on policy should take account both of short-term and long-term coverage looking at a wider scope.

6. Concluding Remarks

Getting back to the core research question: 'To what extent do the news media influence policy making?' I conclude that it is possible for critical news coverage to create pressure on policymakers, influencing policy outcomes in some circumstances. However, news coverage cannot exert an influence all by itself. Rather, media effect is created by interactions between news coverage and various factors, including short-term and long-term public views, and political actors' ideas and strategies. Moreover, news coverage can only trigger relatively low cost changes such as minor amendments to government proposal. For high cost changes, including changes to policies under implementation and withdrawal of government proposals, media coverage is unlikely to be a sufficient

condition. In addition, the cost of policy change is not simply an independent variable. Rather, it is influenced by the policy stage. The early stage policy can be changed at a lower cost, while changes in later stage policy, such as those under implementation, usually involve high fiscal and political costs. From this perspective, media effects on policy are stage specific.

Moreover, as political actors in different institutional positions face different institutional constraints and enjoy different institutional powers, they adopt different strategies, giving different responses to news coverage in order to maximise their payoffs. Thus, the media's influence on policymakers varies between institutional positions. In other words, media effects on policymakers are institutionally position specific. This study also finds that policymakers become relatively sensitivity to news coverage when public views remain unfavourable both in the short-term and the long-term. In this case, the media's influence on policy is increased.

Taking these arguments into account, I suggest that institutional rational choice theory provides a satisfactory explanation of media effects on policy. Being located in different institutional positions and facing different institutional contexts of policies at different stages and different public views, political actors follow different strategies to maximise their own interests or minimise their losses. The policy outcome results from the collective action of those individuals.

In addition, this study raises the issues of research design. I argue that in addition to quantitative analysis of news coverage, qualitative analysis of policymakers' interpretations on media implications is necessary, particularly when there is limited quantity of critical coverage. This qualitative analysis also helps assess the influence of different media outlets. Furthermore, it is also necessary to take account of the wider scope of policy change, and the long-term coverage of wider scope which can influence the political environment.

7. Directions for Future Research

Although I provide some insights into the media-policy relation, there are some limitations to this study. Thus, I suggest two possible directions for future research on the media influence on policy making.

First, this thesis suggests that the media effects on policy may not only be caused by the short term coverage of a particular issue. The long term coverage of a wider scope may influence people's attitudes towards the government and its policies, consequently putting pressure on policymakers, or increasing their sensitivity to other negative coverage. In order to further verify this argument and develop a sophisticated theoretical framework of the relation between policy outcomes and different sorts of news coverage, it is necessary to carry out larger scale research, including a wider scope of news coverage analysis and further analysis of different groups of policymakers' perceptions on different types of news coverage.

Second, this thesis argues that policymakers' sensitivity to critical coverage may be influenced by various factors, including long term policy image and short-term government popularity and public attitudes towards the government policy. However, the relative weighting of these factors remain unknown. Moreover, as mentioned in the previous chapter, policymakers also become relatively sensitive to critical coverage in the time period close to elections. In all four cases, the Administration and the pro-government camp tried to settle the controversies before the election campaign period. Thus, it is difficult to isolate the influences of factors involving the public's views from the election cycle.

Furthermore, it should be noted that the institutional contexts of policies vary between policy areas and policy stages. As Baumgartner and Jones (1993) argue, some policies are closely associated with particular levels of government or policy venues and that change is unlikely (*ibid*: 33). Thus, it is reasonable to argue that policies in different areas, with different potential and actual costs may show different levels of sensitivity to media pressure. In this study, the two cases involving later stage policy, namely

CRIII and OSFP are infrastructure projects which involved many high fiscal costs. From this perspective, the persistence of CRIII and demolition of OSFP might be due the nature of development policy rather than policy stage.

In order to address these problems, it is necessary to conduct a systematic comparison across the cases in the same policy area at different policy stages, and across the cases with similar long-term and short-term public views but at different stages in the election cycle. The weighting of the election cycle and the three elements of the people's views can also be studied using a similar comparative approach. Of course, it is difficult to control all these variables in the real world. In this case, qualitative analysis, including in-depth interviews and textual analysis to study policymakers' perceptions of various factors can provide supplementary information.

Appendix 1: Composition of the HKSAR Legislative Council

Since the Sino-British negotiations over the future of Hong Kong in the early 1980s, the colonial administration had developed representative government, holding district board elections. The first ever elections to the Legco were held in 1985. After the elections, there were 11 official members, and 46 unofficial members, of whom 22 were appointed by the Governor and 24 were elected by various functional constituencies. The Joint Declaration in 1984 also spelled out the agreement that both the British and Chinese governments would work together to resolve their differences in order to ensure a smooth transition - laying the groundwork for a 'through train', which meant that the pre-transfer Legco could remain in place throughout the transfer of sovereignty. Thus, the last colonial Legco elected in 1995 was considered to be the first Legco in the SAR according to the ordinary plan of the PRC Government.

The Basic Law provides that the ultimate aim is the election of all legislators by universal suffrage. However, the composition of the Legco before 2007 was fixed by the Basic Law. Any changes to the composition of the Legco after 2007 should be made by a two-thirds majority of members of the SAR Legco along with the consent of the CE of the Hong Kong SAR. In addition, any such changes are to be reported to the NPCSC for record (Basic Law Annex II).

However, the British Government changed its policy towards China after the Tiananmen Square Incident in 1989. In 1991, the first ever direct elections to the Legco were held, with 18 (30%) of the Council's members returned through direct election. In 1992, the last colonial Governor, Chris Patten introduced his political reform proposal according to which nine of the functional constituencies (FCs) and the Election Committee (EC) constituency were redefined. The gist of this proposal is to secure a majority of pro-democrat groups in the legislature and thus control the legislature (Cheung 1997). In 1995, the last Legco under British rule became a fully elected legislature. Of its 60 members, 30 came from FCs, 20 were returned

by direct elections in geographical constituencies (GCs), and 10 were elected by the EC. The pro-democrat parties secured the majority of the seats.

Due to an ongoing dispute between the British and Chinese over the proper interpretation of the Joint Declaration, the Basic Law and other agreements, Beijing decided to establish its own Preliminary Working Committee, Preparatory Committee for the HKSAR which were composed of Chinese Officials, business people and pro-Beijing groups in Hong Kong. In addition, the 'through train' was replaced by establishing the Provisional Legislative Council (PLC) elected by the 400 members of the Selection Committee. Since the Selection Committee was elected by the appointed Preparatory Committee, membership of the PLC was thus tightly controlled by Beijing. As a result, most members of the PLC came from pro-Beijing groups. Only three pro-democrat members of the PLC were from the ADPL, which has a relatively mild attitude towards the PRC Government.

In 1998, elections to the first Legco of the HKSAR were held. Although its composition was basically similar to that elected in 1995, nine FCs and ECs were refined to favour pro-government groups. As a result, the pro-Beijing camp secured a majority (see Table A1.1).

Elections for the second term of the Legco were held in 2000. According to the Basic Law, 24 members were returned by GC through direct elections, six members by an EC, and 30 members by FCs. As the pro-government camp dominated the FCs and the EC, most legislators still came from pro-Beijing camp (see Table A1.2). In the third term of the Legco, elected in 2004, six seats returned by an EC were replaced by those from GC constituencies. Consequently, 30 legislators were returned GCs, while the remaining 30 were returned by FCs. Nevertheless, the pro-Beijing groups still maintained a majority in the Legco (see Table A1.3).

In short, despite continual changes in the composition of the Legco, the pro-government camp maintained a majority in the Legco. In this case,

government proposals with the support of the pro-government legislators can be passed by the Legco.

Table A1.1: Partisan distribution of the First Legco (Term of office from 1 July 1998 to 30 June 2000)								
Number of Seats								
	Pro-democrat Camp			Pro-government Camp				Total
Constituency	DP	Others¹	DAB	FTU	LP	PA	Others²	
GC	8	7	4	1	0	0	0	20
FC	4	1	1	2	8	2	12	30
EC	0	0	2	0	1	3	4	10
Subtotal	12	8	7	3	9	5	16	60
Total	20			40				60

Table A1.2: Partisan distribution of the second Legco (Term of office from 1 July 2000 to 30 September 2004)									
Number of Seats									
	Pro-democrat Camp			Pro-government Camp				Total	
Constituency	DP	ADPL	Others³	DAB	FTU	LP	PA		Others⁴
GC	9	1	7	5	1	0	1	0	24
FC	4	0	2	2	2	8	1	12	30
EC	0	0	0	1	0	0	2	3	6
Subtotal	12	1	9	8	3	8	4	15	60
Total	22			38				60	

Table A1.3: Partisan distribution of the Third Legco (Term of office from 1 October 2004 to 30 September 2008)									
Number of Seats									
	Pro-democrat Camp				Pro-government Camp				Total
Constituency	DP	ADPL	CP⁵	Others⁶	DAB	FTU	LP	Others⁷	
GC	6	1	3	8	8	1	2	1	30
FC	2	0	3	2	2	2	8	11	30
Subtotal	8	1	6	10	10	3	10	12	60
Total	25				35⁸				60

¹ Others included the Frontier, the CTU, the Citizens Party, the Neighbourhood & Worker's Service Centre and other independent democrats

² Others included the Breakfast Group, the New Century Forum and other independent pro-government legislators

³ Others included the Frontier, the CTU, the Neighbourhood & Worker's Service Centre and other independent democrats

⁴ Others included the Breakfast Group, the New Century Forum and other independent pro-government legislators

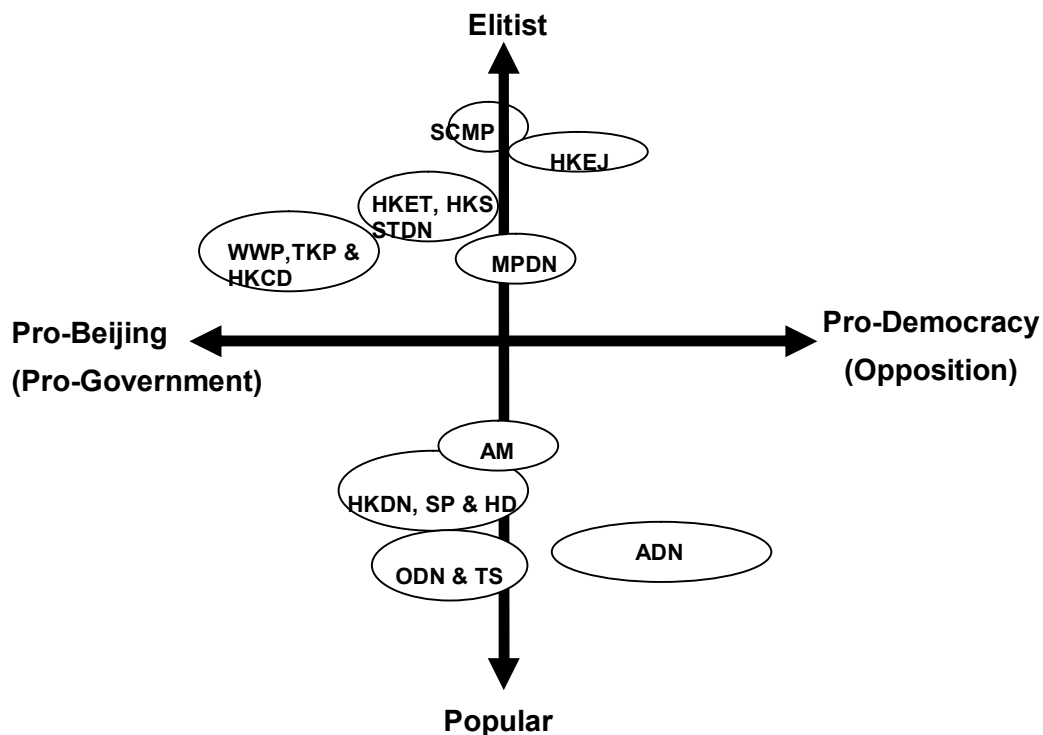
⁵ The CP was found in 2006

⁶ Others included the Frontier, the CTU, the Neighbourhood & Worker's Service Centre and other independent democrats

⁷ Others included the Alliance and other independent pro-government legislators.

⁸ A DAB legislator, Ma Lik returned by GC died in August 2007. Subsequently, an independent democrat, Anson Chan was elected in the by-election in December 2007. Since then, the total number of pro-government legislators has decreased to 34, while that of the pro-democrat camp has increased to 26.

Appendix 2: Market Positions and Political Tendencies of the Major Newspapers in Hong Kong



ADN:	The Apple Daily News
AM:	The AM 730 (Free paper)
HD:	The Headline Daily News (Free paper)
HKCD:	The Hong Kong Commercial Daily
HKDN:	The Hong Kong Daily News
HKEJ:	The Hong Kong Economic Journal
HKET:	The Hong Kong Economic Times
HKS:	The Hong Kong Standard (English paper)
ODN:	The Oriental Daily News
MPDN:	The Ming Pao Daily News
SCMP:	The South China Morning Post (English paper)
SP:	The Sing Pao
STDN:	The Sing Tao Daily News
TS:	The Sun
TKP:	The Tai Kung Pao
WWP:	The Wen Wei Po

Appendix 3:

The Guide for In-depth Interview with Policymakers

Interviewee:

Position:

Date:

Time:

1. What do you consider when you study government policy?
2. How do you decide to put an issue on agenda?
3. How do you get to know the news coverage?
4. Which media outlets, and which sort of coverage (local news, editorial, opinions and columns) do you use most? – select from the list attached.
5. How do you describe your relations with the news media and journalists?
6. In your experience, is there any case where you or your party's decision was influenced by media coverage?

閣下最經常從那些媒體獲得本地新聞資訊？

請在有關媒體旁加上“號”（可選多項）

電視：	
無綫電視 翡翠台	
無綫電視 明珠台	
亞洲電視 本港台	
亞洲電視 國際台	
有線電視	
now 寬頻電視	
香港寬頻	
其他 (請註明)：	

電台：	
商業一台	
商業二台	
香港電台 第一台	
香港電台 第二台	
香港電台 第三台	
香港電台 第四台	
香港電台 普通話台	
新城 娛樂台	
新城 財經台	
其他 (請註明)：	

報章	
東方日報	
蘋果日報	
太陽報	
明報	
South China Morning Post	
香港經濟日報	
信報	
星島日報	
Hong Kong Standard	
成報	
新報	
文匯報	
大公報	
China Daily	
香港商報	
頭條日報	
AM730	
都市日報	
其他 (請註明)：	

若報章是閣下其中一個獲得新聞資訊的渠道，
請在閣下最經常閱讀的報章版面旁加上√ 號(可選多項)：

版面	
要聞 / 頭條	
港聞	
國際新聞	
中國 / 兩岸新聞	
經濟 / 財經新聞	
社評	
論壇 / 評論文章	
副刊 / 專欄	
娛樂	
其他 (請註明)：	

Appendix 4:

The Guide for In-depth Interview with Journalists

Interviewee:

Position:

Date:

Time:

1. How do you decide on the framing of a news story?
2. To what extent do you consider your paper's political stance when you prepare a news story?
3. To what extent do you consider your paper's market position when you prepare a news story?
4. How do you describe your relations with the information sources?
5. Did you get any official and politician's response to the coverage?
6. Do you intend to influence policy outcome through the new coverage?

Appendix 5: Interview Consent Form

Study on Policy Making and the News Media in Hong Kong

Conducted by Bing-Kwan Chan,
School of Political, Social and International Studies,
University of East Anglia, UK

Consent Form

I, _____ of _____, hereby agree to participate in the study on policy making and the news media in Hong Kong conducted by Mr. Bing-Kwan Chan of School of Political, Social and International Studies of University of East Anglia. I agree to let Mr. Chan use the information I provided for research purposes. All information I provided should not be used for purposes other than what is stated above without my permission.

I am free to terminate my participation in this research project.

I *agree / disagree to let Mr. Chan acknowledge the participation of mine or my organization in his thesis.

I understand and accept the above request.

Signature of interviewee : _____

Date: _____

Signature of interviewer : _____

Date: _____

*Please delete as appropriate

香港公共政策制訂與新聞媒體的研究

由 University of East Anglia, School of Political, Social and
International Studies 研究生 陳炳坤先生負責

同意書

本人_____ 為 _____ (機構
名稱)之 _____ (職位)，現同意參與由英國
University of East Anglia, School of Political, Social and
International Studies 的陳炳坤先生所進行有關香港公共政策
制訂與新聞傳體的研究。本人同意陳先生將個人訪問的內容
作學術研究用途。除上述用途外，若非得本人同意，所有訪
問內容均不得作其他用途。

本人可隨時終止參與此項研究。

本人 *同意 / 不同意 陳先生在研究報告及論文中鳴謝本人
或本人所代表的機構。

本人明白以上內容，並簽署以作證明。

受訪者簽署：_____ 訪問者簽署：_____

日期：_____ 日期：_____

*請刪除不適用的選擇。

Appendix 6: Chronology of Major Events in the Case of Article 23

Time	Events
Early 2001	Some pro-government politicians suggested enacting Article 23 in order to handle the Falun Gong issues in Hong Kong ¹ while some human rights groups and foreign governments expressed their concern about the freedom of Hong Kong ² .
8 Feb 2001	The CE claimed that Falun Gong members in Hong Kong had intensified their effort on the activities against the PRC Government, and that the sect bore some characteristics of an 'evil cult' ³ . However, the CE stressed that the Administration would not expedite Article 23 legislation ⁴ .
9 Feb 2001	The delegation of the United Nations Human Rights Committee claimed that it would keep a close eye on any move by the SAR Government to introduce anti-subversion and anti-sedition laws ⁵ .
26 Feb 2001	The Hong Kong Human Rights Monitor decided to ask the legal experts to study Article 23 ⁶ .
27 Feb 2001	The US State Department and the British's Foreign and Commonwealth Office also announced their reports on Hong Kong. Both governments expressed concerns over Article 23 legislation ⁷ .
19 Aug 2001	The Hong Kong Human Rights Monitor urged the Administration to abolish Article 23 ⁸ .
26 Feb 2002	The SAR Secretary for Security, Regina Ip claimed that it was the responsibility of the CE in his second term to enact the law against treason and subversion ⁹ .
26 Feb 2002	DP and various pro-democrat groups urged the Administration to announce the details of the bill, claiming that there was no need to enact Article 23 ¹⁰ .
27 Feb 2002	The SAR Secretary for Justice, Elsie Leung disclosed that Article 23 was discussed in her meeting with LI Peng, the NPC Chairman of PRC. Meanwhile, the Vice-Chairman of the NPC's Legislative Affairs Commission, Qian Xiaoyang, stated that the SAR should introduce a subversion law as soon as possible ¹¹ .
28 Feb 2002	Tung Chee-hwa was elected uncontested in the second CE election ¹² .

¹ MPDN, 1 February 2001, page A01; 4 February, 2001, page A02.

² MPDN, 5 February 2001, page A07; 8 February, 2001, page A01; 28 February 2001, page A04.

³ The Administration's press release on the speech by the CE:

<http://www.info.gov.hk/gia/general/200102/08/0208139.htm>

⁴ The Administration's press release on the speech by the CE:

<http://www.info.gov.hk/gia/general/200102/08/0208178.htm>

⁵ MPDN 10 February 2001, page A10.

⁶ MPDN, 27 February 2001, page A06.

⁷ MPDN 28 February 2001, page A04.

⁸ MPDN, 20 August 2001, page A13.

⁹ MPDN, 27 February 2001, page A02.

¹⁰ MPDN, 27 February 2002, page A02; Speech by the Chairman of Bar Association, Alan Leong:

[http://www.hkba.org/whatsnew/chairman-corner/speeches/2002/chinese_speech_060402.d](http://www.hkba.org/whatsnew/chairman-corner/speeches/2002/chinese_speech_060402.doc)

[oc](#)

¹¹ MPDN, 28 February 2001, page A04.

¹² Result of CE election 2002: <http://www.eac.gov.hk/en/chief/result.htm>

- 25 Jun 2002 The PRC Vice-Premier, Qian Qichen said that the laws against and treason and subversion were compulsory, and that he hoped the SAR Government would decide if Article 23 would be enacted as soon as possible¹³.
- 1 Jul 2002 The PRC President, Jiang Zemin, said that Hong Kong people should continuously enhance their national consciousness, consciously ensured the national security and unity, and defended the national interest¹⁴.
- 2 Jul 2002 The CE claimed that Article 23 should be enacted as it was the responsibility of Hong Kong¹⁵.
- 18 Jul 2002 A pro-Taiwan trade union worried that the pro-Taiwan groups in Hong Kong would possibly offend the anti-secession law unwittingly in the future¹⁶.
- 21 Jul 2002 A pro-democrat legislator first suggested that the Administration should publish a white bill for consultation before issuing the blue bill for legislation¹⁷.
- 2 Aug 2002 The MPDN quoted a government source, claiming that the Administration had finished the study of Article 23, and that public consultation would be launched soon¹⁸.
- 8 Sep 2002 About 30 pro-democrat groups set up a coalition, launching a campaign against the proposed anti-subversion laws¹⁹.
- 13 Sep 2002 The MPDN disclosed that some expression in words might give rise to criminal liability according to the proposed anti-sedition law²⁰.
- 13 Sep 2002 Elise Leung claimed that sometimes people had to bear legal responsibility for their words²¹.
- 24 Sep 2002 The Administration released a consultation paper on Article 23 and launched a three-month public consultation²².
- 24 Sep 2002 Various groups, including the Hong Kong Alliance in Support of the Patriotic Democratic Movement in China, the HKJA and Falun Gong in Hong Kong and some pro-Taiwan groups, expressed their worries about the different aspects of the proposal laws²³.
- 25 Sep 2002 Regina Ip first disclosed that she hoped the proposed law would be passed by July 2003, and that she was happy with the positive feedback from the public and the relative mild comments and coverage of the media²⁴.
- 26 Sep 2002 Regina Ip, in a radio programme, resisted publishing a white bill for consultation²⁵.

¹³ MPDN, 26 June 2002, page A04.

¹⁴ MPDN, 2 July 2002, page A12.

¹⁵ MPDN, 3 July 2002, page A08.

¹⁶ MPDN, 19 July 2002, page A14.

¹⁷ ADN, 22 July 2002, page A13.

¹⁸ MPDN, 2 August 2002, page A08.

¹⁹ MPDN, 9 September 2002, page A08.

²⁰ MPDN, 13 September 2002, page A02.

²¹ MPDN, 14 September 2002, page A04.

²² Security Bureau of the HKSAR (2002) Consultation Document on the Proposals to implement Article 23 of the Basic Law:

<http://www.info.gov.hk/archive/consult/2002/bl23-e.pdf>

²³ MPDN, 25 September 2002, page A01; The HKJA's press release dated 24 September 2002:

<http://www.hkja.org.hk/portal/Site.aspx?id=A1-574&lang=en-US>

²⁴ MPDN, 26 September 2002, page A06.

²⁵ ADN, 27 September 2002, page A10

3 Oct 2002	The Hong Kong Catholic Church expressed its worries about the proposed laws ²⁶ .
12 Oct 2002	About 30 pro-democrat groups formed a coalition called Civil Human Rights Front, launching a campaign against the enactment of Article 23 ²⁷ .
15 Oct 2002	The libraries of universities voiced their worries about some aspect of the proposed laws ²⁸ .
Oct – Nov 2002	DP legislators visited the US and Europe, lobbying the politicians and senior officials against Article 23 legislation ²⁹ .
25 Oct 2002	The PRC Vice-Premier, Qian Qichen in a television interview, supported the enactment of Article 23 and queried the voice against the proposed laws 23 ³⁰ .
26 Oct 2002	After the meeting with the PRC President, the US President Bush expressed his concerns on the human rights in China and Hong Kong ³¹ .
28 Oct 2002	70 pro-government groups formed a ‘Hong Kong Coalition for National Security Legislation’, launching a joint declaration and a series of activities supporting the enactment of Article 23 ³² .
06 Nov 2002	The Administration released a booklet ‘Myths and Facts’ to explain its proposals ³³ .
12 Nov 2002	15 Catholic and Protestant groups announced a joint statement, calling on the 700 thousand Christians in Hong Kong to sign the petition opposing the enactment of Article 23 ³⁴ .
Nov 2002	The SAR Department of Justice took a tour to the US, explaining the Administration proposals to the media, politicians and officials there ³⁵ .
17 Nov 2002	Ten international human rights groups in Hong Kong announced a joint statement, urging the Hong Kong Government to withdraw the plan to enact Article 23 ³⁶ .
24 Nov 2002	The HKJA claimed that about 900 journalists signed the petitions opposing the enactment of Article 23 ³⁷ .
27 Nov 2002	In the British Parliament, the chairman of the Hong Kong committee called a debate on the implementation of Article 23 ³⁸ .
8 Dec 2002	Some pro-democrat legal experts, formed an Article 23 Concern Group, distributing a series of booklets criticising the national security law proposals ³⁹ .
15 Dec 2002	60 thousand people joined the anti-Article 23 match organised by the Civil Human Rights Front ⁴⁰ .

²⁶ MPDN, 4 October 2002, page A06.

²⁷ MPDN, 13 October 2002, page A08.

²⁸ MPDN, 16 October 2002, page A17.

²⁹ MPDN, 25 October 2002, page A10; 13 November 2002, page A08.

³⁰ MPDN, 26 October 2002, page A02.

³¹ MPDN, 27 October 2002, page A02.

³² MPDN, 29 October 2002, page A06.

³³ MPDN, 7 November 2002, page A10.

³⁴ MPDN, 13 November 2002, page A08.

³⁵ MPDN, 14 November 2002, page A16; 27 November 2002, page A12.

³⁶ MPDN, 18 November 2002, page A14.

³⁷ MPDN, 25 November 2002, page A10.

³⁸ Lords Hansard, Volume 641, Part 9, 27 November 2002:

http://www.publications.parliament.uk/pa/ld200203/ldhansrd/vo021127/text/21127-02.htm#21127-02_head0

³⁹ MPDN, 9 December 2002, page A17; 23 December 2002, page A06.

⁴⁰ MPDN, 16 December 2002, page A02.

- 17 Dec 2002 The Administration launched a new series of leaflets called ‘Myths and the Truth’, retorting upon the Article 23 Concern Group⁴¹.
- 2 Dec 2002 David Li, a legislator returned by the Financial Constituency, claimed that at least 10 foreign banks in Hong Kong⁴².
- 19 Dec 2002 About 1500 pro-government groups advertised their statements backing Article 23 on the newspapers⁴³.
- 22 Dec 2002 About 40 thousand people from 200 pro-government groups jointed a rally to back the national security law proposals⁴⁴.
- 24 Dec 2002 The public consultation ended. The Administration received a record high 90,000 submissions and 300,000 signatures when⁴⁵.
- 14 Jan 2003 Regina Ip claimed that the opposition’s comments on the proposal laws misled the public⁴⁶.
- 15 Jan 2003 The pro-democrat legislators criticised Regina Ip’s attitude and queried whether she was suitable for conducting the consultation and analysis on the outcome of the consultation⁴⁷.
- 19 Jan 2003 The Civil Human Rights Front urged Regina Ip to step down⁴⁸.
- 28 Jan 2008 The Administration published a compendium of submissions, claiming that more than half of the submissions were categorized as supportive⁴⁹.
Meanwhile, Regina Ip announced several amendments to the government proposals⁵⁰.
- 29 Jan 2003 Some news coverage challenged the Administration’s classification of submissions⁵¹ while some academics raised some doubts about the Administration’s analysis of consultation results⁵².
- 14 Feb 2003 The Administration gazetted the National Security (Legislative Provisions) Bill. The Administration also added some provisions about the proscribed organisations to the Bill⁵³.
- 14 Feb 2003 The US General Consul claimed that the Administration had taken the public views into account⁵⁴.
- 26 Feb 2003 The Bill was first read in the Legco.
- Mar-Jun 2003 Some pro-democrat legislators went to the US, the UK and Europe for lobbying the government officials and the delegates of European Parliament and European Union against the Article 23 proposals⁵⁵.

⁴¹ MPDN, 18 December 2002, page A04.

⁴² MPDN, 3 December 2002, page A04.

⁴³ MPDN, 19 December 2002, page A08.

⁴⁴ MPDN, 11 December 2002, page A05; 23 December 2002, page A03.

⁴⁵ MPDN, 25 December 2002, page A04.

⁴⁶ MPDN, 15 January 2003, page A06

⁴⁷ Minute of Legco Panel on Security on 15 January 2003:

<http://www.legco.gov.hk/yr02-03/english/panels/se/minutes/se030115.pdf>

⁴⁸ MPDN, 20 January 2003, page A03

⁴⁹ MPDN 29 January 2003, page A03.

⁵⁰ The Administration’s press release on the statement by the Secretary for Security:

<http://www.info.gov.hk/gia/general/200301/28/0128198.htm>

⁵¹ MPDN, 29 January 2003, page A03.

⁵² Chung, R. T.Y. and Choy, B, S.T. ‘Casting Doubts on the Compendium of Submissions’, POP column dated 29 January 2003, The Public Opinion Programme, the University of Hong Kong: <http://hkupop.hku.hk/english/columns/columns2.html>

⁵³ National Security (Legislative Provisions) Bill, Clause 154, Section 8E:

<http://www.basiclaw23.gov.hk/english/download/s3200307077.pdf>

⁵⁴ MPDN, 15 February 2003, page A06.

⁵⁵ MPDN, 27 March 2003, page A16; 7 June 2003, page A11; 9 June 2003, page A10; 26 June 2003, page A11; 27 June 2003, page A14

Mar – Jun 2003	The Bills Committee held 29 meetings and public hearings intensively. 110 groups attended hearings, expressing their views.
5 Mar 2003	Two pro-government legislators were elected as the Chairman and Deputy-Chairman of the Bills Committee ⁵⁶ .
17 Mar 2003	The UK Foreign Office Minister urged the Hong Kong Government to ensure the final legislation is consistent with the spirit of the Joint Declaration and the Basic Law ⁵⁷ .
24 Mar 2003	The House Committee of the Legco decided to accord priority to the scrutiny of the Bill ⁵⁸ .
13 Apr 2003	The Civil Human Rights Front called on their members and the public to take on the street on 1 July ⁵⁹ .
16 May 2003	The US General Consul claimed that Article 23 legislation might affect the international community's confidence to Hong Kong ⁶⁰ .
3 Jun 2003	The Administration announced to table 51 amendments to the Bill, including two proposed by the DAB and the LP ⁶¹ .
4 Jun 2003	The PRC President Hu Jintao stated that worries about Article 23 were unnecessary and that the legislation would have beneficial effects on both national security and stability in Hong Kong ⁶² .
17 Jun 2003	The International Relations Committee of the US House of Representatives passed a resolution, expressing support for freedom in Hong Kong. The House Chairman described the implementation of Article 23 as the bell for the slow death of civil liberties, and claimed that it would erode the freedom in Hong Kong ⁶³ .
19 Jun 2003	The press secretary to US President Bush, issued a statement, urging the Legco to adopt amendments to the National Security Bill ⁶⁴ .
20 Jun 2003	More than 50 Christian leaders and Catholic churches signed a joint statement to call on their 600 thousand followers in Hong Kong to join the July 1 protest ⁶⁵ .
24 Jun 2003	FTU announced to hold a carnival on 1 July in the Victoria Park where July 1 protest started ⁶⁶ .
27 Jun 2003	The US House of Representatives passed a resolution, urging the PRC and Hong Kong Governments to withdraw their proposal implementing Article 23 ⁶⁷ .

⁵⁶ MPDN, 6 March 2003, page A18; 7 March 2003, A11.

⁵⁷ The press release on the statement by British Foreign Office Minister:
<http://www.fco.gov.uk/en/newsroom/latest-news/?view=PressR&id=2007317>

⁵⁸ MPDN, 25 March 2003, page A12.

⁵⁹ MPDN, 14 April 2003, page A14; 25 June 2003, page A08, 30 June 2003, page A10.

⁶⁰ The US Consulate-General's press release on the speech by the US Consul-General:
http://hongkong.usconsulate.gov/cg_jk2003051601.html

⁶¹ The Administration's press release on the statement by the Secretary for Security:
<http://www.info.gov.hk/gia/general/200306/03/0603276.htm>

⁶² MPDN, 5 June 2003, page A06.

⁶³ The US Consulate-Generals' press release on the speech by Henry Hyde:
http://hongkong.usconsulate.gov/ushk_article23_2003061701.html

⁶⁴ The Statement of the Press Secretary to the US Present:
<http://www.whitehouse.gov/news/releases/2003/06/20030619-1.html>

⁶⁵ MPDN, 21 June 2003, page A10

⁶⁶ MPDN, 25 June 2003, page A08.

⁶⁷ The US Consulate-General's press release on the resolution passed by the House of Representatives: http://hongkong.usconsulate.gov/ushk_article23_2003062702.html

- 30 Jun 2003 The UK Foreign Office Minister claimed that the provisions on the proscription of organisations would blur the dividing line between the two autonomous legal systems by introducing into Hong Kong legislation linkages to mainland law⁶⁸.
- 1 Jul 2003 (Morning) The PRC Premier Wen Jiabao stated that Article 23 legislation would not affect Hong Kong people from enjoying their various rights and freedoms under the law⁶⁹.
- 1 Jul 2003 (Afternoon) A few hundred thousand people took part in the protest organised by the Civil Human Rights Front⁷⁰.
- 1 Jul 2003 (Evening) The CE's Office held an urgent meeting in that evening, subsequently releasing a statement persisting on Article 23 legislation⁷¹.
- 2 Jul 2003 The CE called a special meeting with some Principal Officials and the leaders of the pro-government parties. DAB proposed two amendments to the most controversial provisions of the National Security Bill⁷².
- 3 Jul 2003 Some pro-government legislators returned by the functional constituencies decided to re-consult their voters before voting for the National Security Bill⁷³ while some professional institutes urged their representatives in the Legco to vote against the Bill⁷⁴.
- 3-4 Jul 2003 The Politburo Standing Committee of the Communist Party of China held a special meeting on Hong Kong, considering various concessions to make the legislation more palatable⁷⁵.
- 4 Jul 2003 The Legco debated an adjournment motion on 'How Hong Kong should deal with the strong demands made by over 500000 people on 1 July'⁷⁶.
- 4 Jul 2003 James Tien, an Exco member and the LP Chairman proposed the deferral of the National Security Bill until December 2003⁷⁷.
- 5 Jul 2003 The CE announced to resume the second and third reading of the Bill on July 9, as originally scheduled, and proposed three critical amendments to the Bill⁷⁸.
- 5 Jul 2003 The NPC Legislative Affairs Commission expressed that its support to the SAR Government's decision to legislate 'as scheduled'⁷⁹.
- 6 Jul 2003 (Evening) The LP announced that the party reiterated its request to Government to defer the second reading of the National Security Bill, and that James Tien had resigned from the Exco⁸⁰.

⁶⁸ The press release on the statement by British Foreign Office Minister:

<http://www.fco.gov.uk/en/newsroom/latest-news/?view=PressR&id=2006763>

⁶⁹ MPDN, 2 July 2003, page A11.

⁷⁰ MPDN, 2 July 2003, page A03.

⁷¹ The Administration's press release on the statement by the CE:

<http://www.info.gov.hk/gia/general/200307/01/0701204.htm>

⁷² MPDN, 3 July 2003, page A02.

⁷³ MPDN, 4 July 2003, page A02.

⁷⁴ MPDN, 4 July 2003, page A04.

⁷⁵ MPDN, 5 July 2003, page A02.

⁷⁶ Minute of council meeting of the Legco:

<http://www.legco.gov.hk/yr02-03/english/counmtg/hansard/cm0704ti-translate-e.pdf>

⁷⁷ MPDN, 5 July 2003, page A02.

⁷⁸ The Administration's press release on the transcript of the CE:

<http://www.info.gov.hk/gia/general/200307/05/0705158.htm>

⁷⁹ MPDN, 6 July 2003, page A01.

⁸⁰ The Liberal Party's press release on its statement:

<http://www.liberal.org.hk/contents/modules/news/shownewsdetails.php?newsid=5739&page=1&filtergroupid=9&panchor=news5739>

6 Jul 2003 (Night)	The Administration called a special Exco meeting, subsequently announcing to defer the resumption of the second reading of the Bill ⁸¹ .
7 Jul 2003	The pro-democrat camp urged Regina Ip to step down ⁸² .
9 Jul 2003	The Civil Human Rights Front in the rally outside the Legco building demanded reform of the government.
9 Jul 2003	DAB and other pro-government legislators claimed that Ip was no longer the suitable person to promote Article 23 ⁸³ .
12 Jul 2003	The CE considered the reform of the Exco ⁸⁴ .
16 Jul 2003	Regina Ip issued a statement, announcing her resignation from the post of Secretary for Security due to personal reasons ⁸⁵ .
17 Jul 2003	The Administration also committed to meet the various sectors in order to open channels of discussion on political issues ⁸⁶ , and to put forward the National Security Bill to the community for consultation again ⁸⁷ .
Jul –Sep 2003	The PRC Government set up a high level Central Leading Group on Hong Kong and Macau Affairs led by the PRC Vice-President Zeng Qinghong in order to strengthen the co-ordination of policy towards Hong Kong and Macau ⁸⁸ .
4 Aug 2003	Ambrose LEE was appointed as the Secretary for Security ⁸⁹ .
9 Aug 2003	Sheng Huaren, the NPC Vice-Chairman and Secretary urged the Hong Kong Delegates of NPC to ‘actively match up and help Article 23 legislation’ ⁹⁰ .
18 Aug 2003	The China Daily ran a commentary article calling for early enactment of Article 23 ⁹¹ .
20-23 Aug 2003	Two Exco members suggested further deferral of Article 23 legislation ⁹² .
3 Sep 2003	The ODN disclosed that the PRC Government allowed further deferral of Article 23 legislation ⁹³ .
5 Sep 2003	The CE announced that the Administration had reported to the PRC Government the decision to withdraw the National Security Bill ⁹⁴ .

⁸¹ The Administration’s press release on the statement by the CE:

<http://www.info.gov.hk/gia/general/200307/07/0707019.htm>

⁸² MPDN, 8 July 2003, page A04.

⁸³ MPDN, 10 July 2003, page A14.

⁸⁴ MPDN, 13 July 2003, page A12

⁸⁵ The Administration’s press release on the statement by the Secretary for Security:

<http://www.info.gov.hk/gia/general/200307/16/0716223.htm>

⁸⁶ The Administration’s press release on the speech by the CE:

<http://www.info.gov.hk/gia/general/200307/17/0717228.htm>

⁸⁷ The Administration’s press release on the speech by the CE (Chinese portion):

<http://www.info.gov.hk/gia/general/200307/17/0717219.htm>

⁸⁸ MPDN, 19 July 2003, page A03; 28 September 2003, page A17.

⁸⁹ The Administration’s press release on the transcript of the Secretary for Security:

<http://www.info.gov.hk/gia/general/200308/04/0804252.htm>

⁹⁰ MPDN, 10 August 2003, page A12.

⁹¹ Cited in MPDN, 19 August 2003, page A09.

⁹² MPDN, 21 August 2003, page A02; 24 August 2003, page A10.

⁹³ ODN 3 September 2003, page A23.

⁹⁴ The Administration’s press release on the statement of the CE’s Office:

<http://www.info.gov.hk/gia/general/200309/05/0905235.htm>

**Appendix 7A:
Coding Frame and Keyword List
for News Coverage of Article 23**

Coding Frame for News Coverage of Article 23			
Category		Framing	
		Positive	Negative
1	What voices were highlighted?	Government officials and other supportive voices	The opponents and other critical voices
2	How the urgency and responsibility for Hong Kong to enact Article 23 were described?	Urgency and responsibility to enact Article 23 was highlighted	Urgency and responsibility to enact Article 23 was downplayed
3	How the potential threats to human rights and freedom were treated?	The proposed laws are lenient while the potential threats were downplayed	The proposed laws were severe while the possible threats were highlighted
4	How the criticisms of the government proposals were considered?	Exaggerating and untruthful	Reasonable and truthful
5	How the Administration's defense and amendments to the proposal were considered?	Reasonable and truthful, public views are taken into account	Untruthful, public views are ignored
6	How the opponents of the government proposals were considered?	Radicals, opportunists, traitors	Freedom fighters, law professionals and intellectuals
7	How the proponents were considered?	Patriots	Leftist, royalist or blind supporters
8	How the officials managing Article 23 legislation were described?	Rational, reasonable and professional	Arrogant, unreasonable and unsuitable for promoting the bill
9	How the public consultation on Article 23 was described?	Consultation was sufficient while the analysis was scientific and objective	Consultation was insufficient while the analysis was unscientific and biased
10	How the anti-Article 23 protests were described?	Disturbance of public peace and traffic	Peaceful

Table continued on next page.

Coding Frame for News Coverage of Article 23 (Cont.)			
Category		Framing	
		Positive	Negative
11	How the anti-Article 23 matchers were considered?	People are misled and under the bandwagon effect	People have independent thought and high quality
12	How the pro-Article 23 rallies were considered?	Rational and reasonable	Blind support
13	How the pro-Article 23 matchers were described?	Rational patriots	Leftist or blind supporters
14	How the white bill was considered?	Unnecessary	Necessary
15	How the foreign governments and organisations' comments on Article 23 were considered?	Interference with the internal affairs of China and Hong Kong	Defense of the human rights and freedoms in Hong Kong
16	How the public views were described?	Supportive of enactment of Article 23	Critical of enactment of Article 23
17	Other issues in relations to the Administration and its proposal	Supportive	Critical

Criteria for neutral framing:

- Supportive and critical voices were balanced in the same article.
- Neither supportive nor critical argument was highlighted.
- Technical or procedural issues were described and explained.

Keyword list for News Coverage of Article 23	
Framing	
Positive	Negative
<ul style="list-style-type: none"> • National Security (國家安全) • Duty (責任) • Moderate / Liberal (寬鬆) • Exaggerate (誇張/誇大) • Misunderstand / Myth (誤解) 	<ul style="list-style-type: none"> • Misgiving / Worry (疑慮/憂慮) • Draconian Law (惡法) • Royalist (保皇) • White Bill (白紙) • Ambiguous / Blurred (含糊/模糊)

**Appendix 7B:
News Framing in the Five Analysis Periods
in the Case of Article 23**

Period 1:

Table A7B.1: News Framing of Article 23 between 26 February and 23 September 2002 (210 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		20	5	8
Negative / Critical		21 (1)	23 (5)	1
Neutral / Descriptive		14	7	10
Total		55 (1)	35 (5)	19
Average No. of articles per day		0.26	1.17	0.09
Framing decided by article count		Mix	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	28	15	6
	Duty	12	5	3
	Moderate/Liberal	12	2	0
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	1
Total		52	22	10
Negative / Critical	Misgiving/Worry	19	13	3
	Draconian Law	5	5	0
	Royalist	4	0	0
	White Bill	0	1	0
	Ambiguous/Blurred	0	4	2
Total		28	23	5
Framing decided by keyword count		Pos	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Period 2:

Table A7B.2: News Framing of Article 23 between 24 September and 24 December 2002 (92 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		45	14	42 (2)
Negative / Critical		187 (7)	313 (24)	38 (1)
Neutral / Descriptive		76	35	39
Total		303 (7)	362 (24)	119 (3)
Average No. of articles per day		3.3	3.93	1.3
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	145	178	54
	Duty	11	12	14
	Moderate/Liberal	23	40	15
	Exaggerate	5	1	3
	Misunderstand/Myth	7	4	10
	Total	191	235	96
Negative / Critical	Misgiving/Worry	142	249	77
	Draconian Law	10	60	3
	Royalist	2	8	0
	White Bill	219	224	91
	Ambiguous/Blurred	17	35	13
	Total	390	576	184
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 3:

Table A7B.3: News Framing of Article 23 between 25 December 2002 and 13 February 2003 (51 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		20	6	16
Negative / Critical		70 (2)	121 (15)	14
Neutral / Descriptive		27	15	19
Total		117	142 (15)	49
Average No. of articles per day		2.29	2.80	0.96
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	37	23	18
	Duty	3	5	2
	Moderate/Liberal	14	5	8
	Exaggerate	17	10	10
	Misunderstand/Myth	1	1	2
	Total	72	44	40
Negative / Critical	Misgiving/Worry	57	69	33
	Draconian Law	3	17	3
	Royalist	2	4	3
	White Bill	118	80	24
	Ambiguous/Blurred	1	6	2
	Total	181	176	65
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 4:

Table A7B.4: News Framing of Article 23 between 14 February and 30 June 2003 (136 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		27	4	32 (3)
Negative / Critical		136 (5)	375 (20)	21
Neutral / Descriptive		50	35	15 (1)
Total		213 (5)	414 (20)	68 (4)
Average No. of articles per day		1.57	3.04	0.5
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	56	78	56
	Duty	11	2	14
	Moderate/Liberal	11	18	20
	Exaggerate	2	1	0
	Misunderstand/Myth	4	3	2
	Total	84	102	92
Negative / Critical	Misgiving/Worry	44	55	22
	Draconian Law	9	153	2
	Royalist	18	129	3
	White Bill	11	10	5
	Ambiguous/Blurred	5	30	2
	Total	87	377	34
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 5:

Table A7B.5: News Framing of Article 23 between 1 July and 5 September 2003 (67 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		56 (1)	13	33 (3)
Negative / Critical		181 (15)	283 (19)	46 (3)
Neutral / Descriptive		81	72 (1)	59 (5)
Total		318 (16)	368 (20)	138 (11)
Average No. of articles per day		4.75	5.49	2.06
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	71	50	21
	Duty	16	16	15
	Moderate/Liberal	7	2	7
	Exaggerate	0	3	0
	Misunderstand/Myth	7	7	6
	Total	101	78	49
Negative / Critical	Misgiving/Worry	56	61	26
	Draconian Law	11	106	0
	Royalist	29	56	6
	White Bill	70	62	8
	Ambiguous/Blurred	9	12	6
	Total	175	297	46
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Appendix 7C: News Framing of Sustained Coverage of Article 23

1. Sustained Coverage Run by Individual Newspapers

Table A7C.1: Framing Analysis of Sustained Coverage on the MPDN											
Article Count											
Framing	28-30/6/02 (3 days)	13-15/7/02 (3 days)	8/9/02-1/3-0 3¹ (175 days)	6-14/3/03² (9 days)	22-27/3/03 (6 days)	12-14/4/03 (3 days)	25-27/4/03 (3 days)	4--7/5/03 (4 days)	29/5-31/7/ 03³ (63 days)	16/8-5/9/03⁴ (21 days)	
Total No. of Article (No. of editorial)											
Positive	3	2	74	2	0	1	0	1	55	10 (1)	
Negative	0	2 (1)	280 (10)	3	5	2	3	4	253 (18)	12	
Neutral	0	1	115	4	4	0	0	3	82	18	
Total	3	5 (1)	469 (10)	9	9	3	3	8	390 (18)	40 (1)	
Articles / day	1	1.7	2.7	1	1.5	1	1	2	6.2	1.9	
Framing by article count	Pos	Mix	Neg	Mix	Neg	Neg	Neg	Neg	Neg	Mix	
Keyword Count											
Framing	Frequency										
Positive	National Security	3	1	202	2	3	0	4	3	98	3
	Duty	0	0	12	3	0	0	1	0	25	1
	Moderate/ Liberal	1	0	52	0	0	0	0	0	12	2
	Exaggerate	0	0	22	0	0	0	0	0	2	0
	Myth/Mis-unde rstand	0	0	8	1	0	0	0	0	10	0
Total	4	1	296	6	3	0	5	3	147	6	
Negative	Misgiving/ Worry	0	7	207	1	1	0	0	0	74	3
	Draconian Law	0	0	19	0	1	0	0	1	15	1
	Royalist	0	2	7	0	3	0	0	0	33	4
	White Bill	0	0	328	0	1	2	1	0	122	10
	Ambiguous/ Blurred	0	0	17	0	0	0	0	1	12	0
Total	0	9	578	1	6	2	1	2	256	18	
Framing by keyword count	Pos	Neg	Neg	Pos	Neg	Neg	Pos	Pos	Neg	Neg	
Combined Results											
Overall framing	Pos	Mix	Neg	Mix	Neg	Neg	Mix	Mix	Neg	Mix	

¹ Except 11/9/02, 12/9/02, 16/9/02, 15/10/02, 20/10/02, 6/11/02, 9/11/02, 2/12/02, 2/1/03, 10/1/03, 12/1/03, 1/3/03 and 2/3/03

² Except 9/3/03 and 11/3/03

³ Except 16/6/03

⁴ Except 30/8/03

Table A7C.2: Framing Analysis of Sustained Coverage on the ADN							
Article Count							
Framing	13/9/02-8/3/03⁵ (165 days)	23-30/3/03⁶ (8 days)	9-17/4/03 (9 days)	26/4-14/5/03⁷ (19 days)	23/5-27/8/03⁸ (97 days)	3-5/9/03 (3 days)	
Total No. of Article (No. of editorial)							
Positive	24	0	0	0	15	0	
Negative	479 (44)	8	14	22 (3)	563 (33)	4 (1)	
Neutral	58	5	2	4	85 (1)	3	
Total	561 (44)	13	16	26 (3)	663 (34)	7 (1)	
Articles per day	3.4	1.6	1.8	1.4	6.8	2.3	
Framing decided by article count	Neg	Neg	Neg	Neg	Neg	Neg	
Keyword Count							
Framing		Frequency					
Positive	National Security	233	1	0	16	122	2
	Duty	17	0	0	0	18	0
	Moderate/Liberal	51	0	2	2	11	0
	Exaggerate	11	0	0	0	5	0
	Misunderstand/ Myth	6	0	0	0	8	0
	Total	318	1	2	18	164	2
Negative	Misgiving/Worry	341	0	1	4	102	2
	Draconian Law	101	7	2	17	210	4
	Royalist	14	7	11	29	132	0
	White Bill	291	0	3	2	57	7
	Ambiguous/ Blurred	47	0	4	6	29	0
	Total	794	14	21	58	530	13
Framing decided by keyword count	Neg	Neg	Neg	Neg	Neg	Neg	
Combined Results							
Overall framing	Neg	Neg	Neg	Neg	Neg	Neg	

⁵ Except 12/1/03, 21/1/03, 25/1/03, 1/2/03 and 2/2/03

⁶ Except 27/3/03

⁷ Except 3/5/03

⁸ Except 4/8/03, 6/8/03 and 15/8/03

Table A7C.3: Framing Analysis of Sustained Coverage on the ODN													
Article Count													
Framing	23/9-10/10/02⁹ (18 days)	16-18/10/02 (3 days)	26/10-8/11/02¹⁰ (14 days)	15/11-25/12/02¹¹ (41 days)	5-31/1/03¹² (27 days)	7-16/2/03¹³ (10 days)	26/2-1/3/03 (4 days)	5-9/6/03 (5 days)	18/6-27/7/03¹⁴ (40 days)	5-13/8/03¹⁵ (9 days)	19-24/8/03 (6 days)	3-5/9/03 (3 days)	
	Total No. of Article (No. of editorial)												
Positive	7 (1)	1	7	21 (1)	9	5	2	1	38 (5)	4	2	1	
Negative	8 (1)	1	4	23	9	6	2	3	46 (1)	2	1	0	
Neutral	13	3	4	21	14	3	1	2	56 (5)	2	4 (1)	2	
Total	28 (2)	5	15	65 (1)	32	14	5	6	140 (11)	8	7 (1)	3	
Articles per day	1.6	1.7	1.1	1.6	1.2	1.4	1.3	1.2	3.5	0.9	1.2	1	
Framing by article count	Mix	Neu	Mix	Mix	Mix	Mix	Mix	Neg	Mix	Pos	Neu	Neu	
Keyword Count													
Framing	Frequency												
Positive	National Security	16	0	5	32	11	20	5	5	45	1	1	1
	Duty	5	0	1	6	3	0	0	1	20	1	1	0
	Moderate/ Liberal	5	0	2	2	5	1	0	1	19	0	0	0
	Exaggerate	0	0	2	1	10	0	0	0	3	0	0	0
	Myth/Mis-understand	0	0	2	8	1	1	0	0	7	0	0	0
Total	26	0	12	49	30	22	5	7	94	2	2	1	
Negative	Misgiving/ Worry	9	1	13	51	21	12	0	1	30	2	0	1
	Draconian Law	2	0	0	1	2	0	0	0	0	0	0	0
	Royalist	0	0	0	0	3	0	0	0	9	0	0	0
	White Bill	27	2	9	51	17	6	0	0	7	0	3	2
	Ambiguous/ Blurred	2	0	7	4	2	0	0	0	5	0	0	0
Total	40	3	29	107	45	18	0	1	51	2	3	3	
Framing by keyword count	Neg	Neg	Neg	Neg	Neg	Pos	Pos	Pos	Pos	Mix	Neg	Neg	
Combined Results													
Overall framing	Mix	Mix	Mix	Mix	Mix	Mix	Mix	Mix	Mix	Mix	Mix	Mix	

⁹ Except 28/9/02, 3/10/02 and 5/10/02

¹⁰ Except 29/10/02, 30/10/02 and 2/11/02

¹¹ Except 22/11/02 and 1/12/02

¹² Except 10/1/03, 10/1/03, 11/1/03, 12/1/03, 13/1/03, 21/1/03, 22/1/03, 23/1/03 and 27/1/02

¹³ Except 10/2/02

¹⁴ Except 21/7/03 and 23/7/03

¹⁵ Except 9/8/03 and 10/8/03

2. News Framing in the 11 Periods in which three Newspapers Ran Sustained Coverage Simultaneously

Period 1

Table A7C.4: Framing of Sustained Coverage of Article 23 between 23 September and 10 October 2002 (18 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		10	3	7 (1)
Negative / Critical		43 (2)	45 (6)	8 (1)
Neutral / Descriptive		20	10	13
Total		73	58 (6)	28 (2)
Average No. of articles per day		4.1	3.2	1.6
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	82	54	16
	Duty	4	3	5
	Moderate/Liberal	20	26	5
	Exaggerate	0	0	0
	Misunderstand/Myth	1	0	0
	Total	107	83	26
Negative / Critical	Misgiving/Worry	25	13	9
	Draconian Law	0	4	2
	Royalist	1	3	0
	White Bill	52	49	27
	Ambiguous/Blurred	6	6	2
	Total	84	75	40
Framing decided by keyword count		Pos	Pos	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Mix	Mix

Period 2

Table A7C.5: Framing of Sustained Coverage of Article 23 between 16 and 18 October 2002 (3 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		0	1	1
Negative / Critical		6	7 (1)	1
Neutral / Descriptive		4	1	3
Total		10	9 (1)	5
Average No. of articles per day		3.3	3	1.7
Framing decided by article count		Neg	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	1	4	0
	Duty	0	0	0
	Moderate/Liberal	0	0	0
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	0
Total		1	4	0
Negative / Critical	Misgiving/Worry	3	2	1
	Draconian Law	0	0	0
	Royalist	0	0	0
	White Bill	3	5	2
	Ambiguous/Blurred	0	1	0
Total		6	8	3
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 3

Table A7C.6: Framing of Sustained Coverage of Article 23 between 26 October and 8 November 2002 (14 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		5	1	7
Negative / Critical		22 (1)	48 (1)	4
Neutral / Descriptive		14	2	4
Total		41 (1)	51 (1)	15
Average No. of articles per day		2.9	3.6	1.1
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	3	30	5
	Duty	1	0	1
	Moderate/Liberal	0	0	2
	Exaggerate	3	1	2
	Misunderstand/Myth	1	2	2
	Total	8	33	12
Negative / Critical	Misgiving/Worry	21	24	13
	Draconian Law	2	5	0
	Royalist	0	3	0
	White Bill	30	33	9
	Ambiguous/Blurred	1	3	7
	Total	54	68	29
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 4

Table A7C.7: Framing of Sustained Coverage of Article 23 between 15 November and 25 December 2002 (41 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		29	9	21 (1)
Negative / Critical		89 (3)	173 (13)	23
Neutral / Descriptive		25	15	21
Total		143 (3)	197 (13)	65 (1)
Average No. of articles per day		3.4	4.8	1.6
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	57	81	32
	Duty	3	5	6
	Moderate/Liberal	7	10	2
	Exaggerate	1	0	1
	Misunderstand/Myth	5	2	8
Total		73	98	49
Negative / Critical	Misgiving/Worry	77	165	51
	Draconian Law	6	44	1
	Royalist	1	0	0
	White Bill	137	121	51
	Ambiguous/Blurred	5	19	4
Total		226	349	107
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 5

Table A7C.8: Framing of Sustained Coverage of Article 23 between 5 and 31 January 2003 (27 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		15	3	9
Negative / Critical		44 (2)	63 (7)	9
Neutral / Descriptive		14	7	14
Total		73 (2)	73 (7)	32
Average No. of articles per day		2.7	2.7	1.2
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	18	14	11
	Duty	2	1	3
	Moderate/Liberal	10	3	5
	Exaggerate	17	10	10
	Misunderstand/Myth	0	1	1
	Total	47	29	30
Negative / Critical	Misgiving/Worry	37	46	21
	Draconian Law	3	11	2
	Royalist	2	1	3
	White Bill	85	38	17
	Ambiguous/Blurred	1	5	2
	Total	128	101	45
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 6

Table A7C.9: Framing of Sustained Coverage of Article 23 between 7 and 16 February 2003 (10 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		4	2	5
Negative / Critical		15 (1)	25 (3)	6
Neutral / Descriptive		7	3	3
Total		26 (1)	30 (3)	14
Average No. of articles per day		2.6	3.0	1.4
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	14	12	20
	Duty	0	0	0
	Moderate/Liberal	1	4	1
	Exaggerate	0	0	0
	Misunderstand/Myth	1	0	1
	Total	16	16	22
Negative / Critical	Misgiving/Worry	15	19	12
	Draconian Law	0	1	0
	Royalist	0	0	0
	White Bill	7	25	6
	Ambiguous/Blurred	0	1	0
	Total	22	46	18
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 7

Table A7C.10: Framing of Sustained Coverage of Article 23 between 26 February and 1 March 2003 (4 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		0	0	2
Negative / Critical		3	4	2
Neutral / Descriptive		2	0	1
Total		5	4	5
Average No. of articles per day		1.3	1	1.3
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	0	1	5
	Duty	0	1	0
	Moderate/Liberal	0	0	0
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	0
	Total	0	2	5
Negative / Critical	Misgiving/Worry	1	0	0
	Draconian Law	1	2	0
	Royalist	0	0	0
	White Bill	0	0	0
	Ambiguous/Blurred	0	0	0
	Total	2	2	0
Framing decided by keyword count		Neg	Mix	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Mix	Mix

Period 8

Table A7C.11: Framing of Sustained Coverage of Article 23 between 5 and 9 June 2003 (5 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		3	0	1
Negative / Critical		15 (1)	3 (1)	3
Neutral / Descriptive		1	2	2
Total		19 (1)	5 (1)	6
Average No. of articles per day		3.8	1	1.2
Framing decided by article count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	6	6	5
	Duty	1	0	1
	Moderate/Liberal	1	0	1
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	0
	Total	8	6	7
Negative / Critical	Misgiving/Worry	10	3	1
	Draconian Law	2	20	0
	Royalist	3	8	0
	White Bill	1	0	0
	Ambiguous/Blurred	0	0	0
	Total	16	31	1
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 9

Table A7C.12: Framing of Sustained Coverage of Article 23 between 18 June and 27 July 2003 (40 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		48	9	38 (5)
Negative / Critical		202 (16)	436 (3)	46 (1)
Neutral / Descriptive		74	53	56 (5)
Total		324 (16)	498 (23)	140 (11)
Average No. of articles per day		8.1	12.5	3.5
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	86	66	45
	Duty	21	10	20
	Moderate/Liberal	9	6	19
	Exaggerate	1	4	3
	Misunderstand/Myth	10	6	7
Total		127	92	94
Negative / Critical	Misgiving/Worry	60	73	30
	Draconian Law	11	147	0
	Royalist	25	96	9
	White Bill	58	40	7
	Ambiguous/Blurred	12	25	5
Total		166	381	51
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 10

Table A7C.13: Framing of Sustained Coverage of Article 23 between 19 and 24 August 2003 (6 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		5	2	2
Negative / Critical		3	8 (1)	1
Neutral / Descriptive		7	3	4 (1)
Total		15	13 (1)	7 (1)
Average No. of articles per day		2.5	2.2	1.2
Framing decided by article count		Mix	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	3	3	1
	Duty	1	1	1
	Moderate/Liberal	0	0	0
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	0
Total		4	4	2
Negative / Critical	Misgiving/Worry	1	2	0
	Draconian Law	0	0	0
	Royalist	1	0	0
	White Bill	4	7	3
	Ambiguous/Blurred	0	0	0
Total		6	9	3
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Period 11

Table A7C.14: Framing of Sustained Coverage of Article 23 between 3 and 5 September 2003 (3 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		1	0	1
Negative / Critical		2	4 (1)	0
Neutral / Descriptive		5	3	2
Total		8	7	3
Average No. of articles per day		2.6	2.3	1
Framing decided by article count		Neu	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	0	2	1
	Duty	0	0	0
	Moderate/Liberal	0	0	0
	Exaggerate	0	0	0
	Misunderstand/Myth	0	0	0
Total		0	2	1
Negative / Critical	Misgiving/Worry	0	2	1
	Draconian Law	0	4	0
	Royalist	3	0	0
	White Bill	6	7	2
	Ambiguous/Blurred	0	0	0
Total		9	13	3
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

3. Framing of Sustained Coverage in 4 Sub-periods of Period 9 between 18 June and 27 June 2003

Period 9A

Table A7C.15: Framing of Sustained Coverage of Article 23 between 18 June and 1 July 2003 (14 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		10	2	16 (2)
Negative / Critical		58 (4)	209 (10)	7
Neutral / Descriptive		21	11	10 (1)
Total		89 (4)	222 (10)	33 (3)
Average No. of articles per day		6.3	15.9	2.4
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	26	37	27
	Duty	3	1	14
	Moderate/Liberal	4	4	15
	Exaggerate	0	1	2
	Misunderstand/Myth	3	0	1
Total		36	43	59
Negative / Critical	Misgiving/Worry	21	30	11
	Draconian Law	1	58	0
	Royalist	4	31	3
	White Bill	0	1	1
	Ambiguous/Blurred	4	13	4
Total		30	133	19
Framing decided by keyword count		Pos	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Period 9B

Table A7C.16: Framing of Sustained Coverage of Article 23 between 2 and 4 July 2003 (3 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		4	1	5
Negative / Critical		36 (2)	55 (3)	13
Neutral / Descriptive		9	6	8 (2)
Total		49 (2)	62 (3)	26 (2)
Average No. of articles per day		16.3	20.7	13.0
Framing decided by article count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	11	7	7
	Duty	2	2	3
	Moderate/Liberal	0	0	2
	Exaggerate	0	0	0
	Misunderstand/Myth	2	1	2
Total		15	10	14
Negative / Critical	Misgiving/Worry	13	16	6
	Draconian Law	2	42	0
	Royalist	5	14	2
	White Bill	1	0	0
	Ambiguous/Blurred	2	0	1
Total		23	72	9
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 9C

Table A7C.17: Framing of Sustained Coverage of Article 23 between 5 and 6 July 2003 (2 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		14	0	4 (2)
Negative / Critical		22 (2)	36 (1)	8
Neutral / Descriptive		7	4	6
Total		43 (2)	40 (1)	18 (2)
Average No. of articles per day		21.5	20.0	9.0
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	28	5	3
	Duty	8	3	1
	Moderate/Liberal	1	0	1
	Exaggerate	0	0	0
	Misunderstand/Myth	1	0	3
Total		38	8	8
Negative / Critical	Misgiving/Worry	14	8	8
	Draconian Law	6	10	0
	Royalist	5	8	0
	White Bill	10	4	0
	Ambiguous/Blurred	2	2	0
Total		37	32	8
Framing decided by keyword count		Pos	Neg	Mix
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Period 9D

Table A7C.18: Framing of Sustained Coverage of Article 23 between 7 and 27 July 2003 (21 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		20	6	13 (1)
Negative / Critical		86 (8)	135 (9)	18 (1)
Neutral / Descriptive		37	32	32 (2)
Total		143 (8)	173 (9)	63 (4)
Average No. of articles per day		6.8	8.2	3.0
Framing decided by article count		Neg	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	National Security	18	25	6
	Duty	10	5	3
	Moderate/Liberal	4	2	1
	Exaggerate	0	2	0
	Misunderstand/Myth	2	4	1
Total		34	38	11
Negative / Critical	Misgiving/Worry	12	19	4
	Draconian Law	2	35	0
	Royalist	11	33	4
	White Bill	47	40	6
	Ambiguous/Blurred	1	8	1
Total		73	105	15
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Appendix 8: Chronology of Major Events in the Case of Central Reclamation

Time	Events
Mar 1982 – Oct 1983	The need for reclamation in Central and Wanchai was first identified in a strategic planning study entitled ‘Study on Harbour Reclamation and Urban Growth’ ¹ .
1984	The need was reconfirmed in various major planning development studies, including the Territorial Development Strategy ² .
1987 – 1989	The Central and Wanchai Reclamation Feasibility Study was carried out ³ .
Sep 1991	The Exco endorsed the Metroplan Selected Strategy which recommended various reclamation projects in the Victoria Harbour ⁴ .
1993 – 1998	Reclamation works for CRI and CRII and WDI were completed ⁵ .
1996	The need for reclamation in Central and Wanchai was reconfirmed in the Territorial Development Strategy Review ⁶ .
27 Jun 1997	The PHO was passed by the Legco ⁷ .
29 May 1998	The draft Central District (Extension) OZP No. S/H24/1 covering 38 hectares of reclamation was published in the Government gazette ⁸ .
29 Jul 1998	By end of the 2-month exhibition period, 70 valid objections including one from the SPH were received ⁹ .
23 Oct 1998	TPB gave preliminary consideration to the objections and agreed to request the Administration to undertake a further study to determine the minimum reclamation option ¹⁰ .
Oct 1998 – Mar 1999	The Administration drew up the minimum reclamation option, which proposed to reduce the reclamation area to 23 hectares ¹¹ .
24 Feb 1999	The Public Works Subcommittee of Legco Financial Committee endorsed the funding proposal for the feasibility study of WDII ¹² .
5 Mar 1999	The TPB considered the minimum reclamation option ¹³ .
30 Mar 1999	The TPB heard the objections at its meeting. Although SPH did not withdraw their objections to the OZP, they together with other objectors on the scene agreed that the minimum reclamation option

¹ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:
<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-1e.pdf>

² Ibid

³ Ibid

⁴ Ibid

⁵ Ibid

⁶ Ibid

⁷ Official record of the proceedings of Council meeting of the Legco:

http://www.legco.gov.hk/yr96-97/english/lc_sitg/hansard/970627fa.doc

⁸ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

⁹ Hansard of Council meeting:

<http://www.legco.gov.hk/yr98-99/english/counmtg/hansard/980729fe.htm>

¹⁰ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹¹ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹² Minutes of the meeting of Public Works Subcommittee of Legco Financial Committee:

<http://www.legco.gov.hk/yr98-99/english/fc/pwsc/minutes/pw240299.htm>

¹³ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

- could be used as a blue print for CRIII works¹⁴.
- 23 Apr 1999 The TPB gave deliberation to the objections and decided to propose amendments to the draft Central District (Extension) OZP No. S/H24/1 to meet/partially meet the objections by reducing the extent of the proposed reclamation to 23 hectares.
- 10 Jun 1999 The minimum reclamation option was presented to the Legco PLW Panel and was generally accepted. The majority of the comments were concerned with land use, traffic, the design of roads and waterfront promenade¹⁵. After considering Members' comments, TPB gazetted the amended Central District (Extension) OZP that covered the minimum reclamation option on 16 July 1999.
- 16 Jul 1999 The amended Central District (Extension) OZP No. O/S/H24/1-A covering the minimum reclamation option of 23 hectares was gazetted. 18 original objections were subsequently withdrawn.
- Mid 1999 The Government presented the amended minimum reclamation option to the then Central and Western District Board and various professional bodies (e.g. Hong Kong Institute of Engineers, Hong Kong Institute of Planners, Hong Kong Institute of Architect, Hong Kong Institute of Surveyors (HKIS), Hong Kong Institute of Landscape Architect (HKILA), and Real Estate Developers Association of Hong Kong). They generally supported the revised reclamation scheme.
- 1 Sep 1999 TPB considered the further objection and decided to propose further amendments to the draft Central District (Extension) OZP to partially meet the further objection.
- 1 Feb 2000 The construction of the Harbour Park of WDII was first proposed by the Administration at a public consultation forum¹⁶.
- 22 Feb 2000 The amended Central District (Extension) OZP No. S/H24/2 was approved by CE.
- 24 Feb 2000 At the Legco PLW Panel meeting, the Harbour Park proposal was criticized by both the pro-democrat and pro-government camps¹⁷.
- 3 Mar 2000 The approved OZP was gazetted for public inspection.
- Mid 2000 The feasibility of the minimum reclamation option was further confirmed by the Comprehensive Feasibility Study for the Minimum Reclamation.
- 16, 21 Mar 2000 The Central and Western and Wanchai District Councils were consulted on the proposed CRIII works and there were no adverse comments.
- 28 Apr 2000 Finance Committee of LegCo approved funding for the detailed design of CRIII¹⁸.
- 30 Jun 2000 The CRIII reclamation and road works were gazetted under the Foreshore and Sea-bed (Reclamations) Ordinance and the Roads (Works, Use and Compensation) Ordinance respectively. They received 3 and 2 objections respectively and SPH was not an

¹⁴ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

¹⁵ Legco Paper No. CB(1)1443/98-99(01):

http://www.legco.gov.hk/yr98-99/english/panels/plw/papers/pl1006_4.htm

Legco Paper No. CB(1)91/99-00:

<http://www.legco.gov.hk/yr98-99/english/panels/plw/minutes/pl100699.pdf>

¹⁶ Information cited in the judgement concerning an application for judicial review by the SPHL in respect of WDII:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

¹⁷ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr99-00/english/panels/plw/minutes/pl240200.pdf>

¹⁸ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

	objector under either Ordinance.
Jul 2000 – late 2002	CRIII's detailed design stage completed.
27 Aug 2001	CRIII's EIA report was endorsed by the Advisory Council on the Environment.
31 Aug 2001	CRIII's EIA report was approved by DEP under the EIA Ordinance.
7 Dec 2001	The Administration informed the PLW Panel that the Harbour Park proposal had been withdrawn ¹⁹ .
18 Dec 2001	CE authorized CRIII's reclamation and road works.
Jan 2002	The Government presented to Legco a brief informing Legco of the authorization of CRIII's reclamation and road works and of the objections received ²⁰ .
1 Mar 2002	Legco Panel on Housing, Planning and Lands was briefed on the CRIII engineering works ²¹ .
7 Mar 2002	EPD issued the Environment Permit for the construction of works ²² .
22 Mar 2002	The TPB resolved to include the Harbour Park in the WDII OZP ²³ .
19 Apr 2002	The Administration gazetted the OZP of WDII ²⁴ .
29 Apr 2002	The SPH voiced out its objection to the Harbour Park proposal ²⁵ .
6 May 2002	DP and DAB started criticizing the Harbour Park proposal ²⁶ .
21 Jun 2002	Legco Finance Committee approved funding for the construction of CRIII under the minimum reclamation option ²⁷ .
12 Aug 2002	CRIII's tenders were invited ²⁸ .
6 Sep 2002	The TPB claimed that there were over 770 submissions against the OZP of WDII during the 2-month exhibition period ²⁹ .
22 Nov	CRIII's tender invitation exercise closed ³⁰ .

¹⁹ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr01-02/english/panels/plw/minutes/pl011207.pdf>

²⁰ Background information in or before January 2002 are quoted from Legco paper CB (1)58/03-04(01):

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

²¹ Legco paper No. CB(1)1134/01-02(03):

<http://www.legco.gov.hk/yr01-02/english/panels/plw/papers/plw0301-cb1-1134-3e.pdf>

Legco paper No. CB(1)1454/01-02:

<http://www.legco.gov.hk/yr01-02/english/panels/plw/minutes/pl020301.pdf>

LC paper No. CB(1)1806/01-02:

<http://www.legco.gov.hk/yr01-02/english/panels/plw/papers/plw0301cb1-1806-e.pdf>

²² Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

²³ The minutes of TPB meeting cited in the judgement concerning an application for judicial review by the SPHL in respect of WDII:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

²⁴ The Government of HKSAR Gazette, 19 April 2002, Vol.16, No.2272:

[http://www.gld.gov.hk/cgi-](http://www.gld.gov.hk/cgi-bin/gld/egazette/gazettefiles.cgi?lang=e&extra=&year=2002&month=04&day=19&vol=06)

[bin/gld/egazette/gazettefiles.cgi?lang=e&extra=&year=2002&month=04&day=19&vol=06&no=16&gn=2272&header=1&part=0&df=1&nt=gn&acurrentpage=12&agree=1&newfile=1&gaz_type=mg](http://www.gld.gov.hk/cgi-bin/gld/egazette/gazettefiles.cgi?lang=e&extra=&year=2002&month=04&day=19&vol=06&no=16&gn=2272&header=1&part=0&df=1&nt=gn&acurrentpage=12&agree=1&newfile=1&gaz_type=mg)

²⁵ MPDN, 30 April 2002, page A13

²⁶ MPDN, 7 May 2002, page A10; 9 May 2002, page A19

²⁷ Legco paper PWSC(2002-03)41:

<http://www.legco.gov.hk/yr01-02/english/fc/pwsc/papers/p02-41e.pdf>

Legco paper FC21/02-03:

<http://www.legco.gov.hk/yr01-02/english/fc/fc/minutes/fc020621.pdf>

²⁸ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

²⁹ MPDN, 7 September 2002, page B05

2002	
6 Dec 2002	The TPB announced the results of the WDII review. The Harbour Park proposal persisted. In the same day, the SHP decided to institute legal proceedings against the TPB's decisions ³¹ .
10 Feb 2003	CRIII's contract was awarded to Leighton-China State-Van Oord Joint Venture ³² .
27 Feb 2003	SPH initiated judicial review (JR) proceedings against TPB's decision in respect of another OZP, i.e. the draft Wan Chai North OZP No. S/H25/1 ³³ .
28 Feb 2003	CRIII's works commenced. The works require reclaiming land of 18 hectares ³⁴ .
28 Feb 2003	The High Court granted leave to SPH's application for JR ³⁵ .
14 Mar 2003	The High Court ordered the submission of the draft Wan Chai North OZP to CE in Exco be stayed.
7 Apr 2003	The High Court's hearing of the JR case commenced.
6 May 2003	The CE in the Exco ordered that the first stage of amendment of TPO should be introduced into the Legco ³⁶ .
9 May 2003	'Town Planning (Amendment) Bill 2003' was published in the Government gazette ³⁷ .
16 May 2003	The Legco Financial Committee approved the funding for the feasibility study of HLC prison development ³⁸ .
21 May 2003	First reading of 'Town Planning (Amendment) Bill 2003' took place in the Legco ³⁹ .
23 May 2003	The Legco Bills Committee on 'Town Planning (Amendment) Bill 2003' was formed ⁴⁰ .
8 Jul 2003	The Court of First Instance laid down the judgment on the JR of WDII ⁴¹ . The Administration initiated the reviewed of the judgment's influence on reclamation projects ⁴² .
18 July 2003	The TPB decided to withdraw the Harbour Park proposal, and to appeal to the CFA direct to seek a clarification of the legal principles behind the PHO ⁴³ .
19 Jul 2003	The TPB announced that its decision on applying for appeal against the Court's judgment against WDII ⁴⁴ .

³⁰ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

³¹ MPDN, 7 December 2002, page A06

³² Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

³³ MPDN, 8 April 2003, page A12

³⁴ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

³⁵ Paper of the joint meeting of PLW Panel and EA Panel on 13 October 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-58-1e.pdf>

³⁶ The Administration's press release on the 'Town Planning (Amendment) Bill 2003': <http://www.info.gov.hk/gia/general/200305/09/0509143.htm>

³⁷ The Administration's press release on the 'Town Planning (Amendment) Bill 2003': <http://www.info.gov.hk/gia/general/200305/09/0509143.htm>

³⁸ Minutes of Legco Financial Committee meeting: <http://www.legco.gov.hk/yr02-03/english/fc/fc/minutes/fc030516.pdf>

³⁹ Website of Legco: <http://www.legco.gov.hk/general/english/bills/bill0304.htm>

⁴⁰ Website of Legco: <http://www.legco.gov.hk/general/english/bills/bill0304.htm>

⁴¹ Judgement concerning an application for judicial review by the SPHL in respect of WDII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-3e-scan.pdf>

⁴² MPDN, 9 July 2003, page A06

⁴³ Legco paper for the joint meeting of EA Panel and PLW Panel on 27 November 2003: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1127cb1-403-7e.pdf>

⁴⁴ The Administration's press release on the statement of TPB: <http://www.info.gov.hk/gia/general/200307/19/0719140.htm>

- 26 Aug 2003 Department of Justice applied to CFA for leave for the appeal case.
- Sep 2003 – Jan 2004 Members of Bills Committee on TPAB 2003 demanded the Administration to open up TPB meeting⁴⁵.
- 12 Sep 2003 The SPH urged the Administration to suspend all reclamation projects until the CFA settled disputes about their legality⁴⁶.
- 17 Sep 2003 The SPH issued a legal warning letter threatening to seek a High Court injunction against the Administration, and to pursue another judicial review seeking a declaration that all reclamation plans were flawed⁴⁷.
- 18 Sep 2003 At the meeting of the Bills Committee on TPAB 2003, the pro-democrat legislators urged the Administration to open up the TPB meetings for public participation⁴⁸.
- 20 Sep 2003 The media quoted the government source that suspension of the reclamation works cost the government HK\$ 1 million a day in compensation for the contractor⁴⁹.
- 22 Sep 2003 After the meeting with SHPL, Winston Chu decided to institute legal proceedings against CRIII project⁵⁰.
- 25 Sep 2003 The SPH applied to the High Court for a JR on the Administration's decisions in relation to CRIII and demanded for an interim injunction over CRIII works⁵¹.
- 26 Sep 2003 The Administration claimed that 2 consultancy studies of the SKR were terminated because of the Court's judgment on WDII⁵².
- 27 Sep 2003 The Administration announced to temporarily suspend all marine works under CRIII until a decision of the High Court was given on the interim injunction case⁵³.
- 28 Sep 2003 About 500 people attended the anti-reclamation rally organised by APH⁵⁴.
- 29 Sep 2003 The CFA granted leave for TPB to appeal against the High Court ruling on the draft WDII OZP. CFA proceedings have been scheduled for 9-16 December 2003.
- 3 Oct 2003 The High Court heard SPH's application for an interim injunction over CRIII works.
- 6 Oct 2003 The High Court delivered its judgment over the interim injunction case, allowing the continuance of the CRIII works⁵⁵.
- 7 Oct 2003 The Administration decided to partially resume CRIII work⁵⁶.

⁴⁵ Minutes of Bills Committee meetings on 18 Sep 2003, 24 Sep 2003, 4 Nov 2003, 3 Dec 2003 and 6 Jan 2004:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/minutes/bc120918.pdf>

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/minutes/bc120924.pdf>

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/minutes/bc121104.pdf>

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/minutes/bc121203.pdf>

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/minutes/bc120106.pdf>

⁴⁶ MPDN, 13 September 2003, page A10

⁴⁷ MPDN, 18 September 2003, page A15

⁴⁸ Minutes of the meeting: <http://www.legco.gov.hk/yr02-03/chinese/bc/bc12/minutes/bc120918.pdf>

⁴⁹ MPDN, 20 September 2003, page A08

⁵⁰ MPDN, 23 September 2003, page A09

⁵¹ MPDN, 26 September 2003, page A03

⁵² MPDN, 27 September 2003, page A12

⁵³ The Administration's press release on the statement of SHPL:

<http://www.info.gov.hk/gia/general/200309/27/0927160.htm>

⁵⁴ MPDN, 29 September 2003, page A08

⁵⁵ High Court's Judgement concerning an application from the SPH for interim injunction in respect of CRIII: <http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplw1013cb1-18-2e-scan.pdf>

- 8 Oct 2003 Winston Chu, at the meeting with SHPL, urged the Administration to accept five demands in relations with reclamation projects⁵⁷.
- 9 Oct 2003 A DP legislator at the meeting of Legco PLW Panel requested a joint meeting with EA Panel to discuss the issues relating CRIII and WDII⁵⁸.
- 11 Oct 2003 Winston Chu claimed that he received a letter threatening his and his family's personal safety. Thus, he resigned from the head of the SPH while Christine Loh took over his role.⁵⁹
- 13 Oct 2003 At the first joint meeting of PLW Panel and EA Panel, the Administration proposed Legco public hearings to collect public views on CRIII and WDII⁶⁰.
- 26 Oct 2003 The Administration disclosed the delay of HLC prison plan⁶¹.
- 31 Oct 2003 PLW Panel and EA Panel decided to hold public hearing on CRIII and WDII⁶². Meanwhile, The TPB officially requested the government to conduct a comprehensive review of WDII, and to draw up a minimum reclamation option for WDII that would comply with the PHO and minimise the extent of reclamation⁶³.
- 7 Nov 2003 The Administration announced the TPB's request in relations to WDII⁶⁴.
- 13 Nov 2003 SHPL claimed that the government was considering legislation against further reclamation in Harbour after CRIII, WDII and SKR⁶⁵.
- 16 Nov 2003 A TPB member told the media that the TPB had started looking for alternatives to the problems of existing consultation mechanism. The Administration also claimed that proposals for opening up TPB meetings would be submitted to the Legco for consideration⁶⁶.
- 27 Nov & 8 Dec 2003 PLW Panel and EA Panel hold public hearing on CRIII and WDII⁶⁷.
- 1 Dec 2003 Through some newspapers, the SPH distributed a pamphlet criticising the Administration's reclamation plans⁶⁸.
- 18 Dec 2003 The Administration distributed its own leaflets in Central in order to explain the reclamation plans and their rationale⁶⁹.
- 19 Dec 2003 The Administration launched the first round of public consultation on the HLC prison development⁷⁰.

⁵⁶ The Administration's press release on the speech of SHPL:

<http://www.info.gov.hk/gia/general/200310/07/1007217.htm>

⁵⁷ MPDN, 9 Oct 2003, page A15

⁵⁸ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl031009.pdf>

⁵⁹ MPDN, 12 October 2003, page A01

⁶⁰ Minutes of the joint meeting of PLW Panel and EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1013.pdf>

⁶¹ MPDN, 28 October 2003, page A11

⁶² Minutes of the joint meeting of PLW Panel and EA Panel:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1031.pdf>

⁶³ The Administration's press release on the statement of TPB:

<http://www.info.gov.hk/gia/general/200311/07/1107205.htm>

⁶⁴ The Administration's press release on the statement of TPB:

<http://www.info.gov.hk/gia/general/200311/07/1107205.htm>

⁶⁵ MPDN, 14 November 2003, page A15

⁶⁶ MPDN, 17 November 2003, page A10

⁶⁷ Minute of the joint meetings:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1127.pdf>

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/eapl1208.pdf>

⁶⁸ MPDN, 2 December 2003, page A18

⁶⁹ MPDN, 19 December 2003, page A15

⁷⁰ The Administration's press release on the public consultation:

<http://www.info.gov.hk/gia/general/200312/19/1219271.htm>

- 9 Jan 2004 The CFA handed down a ruling against the Administration over WDII⁷¹.
The Administration instructed the TPB to review all the reclamation projects, including the CRIII and SKR, in order to satisfy the test as imposed by the CFA⁷².
- 16 Jan 2004 The SPH issued an open letter to all the Exco members, urging the Administration to suspend CRIII works⁷³.
The Administration brought up the issue of openness to TPB. TPB members agreed that the public should be allowed to attend the hearing part of TPB meetings and other meetings⁷⁴.
- 27 Jan 2004 Pro-government legislators expressed their support of opening up TPB meetings⁷⁵.
- 9 Mar 2004 The High Court laid down a ruling confirming the legality of the CRIII project⁷⁶.
The Administration announced that the creation of that a new advisory body, HEC⁷⁷ and the plan to resume CRIII work⁷⁸.
- 18 Mar 2004 The Administration disclosed that it had begun to re-design the SKR project, inviting tenders for consultancy studies⁷⁹.
- 21 Mar 2004 In order to speed up the judicial process, the SPH requested the direct appeal against High Court's judgment went to the CFA instead of the Court of Appeal⁸⁰. Meanwhile, Over 20 thousand people jointed the anti-reclamation demonstration held by the APH⁸¹.
- 26 Mar 2004 The Administration rejected the SPH's request of direct appeal⁸².
- 2 Apr 2004 The new composition of the TPB was gazetted⁸³.
- 15 Apr 2004 The SPH announced not to lodge any appeal against the judgement on CRIII⁸⁴.
- 28 Apr 2004 The Administration announced the appointment of the members serving HEC⁸⁵.
- 2 May 2004 The APH held a protest for harbour protection⁸⁶.

⁷¹ CFA's judgement on WDII on 1 January 2004:

<http://www.legco.gov.hk/yr03-04/english/panels/ea/papers/eaplwcb1-761-1e.pdf>

⁷² The Administration's press release on the transcript of SHPL:

<http://www.info.gov.hk/gia/general/200401/09/0109278.htm> ;

Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl040115.pdf>

⁷³ MPDN, 17 January 2004, page A16

⁷⁴ MPDN, 27 January 2004, page A08

⁷⁵ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/minutes/pl040127.pdf>

⁷⁶ High Court's judgment on CRIII on 9 March 2004:

<http://www.legco.gov.hk/yr03-04/english/panels/plw/papers/eaplw1127cb1-1258-1e-scan.pdf>

⁷⁷ The Administration's press release on feedback to High Court's judgment:

<http://www.info.gov.hk/gia/general/200403/09/0309203.htm>

⁷⁸ The Administration's press release on the transcript of PSHPL:

<http://www.info.gov.hk/gia/general/200403/09/0309199.htm>

⁷⁹ MPDN, 19 March 2004, page A28

⁸⁰ MPDN, 22 March 2004, page A13

⁸¹ MPDN, 22 March 2004, page A13

⁸² MPDN, 27 March 2004, page A15

⁸³ The Administration's press release on the appointment of TPB members:

<http://www.info.gov.hk/gia/general/200404/02/0402203.htm>

⁸⁴ MPDN, 16 April 2004, page A18

⁸⁵ The Administration's press release on the appointment of HEAC members:

<http://www.info.gov.hk/gia/general/200404/28/0428174.htm>

⁸⁶ MPDN, 3 May 2004, page A06

- 4 May 2004 The Administration suggested, by administrative means, opening up the hearing part of TPB meetings except items involving confidential or premature release of sensitive information. However, the Bills Committee on TPAB 2003 insisted on stipulating the opening up of TPB meetings in law⁸⁷.
- 12 May 2004 In a letter to the Bills Committee of TPAB 2003, the Administration agreed to add a new section in to TPAB 2003 that all meetings of TPB would be open to the public, except for those involving sensitive and confidential information⁸⁸.
- 31 May 2004 The Administration launched the second round of public consultation on HLC prison development⁸⁹.
- 7 Jul 2004 The TPAB 2003 and its amendments were passed by the Legco⁹⁰.
- 13 Jul 2004 A news magazine uncovered a suspended sex scandal of Winston Chu⁹¹.
- 27 Jul 2004 The Administration disclosed its plan of a new round of public consultation on SKR⁹².
- 31 Aug 2004 The SPH proposed an undersea tunnel for the replacement of reclamation⁹³.
- 11 Sep 2004 The Administration claimed that several development projects associated with SKP were re-considered⁹⁴.
- 16 Oct 2004 The Administration informed the Legco that the HLC prison development proposal was withdrawn⁹⁵.

⁸⁷ Minutes of Bills Committee on 5 May 2004:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

⁸⁸ Paper of the Bill Committee of TPAB 2003:

<http://www.legco.gov.hk/yr02-03/english/bc/bc12/papers/bc120513cb1-1829-1e.pdf>

⁸⁹ The Administration's press release on the public consultation:

<http://www.info.gov.hk/gia/general/200405/31/0531192.htm>

⁹⁰ Hansard of Council meeting on 7 July 2004:

<http://www.legco.gov.hk/yr03-04/english/counmtg/hansard/cm0707ti-translate-e.pdf>

⁹¹ MPDN, 15 July 2004, page A19

⁹² MPDN, 28 July 2004, page A09

⁹³ MPDN, 1 September 2004, page A20

⁹⁴ MPDN, 12 September 2004, page A15

⁹⁵ Paper for Legco Financial Committee

<http://www.legco.gov.hk/yr04-05/english/fc/fc/papers/fi04-15e.pdf>

**Appendix 9A:
Coding Frame and Keyword List
for News Coverage of Central Reclamation**

Coding Frame for Coverage of Central Reclamation			
Category		Framing	
		Positive	Negative
1	How was reclamation framed?	Development issues which resolves traffic congestion and other problems	Environmental issues in relations to the damage to the Harbour
2	Whose voices were highlighted?	Government officials or the supporters of the reclamation plans and existing town planning policy	The people and groups criticising the reclamation plans and existing town planning policy
3	Which issues were highlighted?	Traffic congestion and other development issues	Protection of the Harbour and the environment
4	How were Winston CHU and SPH considered?	The representatives of real estate developers	Heroes who fight for people's interests and Harbour protection
5	How were the legal battles described?	A waste of time and taxpayers' money	A fight for people's interests and Harbour protection
6	How was the information provided by SPH described?	Outdated and misleading	Updated and valid
7	How were the anti-reclamation protests described?	Annoying or radical	Peaceful and legitimate
8	How were the protesters described?	Radicals or a minority	Fighters or environmentalists
9	How was the existing town planning policy described?	Effective and legitimate	Inefficient and in favour of business sector.
10	Was there any other issue in relations to the reclamation debate?	Supportive of the Administration, its reclamation plans and existing town planning policy	Critical of the Administration, its reclamation plans and existing town planning policy

Table continued on next page.

Coding Frame for Coverage of Central Reclamation (Cont.)			
Category		Framing	
		Positive	Negative
11	How was the Harbour Park described?	The Park could bring people to the Harbour	The Park would damage the Harbour
12	How was the objective of WDII considered?	To resolve the traffic congestion and provide leisure areas to people	To provide land to developers and to provide land premium to the government
13	How the existing proposed extent of WDII was described?	The existing extent was minimised	The extent could be scaled down
14	How was the adjustment of WDII considered?	Infeasible and high cost	Feasible and necessary
15	How was the objective of CRIII considered?	To resolve the traffic congestion and provide leisure areas to people	To provide land to developers and to provide land premium to the government
16	How the proposed extent of CRIII was described?	The existing extent was minimised	The extent could be scaled down
17	How was the cost of suspending reclamation work considered?	The cost was high and was paid by taxpayers	The cost was limited and overstated by the Administration
18	How was the partial resumption of CRIII work described?	Dredging would not cause any irreparable damages to the Harbour	Dredging would caused pollution in the Harbour
19	How was the adjustment of CRIII considered?	Infeasible and high cost	Feasible and necessary
20	How were the SEKR proposal and the associated development plans framed?	Tourism and economy of Hong Kong would be benefited from the plans	The plans would cause damage to the Harbour or provide interests to business sector
21	How was HLC prison development plan framed?	A relief to the overcrowding problem of prisons	A damage to the environment
22	How was the TPB described?	A professional, legitimate body which is accountable to the public	A closed body representing the interests of business and professional sectors
23	How was the openness of the TPB described?	Closed-door meetings are necessary	All meetings should be open up to the public

Keyword List for Coverage of Central Reclamation	
Positive	Negative
<ul style="list-style-type: none"> • Traffic / Transport (交通) • Congestion (擠塞 / 塞車) • Cost (代價) • Compensation / Claim (賠償 / 補償/ 索償) 	<ul style="list-style-type: none"> • Protect / Protection (保護) • Environment (環境) • Asset (資產) • Damage (破壞)

**Appendix 9B:
News Framing in the Six Analysis Periods
in the Case of Central Reclamation**

Period 1

Table A9B.1: News Framing of Central Reclamation between 22 March 2002 and 11 September 2003 (537 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	2	3	5	
Negative / Critical	7	8	2	
Neutral / Descriptive	10	1	3	
Total	19	12	10	
Average No. of articles per day	0.04	0.02	0.02	
Framing decided by article count	Neutral	Negative	Positive	
Keyword Count				
Framing	Keyword	Frequency		
Positive / Supportive	Traffic/Transport	7	8	3
	Congestion	5	5	0
	Cost	0	0	0
	Compensation	1	0	0
	Total	13	13	3
Negative / Critical	Protect	1	7	6
	Environment	4	0	3
	Asset	1	3	2
	Damage	5	4	0
	Total	11	14	11
Framing decided by keyword count	Positive	Negative	Negative	
Combined Results				
Overall Framing	Mixed	Negative	Mixed	

Period 2

Table A9B.2: News Framing of Central Reclamation between 12 September and 5 October 2003 (23 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	14	0	7 (2)	
Negative / Critical	10	17 (1)	4	
Neutral / Descriptive	11 (2)	3	7	
Total	35 (2)	18 (1)	18 (2)	
Average No. of articles per day	1.52	0.78	0.78	
Framing decided by article count	Mixed	Negative	Mixed	
Keyword Count				
Framing	Keyword	Frequency		
Positive / Supportive	Traffic/Transport	9	11	21
	Congestion	10	6	23
	Cost	3	3	0
	Compensation	30	13	12
	Total	49	33	56
Negative / Critical	Protect	16	34	13
	Environment	6	8	5
	Asset	1	6	0
	Damage	3	9	3
	Total	26	57	21
Framing decided by keyword count	Positive	Negative	Positive	
Combined Results				
Overall Framing	Mixed	Negative	Mixed	

Period 3

Table A9B.3: News Framing of Central Reclamation between 6 and 30 October 2003 (25 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	10 (1)	3	5 (1)	
Negative / Critical	12	16 (2)	5	
Neutral / Descriptive	18 (2)	10 (1)	12 (1)	
Total	40 (3)	29 (3)	22 (2)	
Average No. of articles per day	1.60	1.16	0.88	
Framing decided by article count	Mixed	Negative	Neutral	
Keyword Count				
Framing	Keyword	Frequency		
Positive / Supportive	Traffic/Transport	13	16	5
	Congestion	15	15	5
	Cost	4	3	1
	Compensation	9	12	6
	Total	41	46	17
Negative / Critical	Protect	25	47	19
	Environment	6	8	7
	Asset	0	3	0
	Damage	9	11	4
	Total	40	69	30
Framing decided by keyword count	Positive	Negative	Negative	
Combined Results				
Overall Framing	Mixed	Negative	Mixed	

Period 4

Table A9B.4: News Framing of Central Reclamation between 31 October 2003 and 8 January 2004 (70 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	8	3	4	
Negative / Critical	6	7	5	
Neutral / Descriptive	11	4	3	
Total	25	14	12	
Average No. of articles per day	0.36	0.20	0.17	
Framing decided by article count	Mixed	Negative	Mixed	
Keyword Count				
Framing		Frequency		
Positive / Supportive	Traffic/Transport	20	9	9
	Congestion	25	8	4
	Cost	0	0	0
	Compensation	2	0	3
	Total	47	17	16
Negative / Critical	Protect	9	17	8
	Environment	2	0	5
	Asset	1	0	0
	Damage	2	0	3
	Total	14	17	16
Framing decided by keyword count	Positive	Mixed	Mixed	
Combined Results				
Overall Framing	Mixed	Mixed	Mixed	

Period 5

Table A9B.5: News Framing of Central Reclamation between 9 January and 8 March 2004 (59 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	4 (1)	2	2	
Negative / Critical	10	7	3	
Neutral / Descriptive	12	3	3 (1)	
Total	26 (1)	12	8 (1)	
Average No. of articles per day	0.44	0.20	0.14	
Framing decided by article count	Mixed	Negative	Mixed	
Keyword Count				
Framing	Keyword	Frequencies		
Positive / Supportive	Traffic/Transport	8	2	18
	Congestion	16	4	8
	Cost	2	1	0
	Compensation	14	1	0
	Total	40	8	26
Negative / Critical	Protect	6	13	4
	Environment	5	5	4
	Asset	5	2	3
	Damage	1	4	2
	Total	17	24	13
Framing decided by keyword count	Positive	Negative	Positive	
Combined Results				
Overall Framing	Mixed	Negative	Mixed	

Period 6

Table A9B.6: News Framing of Central Reclamation between 9 March and 16 October 2004 (205 days)				
Article Count				
Framing	MPDN	ADN	ODN	
	Total No. of article (No. of editorial)			
Positive / Supportive	25	3	22 (4)	
Negative / Critical	12	25 (1)	5	
Neutral / Descriptive	17 (1)	9	7	
Total	54 (1)	37 (1)	34 (4)	
Average No. of articles per day	0.26	0.18	0.17	
Framing decided by article count	Mixed	Negative	Positive	
Keyword Count				
Framing	Keyword	Frequencies		
Positive / Supportive	Traffic/Transport	25	20	20
	Congestion	12	18	14
	Cost	4	1	0
	Compensation	53	14	26
	Total	94	53	60
Negative / Critical	Protect	17	46	23
	Environment	1	11	11
	Asset	4	3	1
	Damage	11	8	3
	Total	33	68	38
Framing decided by keyword count	Positive	Negative	Positive	
Combined Results				
Overall Framing	Mixed	Negative	Positive	

**Appendix 9C:
News Framing of Sustained Coverage in the Case of
Central Reclamation**

Table A9C.1: Framing of Sustained Coverage on the MPDN							
Article Count							
Framing	18-29/9/03 (12 days)	4-15/10/03 (12 days)	8-10/12/03 (3 days)	9-11/1/04 (3 days)	15-17/1/04 (3 days)	3-5/5/04 (3 days)	
	Total No. of Article (No. of editorial)						
Positive / Supportive	12	8 (1)	1	1 (1)	0	3	
Negative / Critical	8	10	0	3	2	2	
Neutral / Descriptive	9 (2)	18 (2)	3	6	1	2	
Total	29 (2)	36 (3)	4	10 (1)	3	7	
Average No. of articles per day	2.42	3.00	1.33	3.33	1.00	(2.33)	
Framing decided by article count	Mix	Neu	Neu	Neu	Neg	Mix	
Keyword Count							
Framing	Keyword	Frequency					
Positive / Supportive	Traffic/Transport	7	12	2	3	0	1
	Congestion	10	14	1	13	0	1
	Cost	3	4	0	2	0	0
	Compensation	25	15	0	1	0	0
	Total	45	45	3	19	0	2
Negative / Critical	Protect	18	18	1	3	0	3
	Environment	4	6	0	3	0	0
	Asset	1	0	0	5	0	1
	Damage	1	10	0	1	0	0
	Total	24	34	1	12	0	4
Framing decided by keyword count	Pos	Pos	Pos	Pos	Mix	Neg	
Combined Results							
Overall framing	Mix	Mix	Mix	Mix	Mix	Mix	Mix

Table A9C.2: Framing of Sustained Coverage on the ADN						
Article Count						
Framing	23/9-1/10/03 (9 days)	4-14/10/03 (11 days)	18-21/10/03 (4 days)	8-10/12/03 (3 days)	7-9/5/04 (3 days)	
	Total No. of Article (No. of editorial)					
Positive / Supportive	0	3	0	1	1	
Negative / Critical	12 (1)	12 (1)	4 (1)	3	1	
Neutral / Descriptive	2	9 (1)	1	1	1	
Total	14 (1)	24 (2)	5 (1)	5	3	
Average No. of articles per day	1.56	2.18	1.25	1.67	1.00	
Framing decided by article count	Neg	Neg	Neg	Neg	Mix	
Keyword Count						
Framing	Keyword	Frequency				
Positive / Supportive	Traffic/Transport	4	15	6	1	3
	Congestion	2	15	4	0	0
	Cost	2	4	0	0	0
	Compensation	3	20	0	0	0
	Total	11	54	10	1	3
Negative / Critical	Protect	29	39	7	6	0
	Environment	4	12	0	0	0
	Asset	5	3	0	0	0
	Damage	4	10	1	0	0
	Total	42	64	8	6	0
Framing decided by keyword count	Neg	Neg	Pos	Neg	Pos	
Combined Results						
Overall framing	Neg	Neg	Mix	Neg	Mix	

Table A9C.3: Framing of Sustained Coverage on the ODN		
Article Count		
Framing	4-14/10/03 (11 days)	
	Total No. of Article (No. of editorial)	
Positive / Supportive	5	
Negative / Critical	5	
Neutral / Descriptive	9	
Total	19 (1)	
Average No. of articles per day	1.73	
Framing decided by article count	Mix	
Keyword Count		
Framing	Keyword	Frequency
Positive / Supportive	Traffic/Transport	6
	Congestion	6
	Cost	1
	Compensation	11
	Total	24
Negative / Critical	Protect	19
	Environment	3
	Asset	0
	Damage	5
	Total	27
Framing decided by keyword count	Neg	
Combined Results		
Overall framing	Mix	

Appendix 10: Chronology of Major Events in the Case of the GST

Time	Events
1987	The Financial Secretary suggested introducing the sales tax in order to broaden the tax base. This proposal was withdrawn because of the objections by the legislature ¹
8 Mar 2000	The Financial Secretary, Donald Tsang, at his budget speech, announced to set up two committees. The first one, a Task Force would examine the viability of the existing tax regime while another independent committee would look into the suitability of introducing new taxes, including a consumption-based tax ² .
2 Jun 2000	The Administration announced to appointment of the Advisory Committee on New Broad-based Taxes (ACNBT) ³ .
6 Aug 2001	The ACNBT announced a consultation paper, providing 13 alternatives and highlighting GST ⁴ .
6 Aug 2001	All the pro-democrat and pro-government parties, together with various business sectors, expressed the objections to the introduction of a GST ⁵ .
1 Mar 2002	The ACNBT announced the Final Report to the Financial Secretary which concludes that GST is the best suited to the purpose of resolving the government's structural deficit ⁶ .
1 Mar 2002	Both the pro-democrat and the pro-government camps re-emphasised the objection to the ACNBT's suggestion ⁷ .
10 Mar 2004	At the Budget Speech, the Financial Secretary announced to set up an internal committee to conduct a study on introduction of a GST. A proposed GST framework and an implementation timetable would be submitted at the end of 2004 ⁸ .
11 Jul 2004	Vincent Fang of the LP and several chambers of commerce set up an "Anti-GST Alliance" ⁹ .
16 Mar 2005	At the Budget Speech, Henry Tong claimed that internal committee finished the study of GST was finished, and that the Administration would conduct a public consultation on this subject ¹⁰ .
22 Feb 2006	Henry Tong announced the plan of a 9-month public consultation on the detailed GST proposal in the middle of the year. Some details of the proposal were also disclosed ¹¹ .
18 Jul 2006	The Administration announced a Consultation Paper of "Public Consultation on Tax Reform", and launched a 9-month public

¹ MPDN, 16 Dec 1999, page A01

² The 2000-01 Budget Speech by the Financial Secretary, 8 March 2000, paragraph 196-208: <http://www.budget.gov.hk/2000/english/efile.htm#Review%20of%20Public%20Finances>

³ The Administration's press release on the appointment of ACNBT <http://www.info.gov.hk/gia/general/200006/02/0602196.htm>

⁴ Consultation paper on "A Broader-based Tax System for Hong Hong?": <http://www.info.gov.hk/archive/consult/2001/condoc-e.pdf>

⁵ MPDN, 7 August 2001, page A12.

⁶ Final Report to the Financial Secretary by the Advisory Committee on New Broad-based Taxes, Paragraph 48: <http://www.fstb.gov.hk/tb/acnbt/english/finalrpt/btreport.pdf>

⁷ MPDN, 2 March 2002, page A06.

⁸ The 2004-05 Budget Speech by the Financial Secretary, paragraph 113

⁹ Website of Anti-GST Alliance: <http://www.nogst.org.hk/as.htm>

¹⁰ The 2005-06 Budget Speech by the Financial Secretary, paragraph 102-104: <http://www.budget.gov.hk/2005/eng/budget41.htm>

¹¹ The 2006-07 Budget Speech by the Financial Secretary, paragraph 70-72 <http://www.budget.gov.hk/2006/eng/budget21.htm>

	consultation ¹² .
18 Jul 2006	Most parties in the Legco, and some business sectors, expressed their objections to the GST proposal ¹³ .
20 Jul 2006	The DP, together with the other pro-democrat parties and trade unions, set up a “People’s livelihood Alliance” ¹⁴ .
6 Aug 2006	The LP and the several chambers of commerce, held an anti-GST protest with the support of a few thousand people ¹⁵ .
8 Aug 2006	The President of the FTU expressed the objection to the of GST ¹⁶ .
10 Aug 2006	The DAB claimed that the party did not support the GST proposal ¹⁷ .
13 Aug 2006	DP announced a plan to move a motion against GST in the Legco ¹⁸ .
15 Aug 2006	The LP Chairman supported the termination of the GST consultation ¹⁹ .
20 Aug 2006	The DP urged the Administration to terminate the GST consultation ²⁰ .
12 Sep 2006	The CE, Donald Tsang persisted on the GST proposal and urged the opponents of GST to provide sustainable alternatives to resolve the tax base problem ²¹ .
14 Sep 2006	The LP legislators expressed the objection to the GST proposal to PRC Government senior officials in Beijing ²² .
19 Oct 2006	The Legco passed a motion against the introduction of a GST ²³ .
22 Sep 2006	The Administration started the GST consultation in various regions ²⁴ .
24 Oct 2006	Henry Tong claimed that the government would explore the viability of other alternatives and would make an interim review before the end of the consultation ²⁵ .
Nov to Dec 2006	Fifteen out of eighteen District Councils in Hong Kong passed motions against the introduction of GST ²⁶ .
5 Dec 2006	Henry Tong announced that the Administration would not be advocating a GST for the remaining four months of consultation period ²⁷ .

¹² Consultation Paper of Public Consultation on Tax Reform, published on 18 July 2006: http://www.taxreform.gov.hk/eng/doc_and_leaflet.htm

¹³ MPDN, 19 July 2006, Page A04

¹⁴ MPDN, 21 July 2006, Page A14

¹⁵ MPDN, 1 August 2006, Page A12; 7 August 2006, Page A06

¹⁶ MPDN, 9 August 2006, Page A15

¹⁷ MPDN, 11 August 2006, Page A12

¹⁸ MPDN, 14 August 2006, Page A10

¹⁹ MPDN, 16 August 2006, Page A14

²⁰ MPDN, 21 August 2006, Page A10

²¹ The Administration’s press release on the speech by the Chief Executive: <http://www.info.gov.hk/gia/general/200609/12/P200609120173.htm>

²² MPDN, 15 September 2006, Page A10

²³ Minutes of the Legco meeting, LC Paper No. CB(3) 188/06-07: <http://www.legco.gov.hk/yr06-07/english/counmtg/minutes/cm061018.pdf>

²⁴ MPDN, 5 September 2006, page A14

²⁵ The Administration’s press release on the speech by the Financial Secretary: <http://www.info.gov.hk/gia/general/200610/24/P200610240212.htm>

²⁶ Public Consultation on Tax Reform Final Report, Appendix A, Published in June 2007: <http://www.taxreform.gov.hk/eng/pdf/finalreport.pdf>

²⁷ The Administration’s press release on the speech by the Financial Secretary: <http://www.info.gov.hk/gia/general/200612/05/P200612050115.htm>

**Appendix 11A:
Coding Frame and Keyword List
for News Coverage of the GST**

Coding Frame for the Coverage of GST			
Category		Framing	
		Positive	Negative
1	What voices were highlighted?	Government officials' and other supportive voices	The opponents' and other critical voices
2	How the government fiscal status was described?	The narrow tax base and other long term problems of public finance were highlighted	The government surplus and the advantages of existing tax system were highlighted
3	What options to address the problems of public finance were highlighted?	GST was considered the best and only viable option	Other alternatives such as the introducing other taxes and reducing government expenditure were highlighted
4	How fair was a GST?	GST was considered a fair tax	GST was considered unfair
5	What possible impacts of the GST proposal were highlighted?	The proposed tax relief, compensatory measures and the other possible benefits were highlighted	The possible burdens on people and businesses as well as the administrative cost of GST were highlighted
6	Should the GST consultation be continued?	The GST consultation should be continued	The GST consultation should be suspended.
7	Was there any issues highlighted?	Other issues favourable to the GST proposal	Other issues unfavourable to the GST proposal

Neutral framing:

- Supportive and critical voices were balanced in the same article.
- Neither supportive nor critical argument was highlighted.
- Technical or procedural issues were described and explained.

Keyword List for the Coverage of GST	
Positive frame	Negative frame
<ul style="list-style-type: none"> • Allowance (津貼 / 補貼) • Stable (穩定) • Long term (長遠) • Deficit (赤字) 	<ul style="list-style-type: none"> • Administrative fee (行政費) • Cost (成本) • Burden (負擔) • Surplus / Reserve (盈餘 / 儲備)

**Appendix 11B:
News Framing in the Two Analysis Periods
in the Case of the GST**

Period 1

Table A11B.1: News Framing of the GST Debate between 22 February and 18 October 2006 (239 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		28 (1)	10	27
Negative / Critical		101 (2)	145 (15)	62 (7)
Neutral / Descriptive		54	33	27
Total		183 (3)	188 (15)	116 (7)
Average No. of articles per day		0.8	0.79	0.5
Framing decided by article count		Negative	Negative	Negative
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	34	25	20
	Stable	35	42	58
	Long term	37	20	32
	Deficit	13	38	8
	Total	119	125	118
Negative / Critical	Administrative fee	25	19	22
	Cost	20	35	50
	Burden	28	43	29
	Surplus / Reserve	47	75	69
	Total	120	172	170
Framing decided by keyword count		Negative	Negative	Negative
Combined Results				
Overall framing		MPDN	ADN	ODN
		Negative	Negative	Negative

Period 2

Table 11B.2: News Framing of the GST Debate between 19 October and 5 December 2006 (48 days)				
Article Count				
Framing		Total No. of articles (No. of editorials)		
		MPDN	ADN	ODN
Positive / Supportive		9	1	1
Negative / Critical		20	9 (1)	15 (3)
Neutral / Descriptive		10 (1)	5	2
Total		39 (1)	15 (1)	18 (3)
Average No. of articles per day		0.8	(0.3)	0.4
Framing decided by article count		Negative	Negative	Negative
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	4	8	6
	Stable	6	1	5
	Long term	3	1	9
	Deficit	4	0	0
	Total	17	10	20
Negative / Critical	Administrative fee	1	0	0
	Cost	0	0	3
	Burden	10	3	2
	Surplus / Reserve	18	1	26
	Total	29	4	31
Framing decided by article count		Negative	Positive	Negative
Combined Results				
Overall Framing		MPDN	ADN	ODN
		Negative	Mixed	Negative

Appendix 11C: News Framing of Sustained Coverage of the GST

1. Sustained Coverage Run by Individual Newspapers

Table A11C.1: Framing of Sustained Coverage on the MPDN in 2006							
Article Count							
Framing	7-25/7¹ (19 days)	30/7-6/9² (39 days)	12-28/9³ (17 days)	9-12/10 (4 days)	16-20/10 (5 days)	24/10-8/11⁴ (16 days)	
Total No. of Article (No. of editorial)							
Positive / Supportive	10	8	2	0	4	8	
Negative / Critical	27 (2)	41	20	2	6	12	
Neutral / Descriptive	16	13	8	3	7	8 (1)	
Total	53 (2)	62	30	5	17	28 (1)	
Average No. of articles per day	2.8	1.6	1.8	1.3	3.4		
Framing decided by article count	Neg	Neg	Neg	Mix	Mix	Mix	
Keyword Count							
Framing		Frequency					
Positive	Allowance	21	4	6	0	0	4
	Stable	9	3	8	0	1	4
	Long term	9	8	4	1	2	2
	Deficit	1	5	1	0	0	1
	Total	40	20	19	1	3	11
Negative	Administrative fee	14	3	3	3	3	0
	Cost	10	3	4	0	2	0
	Burden	12	8	4	0	0	6
	Surplus / Reserve	13	11	6	3	1	12
	Total	49	25	17	6	6	18
Framing decided by keyword count		Neg	Neg	Pos	Neg	Neg	Neg
Combined Results							
Overall framing		Neg	Neg	Mix	Mix	Mix	Mix

¹ Except 10 and 15 July

² Except 5, 10, 12, 17, 18, 27 August, 2 & 3 September

³ Except 17 September

⁴ Except 29 October, 4 & 5 November

Table A11C.2: Framing of Sustained Coverage on the ADN in 2006							
Article Count							
Framing	23-25/3 (3 days)	13/7-11/8⁵ (30 days)	18-26/8 (9 days)	3-6/9 (4 days)	12-27/9⁶ (16 days)	15-20/10 (6 days)	
	Total No. of Article (No. of editorial)						
Positive / Supportive	0	1	5	0	1	0	
Negative / Critical	2	79 (4)	12 (2)	3	17 (2)	10 (3)	
Neutral / Descriptive	1	12	1	3	6	2	
Total	3	92 (4)	18 (2)	6	24 (2)	12 (3)	
Average No. of articles per day	1.0	3.1	2.0	1.5	1.5	2	
Framing decided by article count	Neg	Neg	Neg	Mix	Neg	Neg	
Keyword Count							
Framing	Frequency						
Positive	Allowance	0	18	0	0	0	0
	Stable	0	21	6	0	2	0
	Long term	0	4	6	0	6	2
	Deficit	0	25	1	0	0	1
	Total	0	68	13	0	8	3
Negative	Administrative fee	0	17	0	0	0	0
	Cost	0	21	3	0	3	2
	Burden	0	15	5	0	5	0
	Surplus / Reserve	0	36	7	0	3	2
	Total	0	89	15	0	11	4
Framing decided by keyword count	Mix	Neg	Neg	Mix	Neg	Neg	
Combined Results							
Overall framing	Mix	Neg	Neg	Mix	Neg	Neg	

⁵ Except 29 July and 4 August

⁶ Except 21 September

Table A11C.3 : Framing of Sustained Coverage on the ODN in 2006						
Article Count						
Framing	8-28/7⁷ (21 days)	21-25/8 (5 days)	29/8-6/9⁸ (9 days)	13-16/9 (4 days)	16-20/10 (5 days)	8-10/11 (3 days)
	Total No. of Article (No. of editorial)					
Positive / Supportive	15	2	1	1	0	0
Negative / Critical	22 (1)	2	4	3 (1)	7 (2)	2
Neutral / Descriptive	7	2	6	4	2	1
Total	44 (1)	6	11	8 (1)	9	3
Average No. of articles per day	2.1	1.2	1.2	2	1.8	1
Framing decided by article count	Neg	Mix	Neu	Neu	Neg	Neg
Keyword Count						
Framing	Frequency					
Positive	Allowance	16	0	0	0	0
	Stable	23	0	5	5	4
	Long term	13	0	0	0	14
	Deficit	1	0	0	0	0
	Total	53	0	5	5	18
Negative	Administrative fee	14	1	0	1	1
	Cost	30	0	1	0	1
	Burden	15	2	1	0	2
	Surplus / Reserve	6	1	4	5	2
	Total	65	4	6	6	6
Framing decided by keyword count	Neg	Neg	Neg	Neg	Pos	Neg
Combined Results						
Overall framing	Neg	Mix	Mix	Mix	Mix	Neg

⁷ Except 15 July

⁸ Except 2 & 3 September

2. News Framing in the 5 Periods in which three Newspapers Ran Sustained Coverage Simultaneously

Period 1

Table A11C.4: Framing of Sustained Coverage of GST between 13 and 25 July 2006 (13 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		9	0	9
Negative / Critical		22 (2)	61 (2)	17 (1)
Neutral / Descriptive		10	7	3
Total		41 (2)	68 (2)	29
Average No. of articles per day		3.2	5.2	2.2
Framing decided by article count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	12	17	11
	Stable	7	17	8
	Long term	5	2	6
	Deficit	1	5	1
	Total	25	41	26
Negative / Critical	Administrative fee	8	17	9
	Cost	7	16	13
	Burden	8	11	5
	Surplus / Reserve	9	18	6
	Total	32	62	33
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Neg	Neg

Period 2

Table A11C.5: Framing of Sustained Coverage of GST between 21 and 25 August 2006 (5 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		3	0	2
Negative / Critical		8	7	2
Neutral / Descriptive		6	3	2
Total		17	10	6
Average No. of articles per day		3.4	2.0	1.2
Framing decided by article count		Mix	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	0	0	0
	Stable	2	3	0
	Long term	2	6	0
	Deficit	0	1	0
	Total	4	10	0
Negative / Critical	Administrative fee	0	0	1
	Cost	0	1	0
	Burden	1	1	2
	Surplus / Reserve	2	8	1
	Total	3	10	4
Framing decided by keyword count		Pos	Mix	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Mix	Mix

Period 3

Table A11C.6: Framing of Sustained Coverage of GST between 4 and 6 September 2006 (3 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		1	0	1
Negative / Critical		4	2	1
Neutral / Descriptive		0	3	3
Total		5	5	5
Average No. of articles per day		1.7	1.7	2.7
Framing decided by article count		Neg	Neu	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	0	0	0
	Stable	0	0	3
	Long term	1	0	0
	Deficit	0	0	0
	Total	1	0	3
Negative / Critical	Administrative fee	0	0	0
	Cost	0	0	0
	Burden	1	0	0
	Surplus / Reserve	1	0	4
	Total	2	0	4
Framing decided by keyword count		Neg	Mix	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Mix	Mix

Period 4

Table A11C.7: Framing of Sustained Coverage of GST between 13 and 16 September 2006 (4 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		1	0	1
Negative / Critical		6	5 (1)	3 (1)
Neutral / Descriptive		3	2	4
Total		10	7	8 (1)
Average No. of articles per day		2.5	1.8	2
Framing decided by article count		Neg	Neg	Neu
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	0	0	0
	Stable	4	2	5
	Long term	2	2	0
	Deficit	0	0	0
	Total	6	4	5
Negative / Critical	Administrative fee	0	0	1
	Cost	1	1	0
	Burden	1	1	0
	Surplus / Reserve	1	8	5
	Total	3	10	6
Framing decided by keyword count		Pos	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Period 5

Table A11C.8: Framing of Sustained Coverage of GST between 16 and 20 October 2006 (5 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		4	0	0
Negative / Critical		6	9 (3)	7 (2)
Neutral / Descriptive		7	2	2
Total		17	11	9
Average No. of articles per day		3.4	2.2	1.8
Framing decided by article count		Mix	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Allowance	0	0	0
	Stable	1	0	4
	Long term	2	2	14
	Deficit	0	1	0
	Total	3	3	18
Negative / Critical	Administrative fee	3	0	1
	Cost	2	2	1
	Burden	0	5	2
	Surplus / Reserve	1	3	2
	Total	6	10	6
Framing decided by keyword count		Neg	Neg	Pos
Combined Results				
Overall framing		MPDN	ADN	ODN
		Mix	Neg	Mix

Appendix 12: Chronology of Major Events in the Case of the OSFP

Date	Event
10 Jun 1999	The PLW Panel of Legco was consulted on the Draft Vision Statement for the Victoria Harbour and Central Reclamation Phase III (CRIII) ¹ .
12 Apr 2000	PWSC endorsed the proposal for upgrading of part of 343CL - "Central Reclamation Phase III- consultants' fee and site investigation" ² .
1 Mar 2002	PLW Panel discussed the proposal to implement CRP III including the refurbishment of the existing Ferry Pier No.7 and construction of a new Ferry Pier No. 8 and associated structures for reprovisioning of the affected "Star" Ferry Piers ³ .
5 Jun 2002	PWSC endorsed the proposal for 343CL- Central Reclamation Phase III – engineering works ⁴ .
12 May 2006	SFCL announced the design of the new SFP in Central ⁵ .
8 Jun 2006	Food, Environment, Hygiene and Works Committee of the CWDC discussed the design of the new SFP ⁶ .
17 Jun 2006	The Conservancy Association staged a ceremony in Central to mark the end of the OSFP and QP ⁷ .
22 Jun 2006	Traffic & Transport Committee of the CWDC discussed the traffic arrangements of the new SFP ⁸ .
17 July 2006	See Network launched a petition to save the OSFP and its clock tower ⁹ .
10 Aug 2006	Kwok Ka-ki requested the PLW Panel to discuss the issues related to the demolition of OSFP ¹⁰ .
20 Aug 2006	About 100 activists held an art exhibition for the preservation of the OSFP and clock tower, and presented a petition with about 7,000 signatures ¹¹ .

¹ PLW Panel paper: http://www.legco.gov.hk/yr98-99/english/panels/plw/papers/pl1006_4.htm, and PLW Panel meeting minutes: <http://www.legco.gov.hk/yr98-99/english/panels/plw/minutes/pl100699.pdf>

² Legco paper: <http://www.legco.gov.hk/yr99-00/english/fc/pwsc/papers/p00-1e.pdf>, and Legco minutes of meeting: <http://www.legco.gov.hk/yr99-00/english/fc/pwsc/minutes/pw120400.pdf>

³ PLW Panel paper: <http://www.legco.gov.hk/yr01-02/english/panels/plw/papers/plw0301-cb1-1134-3e.pdf>, and minutes of meeting: <http://www.legco.gov.hk/yr01-02/english/panels/plw/minutes/pl020301.pdf>

⁴ PWSC paper: <http://www.legco.gov.hk/yr01-02/english/fc/pwsc/papers/p02-41e.pdf>, and minutes of meeting: <http://www.legco.gov.hk/yr01-02/english/fc/pwsc/minutes/pw020605.pdf>

⁵ MPDN, 13 May 2006, page A08

⁶ Minutes of the Committee meeting: http://www.districtcouncils.gov.hk/central_d/chinese/doc/FEHWC_3_2006_Min_Chinese.doc

⁷ MPDN, 18 June 2006, page A19

⁸ Minutes of the Committee meeting: http://www.districtcouncils.gov.hk/central_d/chinese/doc/3_TTC_MIN_CHIN_2006.doc

⁹ MPDN, 17 July 2006, page A22

¹⁰ PLW Panel paper CB(1)2129/05-06(02) (in Chinese):

<http://www.legco.gov.hk/yr05-06/chinese/panels/plw/papers/plw0920cb1-2129-2c.pdf>

¹¹ MPDN, 21 August 2006, page A11

- 20 Sep 2006 Legco PLW Panel discussed the reprovisioning of the OSFP and passed a motion demanding the deferral of the demolition plan¹².
- 5 Oct 2006 The CWDC called on the Administration to preserve the OSFP and QP¹³.
- 11 Oct 2006 The Administration provided a written response on the motion passed at the PLW Panel meeting on 20 September 2006¹⁴.
- 11 Nov 2006 The OSFP closed down at mid-night.
One hundred fifty thousand people flocked to the OSFP in Central and Tsim Sha Tsui for farewell activities¹⁵.
- 12 Nov 2006 The ferry service in Central moved to new pier.
About 20 activists of SEE Network and Independent Media started a sit-in outside the OSFP. Some major environmental groups and pro-democracy parties also staged a protest march against reclamation and the demolition of the OSFP¹⁶.
- 14 Nov 2006 Legco PLW Panel further discussed planning issues relating to the reprovisioning of the OSFP¹⁷.
- 6 Dec 2006 In response to Choy So-yuk's written question, the Administration claimed that, according to the built heritage impact assessment for CRIII conducted in 2001, and the AAB's assessment report, the Administration would not re-consider declaring the OSFP as a monument¹⁸.
- 11 Dec 2006 SEE Network and Alexander Hui claimed that the hyperlink to the AAB's Survey Report on the relevant Government website had been missing, and doubted if the Administration concealed the report¹⁹.
- 12 Dec 2006 The AAB held an urgent meeting to reaffirm no objection raised to Star Ferry Pier demolition plan in 2002²⁰.
Some citizens organized by various minor groups staged a demonstration at the pier site while the demolition works of the OSFP commenced²¹.
- 13 Dec 2006 The MPDN quoted an official source, claiming that the Administration had started the review of heritage policy²².
Police officers cleared up the OSFP, arresting a demonstrator for "criminal damage" to property. Dozens demonstrators joined the protest from outside the fenced-off area.²³
With the permission of the Legco President, Fernando Cheung initiated a motion to debate the demolition of the clock tower at the OSFP²⁴.
The CE delivered a public speech, stressing the Government had

¹² PLW Panel paper:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb1-2208-2e.pdf>,
and minutes of meeting: <http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060920.pdf>

¹³ Minutes of the Council meeting:

http://www.districtcouncils.gov.hk/central_d/chinese/Minutes/doc/DC/19.doc

¹⁴ PLW Panel paper:

<http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0920cb1-46-1-e.pdf>

¹⁵ MPDN, 12 November 2006, page A03

¹⁶ MPDN, 13 November 2006, page A06

¹⁷ Minutes of PLW Panel meeting: <http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061114.pdf>

¹⁸ The Administration's press release on the reply of the Secretary for Home Affairs:
<http://www.info.gov.hk/gia/general/200612/06/P200612060159.htm>

¹⁹ MPDN, 12 December 2006, pA02 and A04.

²⁰ The Administration's press release:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-511-3-e.pdf>

²¹ MPDN, 13 December 2006, page A02

- spent five year to satisfy all the statutory requirements and consultation procedures before deciding to demolish OSFP²⁵.
- 14 Dec 2006 PLW Panel held a special meeting to further discuss the subject matter and a motion was passed at the meeting²⁶.
- 16 Dec 2006 The clock tower of the OSFP was demolished in the morning²⁷. 20 protesters started a hunger strike to memorize the history of the OSFP²⁸.
- 18 Dec 2006 PLW Panel held a special meeting to discuss the demolition of the OSFP. The Administration, at the meeting, informed Panel members that the clock tower had been disposed of at the public fill reception facilities and mixed with other materials. At this meeting, Neil Brennan Wring denied the infeasibility of restoring the Star Ferry clock, telling the PLW Panel that the clock could continue to run²⁹.
- 19 Dec 2006 The amendment plan of existing heritage policy became concrete when the Administration disclosed that it would take account of peoples' collective memory and social value of historical sites under the new standards of monuments³⁰. The Legco Public Works Subcommittee of the Finance Committee rejected the government's request for an extra fund for proposed Central Kowloon Route which might affect Yau Ma Tei Police Station and Jade Market³¹.
- 23 Dec 2006 The CE delivered a speech at the radio programme, announcing a series of heritage policy changes, including the adjustment of the demolition of the QP³².
- 24 Dec 2006 Quoting a government source, the ODN disclosed the plan of AAB reform³³. About 200 people joined Heritage Watch's a candle-light vigil at the OSFP³⁴.
- 8 Jan 2007 The Administration launched a new series of consultations on built heritage conservation in which the current built heritage assessment criteria would be expanded, incorporating elements about collective memory³⁵.

²² MPDN, 13 December 2006, page A02

²³ MPDN, 14 December 2006, page A03

²⁴ The Administration's press release on the response of the SHPL:

<http://www.info.gov.hk/gia/general/200612/13/P200612130316.htm>

²⁵ The Administration's press release on the speech of the Chief Executive:

<http://www.info.gov.hk/gia/general/200612/13/P200612130248.htm>

²⁶ Relevant papers for the PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/agenda/plag1214.htm>;

Terms of the motion passed:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-534-1-e.pdf>,

and follow-up paper on the AAB meeting on 13 March 2002:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw1214cb1-575-1-e.pdf>

²⁷ MPDN, 17 December 2006, page A02

²⁸ ODN, 17 December 2006, page A02

²⁹ Minutes of PLW Panel meeting:

<http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl061218.pdf>

³⁰ MPDN, 20 December 2006, page A08

³¹ Minutes of the meeting: <http://www.legco.gov.hk/yr06-07/english/fc/pwsc/minutes/pw061219.pdf>

³² The Administration's press release on the speech:

<http://www.info.gov.hk/gia/general/200612/23/P200612220271.htm>

³³ ODN, 24 December 2006, page A19

³⁴ MPAN, 25 December 2006, page A04

³⁵ The Administration's press release on the speech of the Secretary for Home Affairs:

<http://www.info.gov.hk/gia/general/200701/08/P200701080232.htm>

- 23 Jan 2007 The Administration also announced the reform of the AAB.³⁶
The Administration briefed the PLW Panel on the proposals to "relocate" the QP. Deputations of various professional and community bodies expressed their views at the same meeting. The Panel suggested that the Administration should discuss with the professionals on the arrangements for preserving the pier³⁷.
- 3 Feb 2007 Running for a second term, the CE, Donald Tsang announced the plan to create a Development Bureau to co-ordinate and balance the needs for development, and the needs for environmental protection and heritage conservation³⁸.
- 26 Mar 2007 The Administration proposed four alternatives for preserving QP³⁹.
- 3 May 2007 The CE announced the plan to reorganise the Government Secretariat, including the creation of the Development Bureau⁴⁰. The Planning Department launched the first stage of Public Engagement for the Urban Design Study for the New Central Harbourfront, a public consultation on the urban design framework of the Central Harbourfront, including locations and design ideas for reconstructing the old Star Ferry Clock Tower and reassembling QP⁴¹.

³⁶ Administration's press release on the speech of the Secretary for Home Affairs:
<http://www.info.gov.hk/gia/general/200701/08/P200701080234.htm>

³⁷ Minutes of the meeting: <http://www.legco.gov.hk/yr06-07/english/panels/plw/minutes/pl070123.pdf>

³⁸ MPDN, 4 Mar 2007, page A01

³⁹ Relevant paper for the PLW Panel meeting:
<http://www.legco.gov.hk/yr06-07/english/panels/plw/papers/plw0327cb1-1184-4-e.pdf>

⁴⁰ The Administration's press release on the CE's statement:
<http://www.info.gov.hk/gia/general/200705/03/P200705030180.htm>

⁴¹ The Administration's press release on the announcement of the Planning Department:
<http://www.info.gov.hk/gia/general/200705/03/P200705030197.htm>

**Appendix 13A:
Coding Frame and Keyword List for
News Coverage of the OSFP**

Coding Frame for Coverage of OSFP			
Category		Framing	
		Positive	Negative
1	How was the demolition plan framed?	A development issue which resolves traffic congestion.	A heritage issue which discards history and people's memory
2	Whose voices were highlighted?	Government officials or the supporters of the demolition plan	The opposition or people missing OSFP
3	Which problem was considered to be more important?	Traffic congestion	People's memory of the OSFP
4	How were the preservation of the OSFP and its components described?	Infeasible or unnecessary	Viable and necessary.
5	How was the adjustment of demolition considered?	It was infeasible and too late to adjust the demolition plan.	Adjustment was feasible and worth.
6	How were the protests described?	Disordered or radical	Peaceful
7	How were the protesters described?	Radicals or minority.	Fighters or intellectuals such as artists, students and university lecturers
8	How was the legitimacy of the demolition plan described?	It was a legitimate decision which has passed through all the consultation and statutory procedures.	It was an outdated decision which mismatches the latest public views
9	How was the missing hyperlink to the AAB's Survey Report described?	A technical mistake.	The Administration concealed unfavourable information
10	How were the existing heritage policy and its consultation mechanism described?	Effective and legitimate.	Inefficient and outdated.
11	How the OSFP was described?	A crude or old building	An icon of history or people's memory

Table continued on next page.

Coding Frame for Coverage of OSFP (Cont.)			
Category		Framing	
		Positive	Negative
12	How were the demolition work and the removal of protestors described?	Decisive or resolute	Merciless
13	Was there any other issues related to the demolition plan and existing heritage policy?	Supportive of the Administration, its demolition plan and existing heritage policy.	Critical of the Administration demolition plan and existing heritage policy

Neutral Framing:

- Supportive and critical voices were balanced in the same article
- Neither supportive nor critical argument was highlighted.
- Technical or procedural issues were described and explained.

Keyword List for Coverage of OSFP	
Positive Frame	Negative Frame
<ul style="list-style-type: none"> • Traffic/Transport (交通) • Procedure (程序) • Contract (合約) 	<ul style="list-style-type: none"> • Conservation (保育) • Memory (回憶/記憶) • History (歷史)

Appendix 13B
News Framing in the Five Analysis Periods
in the Case of the OSFP

Period 1

Table A13B.1: Framing of Coverage of OSFP between 13 May and 9 August 2006 (101 days)				
Article Count				
Framing		Total No. of articles		
		MPDN	ADN	ODN
Positive / Supportive		1	1	2
Negative / Critical		3	1	0
Neutral / Descriptive		0	0	0
Total		4	2	2
Average No. of articles per day		0.04	0.02	0.02
Framing decided by article count		Neg	Mix	Pos
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Traffic	3	1	0
	Procedure	0	0	0
	Contract	0	0	0
	Total	3	1	0
Negative / Critical	Conservation	0	0	0
	Memory	1	0	0
	History	3	4	1
	Total	4	4	1
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall framing		MPDN	ADN	ODN
		Neg	Mix	Mix

Period 2

Table A13B.2: Framing of Coverage of OSFP between 10 August and 26 October 2006 (78 days)				
Article Count				
Framing		Total No. of articles (No. of editorials)		
		MPDN	ADN	ODN
Positive / Supportive		3	1	1
Negative / Critical		5 (1)	6	1
Neutral / Descriptive		0	1	1
Total		8 (1)	8	3
Average No. of articles per day		0.1	0.1	0.04
Framing decided by article count		Neg	Neg	Mix
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Traffic	3	3	0
	Procedure	0	0	0
	Contract	0	0	0
	Total	3	3	0
Negative / Critical	Conservation	4	0	0
	Memory	9	6	3
	History	18	8	4
	Total	31	14	7
Framing decided by article count		Neg	Neg	Neg
Combined Results				
Overall Framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 3

Table A13B.3: Framing of Coverage of OSFP between 27 October and 30 November 2006 (35 days)				
Article Count				
Framing		Total No. of articles (No. of editorials)		
		MPDN	ADN	ODN
Positive / Supportive		3	0	0
Negative / Critical		19 (3)	25	10
Neutral / Descriptive		6	6	3
Total		28 (3)	31	13
Average No. of articles per day		0.8	0.89	0.37
Framing decided by article count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Traffic	5	6	5
	Procedure	5	0	0
	Contract	1	0	0
	Total	11	6	5
Negative / Critical	Conservation	3	1	1
	Memory	12	18	15
	History	17	19	13
	Total	32	38	29
Framing decided by article count		Neg	Neg	Neg
Combined Results				
Overall Framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 4

Table A13B.4: Framing of Coverage of OSFP between 1 to 15 December 2006 (15 days)				
Article Count				
Framing		Total No. of articles (No. of editorials)		
		MPDN	ADN	ODN
Positive / Supportive		2	0	0
Negative / Critical		15 (4)	15 (1)	8 (1)
Neutral / Descriptive		5	2	4
Total		22 (4)	17 (1)	12 (1)
Average No. of articles per day		1.47	1.13	0.80
Framing decided by Article Count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Traffic	1	0	4
	Procedure	10	1	1
	Contract	1	4	0
	Total	12	5	5
Negative / Critical	Conservation	3	3	0
	Memory	9	6	3
	History	34	12	13
	Total	46	21	16
Framing decided by Article Count		Neg	Neg	Neg
Combined Results				
Overall Framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Period 5

Table A13B.5: Framing of Coverage of OSFP between 16 December 2006 to 3 February 2007 (50 days)				
Article Count				
Framing		Total No. of articles (No. of editorials)		
		MPDN	ADN	ODN
Positive / Supportive		4	2	2
Negative / Critical		25 (2)	29 (1)	32 (6)
Neutral / Descriptive		18	14	7
Total		47 (2)	45 (1)	41 (6)
Average No. of articles per day		0.94	0.9	0.82
Framing decided by article count		Neg	Neg	Neg
Keyword Count				
Framing		Frequency		
		MPDN	ADN	ODN
Positive / Supportive	Traffic	11	2	0
	Procedure	7	3	5
	Contract	4	1	2
	Total	22	6	7
Negative / Critical	Conservation	31	47	37
	Memory	34	35	39
	History	94	53	79
	Total	159	135	155
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall Framing		MPDN	ADN	ODN
		Neg	Neg	Mix

Appendix 13C

News Framing of Sustained Coverage of the OSFP

Table A13C.1: Framing of Sustained Coverage on the MPDN				
Article Count				
Framing		10- 13/11/06 (4 days)	12- 25/12/06 (14 days)	7- 10/1/07 (4 days)
		Total No. of article (No. of editorial)		
Positive / Supportive		0	4	1
Negative / Critical		12 (1)	35 (5)	2 (1)
Neutral / Descriptive		2	14	3
Total		14 (1)	53 (5)	6 (1)
Average No. of articles per day		3.50	3.79	1.50
Framing decided by article count		Neg	Neg	Neutral
Keyword Count				
Framing		Frequency		
Positive / Supportive	Traffic/Transport	0	12	0
	Procedure	4	15	1
	Contract	0	5	0
	Total	4	32	1
Negative / Critical	Conservation	1	24	0
	Memory	9	34	5
	History	12	81	6
	Total	22	139	11
Framing decided by keyword count		Neg	Neg	Neg
Combined Results				
Overall Framing		Neg	Neg	Mix

Table A13C.2: Framing of Sustained Coverage on the ADN					
Article Count					
Framing		10-17/11/06 (8 days)	11-26/12/06 (16 days)	8-11/1/07 (4 days)	
		Total No. of article (No. of editorial)			
Positive / Supportive		0	1	0	
Negative / Critical		18	30 (1)	3 (1)	
Neutral / Descriptive		5	11	3	
Total		23	42 (1)	6 (1)	
Average No. of articles per day		2.88	2.63	1.50	
Framing decided by article count		Neg	Neg	Mix	
Keyword Count					
Framing		Frequency			
Positive / Supportive	Traffic/Transport	4	2	0	
	Procedure	0	3	0	
	Contract	0	5	0	
	Total	4	10	0	
Negative / Critical	Conservation	0	37	6	
	Memory	9	25	2	
	History	13	31	10	
	Total	22	93	18	
Framing decided by keyword count		Neg	Neg	Neg	
Combined Results					
Overall Framing		Neg	Neg	Mix	

Table A13C.3: Framing of Sustained Coverage on the ODN			
Article Count			
Framing		10-13/11/06 (4 days)	12-25/12/06 (14 days)
		Total No. of article (No. of editorial)	
Positive / Supportive		0	2
Negative / Critical		7	32 (5)
Neutral / Descriptive		1	8
Total		8	42 (5)
Average No. of articles per day		2	3
Framing decided by article count		Neg	Neg
Keyword Count			
Framing		Frequency	
Positive / Supportive	Traffic/Transport	1	4
	Procedure	0	5
	Contract	0	2
	Total	1	11
Negative / Critical	Conservation	1	27
	Memory	9	22
	History	9	62
	Total	19	111
Framing decided by keyword count		Neg	Neg
Combined Results			
Overall Framing		Neg	Neg

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List of Interviewees

- Chan, Bernard, Legislative Councilor (1998-2008), Exco Member (2002-2008)
- Chan, Yuen-han, Legislative Councilor (1995-2008), Vice-President of the FTU, DAB member
- Cheng, Mun-wah Patsy, Director of the SEE Network
- Cheng, Yiu-Tong, Exco-member (2002-present), President of the FTU, Legislative Councilor (1997-98)
- Chow, Liang Suk-yea Selina, Vice-Chairman of the LP (1999-2008), Legislative Councilor (1991-2008), Exco Member (1991-92, 2003-2008)
- Choy, So-Yuk, Legislative Councilor (1997-2008), the DAB's spokesperson of environmental affairs (2000-2008)
- Eu, Yuet-mee Audrey, Legislator (2000-present), Leader of the CP (2006-present), Bar Association Chairman (1997-1999)
- Kwok, Ka-ki, Legislative Councilor (2004-2008), District Councilor
- Lee, Wing-tat, Chairman of the DP (2001-2006), Legislative Councilor (1995-1997, 1998-2000, 2004-present)
- Leong, Kah-kit Alan, Legislator (2004-present), Bar Association Chairman (2001-2003), Vice-Chairman of the CP (2008-present)
- Sin, Chung-Kai, Legislative Councilor (1995-97, 1998-2008), Vice-Chairman of the DP (2006-present)
- Suen, Ming-yeung Michel, Secretary for Housing, planning and land (2002-2007), Secretary for Education (2007-present)
- Tam, Yiu-chung, Chairman of the DAB (2007-present), Legislative Councilor (1997-present), Exco Member (1997-2002)
- To, Kun-sun James, Legislative Councilor (1991-1997, 1998-present) of the DP, DP's spokesperson of security affairs
- Tsang, Yok-sing Jasper, Chairman of the DAB (1992-2003), Legislative Councilor (1997-present), Exco Member (2002-2008)
- A government official who requested anonymity
- A Town Planning Board Member who requested anonymity

Journalists who requested anonymity

- Journalist A who worked for the MPDN and ODN
- Journalist B who worked for the ODN
- Journalist C who worked for the ADN
- Journalist D who worked for the MPDN and the Sing Tao Daily News