

Some Reflections on Cultural Policy Addresses and Women's Rights in Hong Kong

by
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I Background: Cultural Policies and the Women's Rights Issue

The issue of gender relations in the arts, media, and cultural development¹ was taken up as a subject of key importance in the report of the World Commission on Culture and Development several years ago. Observations stated that the subject was neglected and little research or policy attention was given to women in cultural policies and the arts. I would like to present a summary of areas of attention related to this issue based on representative European research reports and proposals.²

According to the report of the *World Commission on Culture and Development*, culture is generally defined as “ways of living together,” which includes foundations of legal and economical systems, language, or social systems. It was suggested that one should speak of cultural policy as a set of “inter-sectoral” tasks with high political potential. Equality and participation of all groups in a society should therefore be of great concern to cultural policy makers from ethical and effective points of views. It was reminded that there may exist policies about women or cultural policies in some countries, but not policies about women in culture.

¹ During one of the conversations I had with Gerhold years ago in Hong Kong, he learned about my research in women, art, and feminist aesthetics, and showed his interest. At the time, I did not know where to start explaining. But I did feel strongly for women's expressions and have remained so in all these years. When I was invited to contribute to this *festschrift* on responsibility and commitment, I decided to conduct some research on women's cultural-rights issues and the corresponding cultural-policy addresses of Hong Kong in light of the question of their adherence to responsibility and commitment. This essay, though related to ethics, is not philosophical; it merely touches on some basic questions and aims to bring back some memories of Hong Kong in Gerhold's heart and mind.

² One of the blueprints is Danielle Cliche, Ritva Mitchell, and Andreas J. Wiesand's *Women in Cultural Policies*, a project conducted by the European Research Institute for Comparative Cultural Policy and the Arts (ERICArts) in 1998.

Some main principles for assessing the issue were suggested for the evaluation of culture and media policies, which include equality, diversity, recognition, transparency, and productivity. It was proposed that:

1. gender equality should be attended in decision-making positions in the arts, culture, and media, in remuneration and social conditions (without ruling out specific measures for women such as child care), and in further education and training opportunities;
2. for the purpose of diversity, policies should acknowledge the differences in expression among women rather than treating them as a homogeneous group, and policies should support the existence of specific institutions, rights, rites, and rituals of women;
3. recognition should be given to women's achievements through funding, prizes, continued training, prestige, and portrayal of women in the media;
4. in political processes, production and dissemination of information, nomination and decision-making processes should be transparent;
5. principles of equality and diversity are essential, but productivity of women's cultural contribution is also important or sustainable development will not be achieved.

It was reported that two kinds of policy action have been followed in some European countries in recent years, on both formal and informal levels. In Germany, for example, there is the act of "mainstreaming," which brings women's presence and status in from the margins; there are also developments of networks and the founding of specialized institutions and programs for women. Some formal regulations were implemented in other countries including affirmative action policies and quota systems.

We are also informed of some global trends that will shape the position and capacities of women and the opportunities open to them:

1. globalization and new localism that turned most societies into a "marketplace";
2. sustainable developments and the values of "eco-system";
3. the goal of a "civil society," implying that there will be new roles for public authorities and social relations; and
4. the idea of an "information society," which involves changing communication practices.

It is believed that "globalization" demands interdependency, speed, and productivity, which will affect gender equality in initiating and implementing changes. While it is recognized that globalization can open opportunities for women, doubts remain that male dominance may hinder such opportunities. The concept of sustainable development may rely on women who have been and will still be playing crucial roles in maintaining a livable "eco-system." The new idea of civil society is now involving new international movements like environmental and human rights movements, which are fighting against exclusion and for equality; these may also affect the social status of women. Finally, studies on the production of women scientists, mathematicians, and engineers are finding that the working environments have not been hospitable to women, and there should be supplemental programs directed toward women's interests.³

But do these ideals sound idealistic? For alongside with the global trends, old patterns of women's situation persist:

1. despite the liberal claim that all individuals have equal rights, many women are not enjoying the same rights but continue to be discriminated against because of their various backgrounds of class, age, religious or individual beliefs, language, ethnic origins, or sexual orientation;
2. there's still the call for equal access for all women to education and training resources;
3. the marginalization of women is still based on certain practical and ideological constructs, including the biological assumptions about women's strength and stamina, hormones and pregnancy.

Here are the questions:

- Could cultural rights change these old patterns?
- What are cultural rights?
- Can we and should we in general assess women's rights from the perspective of cultural rights?

(One should note the sense in which "cultural rights" might mean "rights to culture" and would relate to assertions of rights to preserve, exercise, or have access to a culture.)⁴

³ Carol Colatrella, "From Desk Set to The Net: Women and Computing Technology in Hollywood Films," *Canadian Review of American Studies* 31/1 (2001): 1-14.

⁴ Lyndel Prott, "Understanding one another on cultural rights," in *Cultural Rights and Wrongs* (Leicester: UNESCO, 1998), 174.

Several documents discuss cultural rights from the angles of race and nationality. Here are points related to the theme of this paper:⁵

1. As the Articles of *The Universal Declaration of Human Rights* clearly state, everyone has the right freely to participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits (Article 27); everyone has the right to the protection of the moral and material interests resulting from any scientific, literary, or artistic production of which she is the author (Article 27); and everyone, as a member of society, has the right to social security and is entitled to realization of the economic, social, and cultural rights indispensable for her dignity and the free development of her personality.
2. A closer look into the rights to participate in cultural life was proposed by the Council of Europe's document, which states that one has the right to choose (and belong to) one or several culture(s) and the freedom to express it (them); one has the right of access to culture; one has the right to enjoy the benefits of culture, including the protection of such benefits; one has the right to contribute to cultural development; one has the right to equality of opportunity and to absence of discrimination, in order to promote cultural democracy; and one has the right of access to means of dissemination, international cultural co-operation, and information.

As summarized from the above, "cultural rights might be seen as including all those rights necessary for human dignity and development, including the rights to education, to freedom of speech and information, to privacy and to religious freedoms, as well as to protection of the fruits of artistic and literary creation."⁶ But what happens when women's rights are in conflict with cultural rights? An example is that women's circumcision was used as an argument for reducing women's rights to cultural rights—as a right for an individual woman to refuse circumcision and as a right for groups of women to resist this practice. This can be regarded as a universal

⁵ Halina Nieć, "Casting the foundation for the implementation of cultural rights," in *Cultural Rights and Wrongs* (Leicester: UNESCO, 1998), 179-182.

⁶ Article 27 of the Universal Declaration of Human Rights, GA Res. 217 A (III) of December 1948, *Human Rights: A Compilation of International Instruments*, supra note 3, 6; cited in Nieć, 179.

human rights issue as it would include the right to differ.⁷ An important point this thinking reveals is that equality for women is not adequately secured within the prevailing concepts of "cultural rights," when the latter vary and are relative to cultural and social contexts.

One should also pay attention to a couple of patterns present across cultures that have hindered the cultural actualization and development of women, in addition to the old patterns that have been mentioned: that art and cultures continue to be defined and controlled by male "gatekeepers" whose world views may differ from those seen through female eyes; that the construction of gender/women images is determined by media ownership patterns, media structure and regulation, or economic and political structures, all of which are not well studied by policy makers; and that the data and information on the status and role of women as makers of art and culture are not well attended.⁸

A brief check of the current art and cultural policy of Hong Kong confirms most of the patterns mentioned above.

II The Case of Hong Kong

On the briefing report to the Legislative Council Panel on Home Affairs about Hong Kong's Cultural Policy on 7 April 2006, it was suggested that the Hong Kong Government could and should only exercise influence through its policy primarily on high culture (i.e. culture and the arts) but not on daily life and spiritual cultures.⁹ It was stated that the policy's objective is to create an environment that is conducive to the freedom of artistic expression and creation as well as the wider participation in cultural activities. The policy is said to have comprised four major elements, which are in line with the core values of Hong Kong as a free, diversified, and open society, namely: to respect freedom

⁷ See Cliche, Mitchell, and Wiesand, *Women in Cultural Policies*.

⁸ Ullamaija Kivikuru, *State of the Art Research: Images of Women in the Media*. Project prepared in the framework of the EU Action Programme on Equal Opportunities for Women and Men, June 1997, pp. 5-6. Cited in *Women in Cultural Policies* (Bonn: ARCult Media Bonn, 1998). Available online at http://www.ericarts.org/web/files/135/en/women_and_cultural_policies_englishreport.pdf.

⁹ Home Affairs Department, "Hong Kong's Cultural Policy," LC Paper No. CB(2)1609/05-06(01). Hong Kong: Hong Kong Legislative Council Panel on Home Affairs, April 2006. Available online at <http://www.legco.gov.hk/yr05-06/english/panels/ha/papers/ha0407cb2-1609-1e.pdf>.

of creation and expression; to provide opportunities for participation; to encourage diversified and balanced development; and to support environment and conditions (venues, funding, education and administration).

It is stated that Hong Kong people's cultural identity should acknowledge its local character as well as the deeply-rooted Chinese cultural traditions. It should also possess a global vision that is open and pluralistic. The Government allocates about 1% of its total annual expenditure to culture and the arts, which percentage share is broadly comparable to that in some Western countries like France.¹⁰ I will not cover all the features of the report but only those that are relevant to the subject under discussion. Are there parts of the arts and culture policy concerned with women in particular? One knows that there will certainly be dilemmas involved as soon as questions in this direction are being raised. The questions may either provoke the accusation of implying essentialist womanhood or of regarding women as a group that needs particular care or protection.

The Cultural Policy papers in Hong Kong, new and old and in general, have regarded public needs as gender neutral. Though one of the five areas of the LCSD's mission with respect to the performing arts claims "to line up strategically distinguished, diverse and challenging cultural programs to serve the different needs, aspirations, and interests of the community and keep the society abreast of the international cultural scene," no differentiation or identification of particular groups of gender is mentioned.¹¹ There are only two places where the word "women" is mentioned in the paper. One proclaims the belief in the public library as a living force for education, culture, and information, and an essential agent for the fostering of peace and spiritual welfare through the minds of men and women; the other is the lecture series, namely, "Successful Space – series of experience sharing with successful women."¹²

The plans of the Cultural Policy in Hong Kong claim to concentrate efforts and resources on fostering regional exchanges and partnerships with the Pearl River Delta Region, establishing a platform to help arts groups cater to public and market demands, promoting arts education in Hong Kong strategically, exploring community resources for local arts development and assisting arts groups/artists in achieving professional management, etc. In the immediate future, however, the dimension of gender is obviously assumed to be "neutral"

¹⁰ Home Affairs Department, "Hong Kong's Cultural Policy," LC Paper., § 9.

¹¹ Home Affairs Department, "Hong Kong's Cultural Policy," LC Paper, § 11.

¹² Home Affairs Department, "Hong Kong's Cultural Policy," LC Paper, §§ 16 & 17.

and monolithic.¹³ The same fervor was found in the main references of the policy paper, the report of the *Culture and Heritage Commission* written in 2003, which has put forward six principles to promote the long-term overall cultural development in Hong Kong.¹⁴ In these principles, which listed the notion of "People-oriented," "Pluralism in cultures," "Freedom of Expression and Protection of Intellectual Property," "Holistic Approach in different policy areas," "Community partnership," and "Community-driven," etc., the gender connotation is blurred.

One can make two arguments here:

1. that the subjects being addressed in the policy are basically men and they are the gatekeepers of the funding and policy decisions, for men in most cultures are encouraged to initiate change and to create, and their good performances and capacities have been the standard in most cultures; or
2. the subjects are understood to have included men and women and the differentiation is secondary.

Yet one will not only need to investigate further the real situation of women cultural agents in Hong Kong and the support and resources they have gained in the midst of the public gender cultures; one should also look into the implications and the problems raised by the homogenous reading and the monolithic discourse on women. The discourse has overlooked or dismissed the particular rights and the cultural needs of various women groups, including migrants, artists, or technology workers.

III The Homogeneous Perception and the Monolithic Discourse on Women: A Historical and Post-Colonial Reflection

One can trace the origins back to modernity, an ideology that has dramatic effects on human thinking across cultures. Masculine fervors are read from the characters of Modernity, as it is said it arises out of a culture of "stability, coherence, discipline, and world-mastery";¹⁵ that it involves a

¹³ Home Affairs Department, "Hong Kong's Cultural Policy," LC Paper, § 21.

¹⁴ See Culture and Heritage Commission Committee, *Culture and Heritage Commission Policy Recommendation Report*, Hong Kong: Hong Kong Government, 2003.

¹⁵ Bryan S. Turner, "The Rationalization of the Body: Reflections on Modernity and Discipline," in Sam Whimster and Scott Lash, eds., *Max Weber: Rationality and Modernity* (London: Allen and Unwin, 1987), 223.

“rational, autonomous subject” and an “absolutist, unitary conception of truth”;¹⁶ and that to be modern is to be on the side of progress, reason, and democracy. The opposite of Modernity, by contrast, is the discontinuous experience of time, space, and causality, the features of transitory, fleeting, and fortuitous,¹⁷ and the tendency to align oneself with “disorder, despair, and anarchy.”¹⁸ These are commonly described as feminine features. As Rita Felski rightly states, modernity comprises a collection of interlocking institutional, cultural, and philosophical strands. This collection is grounded in fraternity and has effectively excluded women from many forms of political life.¹⁹ It silences women through a recurring identification of the human with the masculine, and thus recurring identification of the modern with the public, situating women outside the processes of history and social changes. The phenomenon continues as industry, consumerism, modern cities, mass media, and technology are all in some sense fundamentally masculine.²⁰

There are the further claims that modernity is predicated on the elimination of woman and sexual difference, for the modern is predicated on the erasure of feminine agency and desires.²¹ In this way, women’s modernity experiences—in their gender-specific ways and in their various and overlapping identities and practices as consumers, mothers, workers, artists, migrants, activists, and readers—were underscored.²²

There may also be distrusts on women under these highlights: the attribution of masculinity to the Cartesian rational and independent mind which transcends matter, while body and matter are represented as feminine;²³

¹⁶ Susan J. Hekman, *Gender and Knowledge: Elements of a Postmodern Feminism* (Cambridge: Polity Press, 1990), 188.

¹⁷ David Frisby, *Fragments of Modernity* (Cambridge: MIT Press, 1986), 4.

¹⁸ Malcolm Bradbury and James McFarlane, eds., *Modernism, 1890-1930* (Harmondsworth: Penguin, 1976), 41.

¹⁹ Rita Felski, *The Gender of Modernity* (London: Harvard University Press, 1995), 12-14.

²⁰ Felski, *The Gender of Modernity*, 14 -17.

²¹ Juliet Flower MacCannell, *The Regime of the Brother: After the Patriarchy* (London: Routledge, 1991).

²² Felski, *The Gender of Modernity*, 21.

²³ Genevieve Lloyd, *The Man of Reason: “Male” and “Female” in Western Philosophy* (Minneapolis: University of Minnesota Press, 1993), 4-7.

the Kantian notions of man as a controlling will and a moral subject, while women were weak and feeble waiting to be educated on how to direct their desires; and that a man's aesthetic faculty would aim for the unity and coherence of individual and public tastes, while a woman's inclination to beauty is private, subjective and superficial and their aesthetic features are fragmented and ruptured.²⁴

But the Hong Kong art and cultural policy certainly has some contextual origins as well, which may suggest conflicting claims between women's rights and cultural rights, between feminism and post-colonialism within the city's history and hierarchies of gender, culture, and race. Firstly, the silence of women fits the colonial discourse's claim that the center wants an identifiable margin.²⁵ The act has two colonial features: it disregards a group's enormous cultural resources and historical experiences; and it also constructs "othering" as in the colonial legacy.²⁶

Though it may not be true to say that the notion "women" is portrayed as a social group in needs of extra subsidization and protection on the Cultural Policy paper, or that it is merely related to the impressions of "ignorant, poor, uneducated, tradition-bound, domesticates, or family-oriented," the absence or simple inclusion implies that women have no particular representation in the policy. Their various needs and the women's heterogeneous components in Hong Kong are not identified. In this sense, women's rights are subsumed under cultural rights in general, and as Trinh Minh-ha has emphatically put it, "we came to listen to that voice of difference likely to bring us what *we can't have* and to divert us from the monotony of sameness."²⁷ The public discourse unconsciously homogenizes

²⁴ These descriptions have been well shared arguments made by feminist aestheticians and philosophers, who point out the gender dimension implied in the Western mainstream thoughts, which presume an isolated, transcendent and autonomous subject. This subject is male represented, as it echoes with the social codes of an independent man. Women were addressed by these thinking men (e.g. Kant) in their correspondence that they were lack of moral control and capacity, and were strongly inclined to and distracted by superficial aesthetic attraction. They cared more about bodily needs and were situated on the body and the matter side in Plato's binary opposition of the mind and the matter.

²⁵ Gayatri Spivak, *Outside in the Teaching Machine* (New York: Routledge), 1993, 55.

²⁶ Leela Gandhi, "Postcolonialism and Feminism," from Leela Gandhi, *Postcolonial Theory: A Critical Introduction* (New York: Columbia University Press, 1998), 471.

²⁷ Minh-Ha T. Trinh, *Woman, Native, Other: Writing Postcoloniality and Feminism* (Bloomington: Indiana University Press, 1989), 88.

the intentions, and the contesting representational systems displace or silence the so-called “gendered subaltern.”²⁸ It seems that women are dissolved and one has never heard them speak about themselves.

Am I trying to be too radical in quoting here Leela Gandhi’s discussion on third-world women, in which she proposes that a woman “is simply the medium through which competing discourses represent their claims; (and) a palimpsest written over with the text of other desires, other meanings”?²⁹ But current local reports and news on the poverty situation of Hong Kong women workers, whose monthly income median is below HK\$4,000, are enough to ridicule the Cultural Policy for its focusing on “high culture,” which is tailor-made for men and women of the more well-to-do classes. The simple differentiation among everyday culture, high culture, and spiritual culture mentioned on the Cultural Policy paper cannot cover up the marginalization of women of the lower class groups, whose assigned social activities are cut off from the high ground of arts and culture, and are restricted to activities with limited cultural growth like snake feast and visits to the Hong Kong Disney World outskirts.

The implications here also include that there is nothing to resolve between the conflicting claims of “women’s rights” and “cultural rights,” when both are dissolved in the aggressive myth of masculinity in the cultural sense. There exists also the “nationalistic” masculinity in Hong Kong’s cultural policy, when Chinese root is re-emphasized in the post-colonial city.

IV Reflections and Suggestions for Articulation

Several cultural-policy measures and program recommendations related to women’s right issues were suggested to and discussed by European governments and the UNESCO; they are mentioned at the beginning of this paper.³⁰ They list equality, in particular, the creation of comparable opportunities for women and men regarding access to decision-making positions in cultural policy, equal pay for equal work; and further education and training programs.

²⁸ Felski, *The Gender of Modernity*, 21.

²⁹ Gandhi, “Postcolonialism and Feminism,” 474.

³⁰ Cliche, Mitchell, and Wiesand, *Women in Cultural Policies*.

The same recommendations also mention diversity, stressing that in cultural policy-making processes, the differences among women must be acknowledged and supported, but emphasis should be given to furthering their presence and contribution to cultural life as a whole. Next it was stated that women's rights as human rights must be recognized, as well as their past and present achievements. Furthermore, to ensure equal gender opportunities, transparency is required in policy decision-making processes, in the production and dissemination of information (including research results), and in all innovative processes. The reflections conducted above would seem to agree with what follows in the discussion of this paper and suggest articulating clearly related statements on the Hong Kong Cultural Policy papers, although they are not trying to be complete.³¹

In terms of responsibility and commitment, cultural policies must recognize that women are not a homogenous group. Governments should therefore ensure that the diverse needs of all women are adequately reflected and mentioned in cultural policies. Support is required for the existence of women's institutions (e.g., museums etc.), rites and rituals, as well as those wanting to "come in from the margins" and find adequate ways and means of expression in the local arts and media sector. Concepts such as "mainstreaming" of women's artistic and cultural practices, the emergence of specialized programs and policies for women, and the development of networks to promote equal opportunities should be valued and promoted. In order to achieve the above functions, governments must work together with media organizations and community groups to disseminate information about the achievements of women in the arts and in culture and media projects, including setting up databases of women artists or women working in the media. A government's policies must also include mechanisms to ensure access and equity objectives and develop monitoring and assessment mechanisms to evaluate these policies on a regular basis.

When social surveys are conducted every day, they should involve gender questions and collect empirical data relevant for the discussion of working programs, training courses, policy statements, data bases, and publications. This ought to include regular surveys on artists' incomes, resources, support, etc. Agents conducting such surveys should be advised by experts, international research institutes, or commissioning bodies about indicators that might be used for gender comparisons or in monitoring

³¹ Cliche, Mitchell, and. Wiesand, *Women in Cultural Policies*.

exercises. When certain areas of current crisis are identified, where women in poverty are suffering from lack of moral support (like the controversial Tin Sui Wai public estate area in Hong Kong in which serial family murder and suicide cases occurred), women's poverty and promotion deprivation should be investigated, with the results subsequently functioning as a reference for better and more concrete cultural policies.

As a result of my reflections, I agree with the statement that, "gender equality is a matter of respecting human dignity, of enjoying the talents available in all strata of a society, and of making use of the full spectrum of views, works, and challenges to achieve a truly 'cultured' life—which will then also be imaginative and vivid, implying sensitivity as much as passion."³²

³² See Titia Jeanette Top, *Art and Gender: Creative Achievement in the Visual Arts* (Amsterdam: Rijksuniversiteit Groningen, 1993).