

A Genealogy of Media Reform in Thailand and Its Discourses

Assoc Prof Ubonrat Siriyuvasak

Ever since the promulgation of the 1997 Constitution eight years ago, the broadcast media reform agenda has recently reached yet another turning point. Many believed that the crucial period is a result of the up-coming National Broadcast Commission (NBC), whose members are provided with full authority to allocate and assign radio frequencies for broadcasting. Much media attention has been focused on the 14 short-listed commissioners. The public, however, is keeping a close watch on whose interest they are representing and how they would divide up this rich resource. In any event, it seems they are coming in to protect their turf, be they government agencies or private concessionaires. For those who aspire to have access to the airwave, this is the most dramatic change and the first time ever, in the span of 50 years, for which they would be able to realize their dreams.

Dominant discourse and counter discourse: State closure versus people's rights and freedom of expression

For several decades, the state repeatedly reinforced its dominant discourse that it is the sole and rightful owner of the airwaves. Hence, their monopoly on radio and television stations ownership. Such a misconception had been so overwhelmingly indoctrinated that the public perceived it as '*truth*'. At the same time, this dominant discourse had succeeded in suppressing other competing discourses from the public sphere. These counter discourses have been denied their political legitimacy. As a result, they do not command an equal status, as '*truth*' and '*knowledge*', when compared with the state discourse.

Contrary to the state dominant discourse the media reform movement in recent years has proven that the public, community and grassroots groups are well equipped in both theoretical and practical knowledge. They could easily challenge the dominant discourse on state media ownership monopoly. The key problem in this struggle is the unequal power between the state and the people.

In the first part of this article, I will outline the main gist of the media reform discourse, particularly on the notion of the rights and freedom of expressions. Whereas civil society and

the public adhere to the principle of the rights and freedom of expression as the basic rights or natural rights, the state believes that this right is '*handed down*' by the authority. For the state, it is not a natural right in any sense. Using the same line of argument the state is convinced that the public does not have the right to access the airwaves nor to own the broadcast media.

But the social movement advocating for community radio since 2000 has proven that the public is well prepared to claim their constitutional right over the airwaves. In their discursive practice they are in direct confrontation with the state. They challenged the 1955 Radio Communications Act and the 1955 Radio and Television Broadcasting Act, as well as a host of rules and resolutions enacted by past Governments and the Public Relations Department. These draconian regulations remain intact up to the present.

For the civil society and the public, they firmly believe in the rights and freedom guaranteed in the 1997 Constitution and in Article 19 of the 1948 Universal Declaration on Human Rights, which stated that;

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

If one traces back to the original concept of the rights and freedom of expression, one could see that it is neither an imported Western concept, nor '*un-Thai*' as often alleged by ruling class and the conservatives. For if it were so '*un-Thai*,' why did the previous constitutions and the past democratic governments regarded it as an essential right that required extensive legal guarantee. These legal stipulations on the rights and freedom of expressions provide the necessary protection for both individuals and the media alike. As a matter of fact, under the present Constitution, the basic principle of legal protection on these rights and freedom has been fair and equal. It is indiscriminate in protecting people across the whole range of the social spectrum, from common people to the elite, and the ruling class. Imagine if there were an absence of guaranteed Constitutional rights over the rights and freedom of expression, in speaking, writing, in ones belief and thinking, the elites and the ruling class, too, would suffer severely by this repercussion. They could neither enjoy the rights nor the freedom of expression under the protection of the law.

In the state discursive practice, the state holds strongly to its power and privileges. Firstly, it dictates and controls who has the right to speak without resorting to any legal means. Secondly, it privileged its own class over the populace on the rights and freedom of expression. Therefore, it came as no surprise that we have seen several rules and special legislations written by the elites and the ruling class to protect their own freedom of expression. One of them is the 1955 Radio and Television Broadcasting Act that is based on the discourse stating that the state is the sole owner of the airwaves. In its provision, it stipulates that the state has the privilege to access the frequency. Anyone without an authorization from the state would not be permitted to operate a radio or television station. If they do, they have to work under the name of the state or get a concession right. This is structural censorship, which is a built-in measure, to prevent the public from expressing their opinion. In other words, under the context of the discourse in this Act, the public could speak only upon state permission. If they do not abide by the rule their concessions would be suspended or revoked. Apparently, such legislations have drastically curtailed the media and the people's rights and freedom of expression, when the state could, upon its whim, handpick who can speak and who can't. Those who are granted with this special right must exercise '*self censorship*' or else they are faced with harsh punishment or their right withdrawn.

A recent example on the double discourses of the press versus the Prime Minister is a good case in point. During the first '*Meeting With the Press*' hosted by the Prime Minister in August 2005, journalists who asked serious questions on the conduct of the government were taunted with a placard that said '*unconstructive question*'. It seemed that the questions and the journalists must have annoyed or offended the Prime Minister. But as a matter of fact, the press is equal to the Prime Minister in their roles as public representatives. Yet, equality didn't exist in this arena. They were told in advance how to place their questions, what to ask and what not to ask. Thus, the press could ask '*permitted*' questions only. Other than that it would be called off for going beyond the limit. Despite guaranteed Constitutional rights of press freedom, the implementation of this discourse has unveiled the utmost privilege of the Prime Minister's one-sided question and answer with the press. It is a one-way speech, a monologue in the guise of a Q/A session. It is evident that the press has been barred from speaking, asking or criticizing as they deem to.



Genealogy of Media Reform: A Genealogy of Power Struggle

In the second part of this article I will expound the notion of power and discourse of Michel Foucault (1978), French sociologist, whose idea on knowledge and power in discourse struggle I find useful in our analysis on the media reform movement. Central to our discussion is Foucault's concept on the genealogy of knowledge and power that allows us to trace the emergence of competing discourses in the media reform process. This theoretical conception is significant in shifting the historical perspective on power and knowledge from a linear and centralized origin to a multiple power center. It would guide us to see and understand how the media reform movement struggled through their discursive practice.

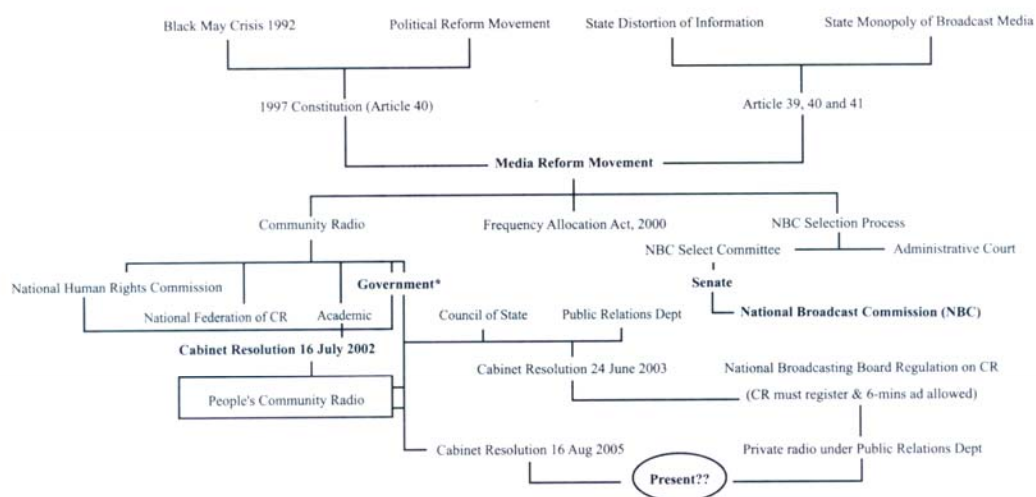
In the past, the state has acquired knowledge and utilized its power to suppress broadcast media under its absolute control. By manipulating laws and government agencies as institutional apparatus, the government has developed certain '*techniques*' as a tool to control and punish those who violate these rules and regulations. Underneath these seemingly objective rules lay deep layers of power manipulation.

Such tools are in the forms of laws and regulations, administrative orders and operational measures such as regulations on announcer's license and producer's license. These tools are the basis for the strategy by which certain knowledge is required as a support to uphold the unequal power relations. For example, media professionals who wish to acquire an

announcer's license must be able to read and speak central Thai properly. Everyone has to pass the standard test administered by the Public Relations Department. In this test the Department is the sole judge on the proper pronunciation of the Thai language. Those who fail the 'reading' exam are not qualified for a license. Their right as a broadcast professional will be legally void. In this structure the state has the power to design the tools and the techniques, and to decide what is the right kind of knowledge. If one wants to exercise one's rights and freedom of expression through the broadcast media one must obey these rules and regulations. The majority of broadcast media professionals must not only acquire the knowledge to speak properly but also must learn to accept that to speak 'central Thai' on radio and television is the 'truth' if he or she wants to enter into this power structure.

Interestingly, in the knowledge and power relations power must be supported by knowledge. However, it is power that defines what is knowledge and what is not. Only certain kinds of knowledge are accepted as correct and truthful. A good example is on the case of the broadcast announcer. Even though he or she is thoroughly knowledgeable in the language of his or her dialect, whether it is reading or speaking, he or she is disqualified simply because of the fact that the state has categorically denied this knowledge and capability as invalid. It is the wrong kind of knowledge in the eye of the state. Only central Thai language as spoken in central Thailand is perceived as correct and truthful knowledge.

A Genealogy of Media Reform in Thailand (1992-2005)



* Office Attached to the Office of the Prime Minister, Post & Telegraph Dept, Public Relation Dept.

The diagram, *A Genealogy of Media Reform in Thailand (1992-2005)*, shows two parallel phenomena leading to the media reform movement. One is on the 1992 May Uprising, and the subsequent political reform movement, that led to the promulgation of the 1997 People's Constitution. The other is on the state distortion of information, and its monopoly on the broadcast media. With the state power weakened by the May Uprising, and the public called for both political reform and media reform the 1997 Constitution has added several new elements to the rights and freedom of expressions. These are Articles 39, 40 and 41. Article 39 guaranteed the rights and freedom of expressions. Article 40 guaranteed the public right to have access to the airwaves. Article 41 guaranteed the rights of media professionals to report and express their truthful opinion without pre-censorship and in accordance with their professional ethics.

The emergence of the media reform discourse based on a new set of knowledge and power that the airwaves and radio frequencies are public resources to be distributed fairly and accessed by all is a total obliteration of the state discourse on the broadcast media monopoly. It is an open objection on the power of the state to control the airwaves and to monopolize radio and television in the form of '*state radio and television*'.

The discursive practices of the media reform movement following Article 40 emerged as follow;

1. The drafting of the Frequency Allocation Commissions Bill
2. The National Broadcasting Commission (NBC) selection process
3. The establishment of community radio stations in several provinces

The drafting of the Frequency Allocation Commissions Bill

As stipulated by Article 40 of the Constitution there must be an organic law to carry out the new right conceived in this Article within 3 years. In the drafting process of the Frequency Allocation Commissions Bill, there was an open confrontation between the state dominant discourse and the emergent public discourse on people's right to have access to the airwaves. The former, consisted of the state agencies that owned the broadcast media, objected to any radical transformation of the existing structure. On the contrary, they proposed that a single regulator should be established. This new independent regulator should be responsible for the allocation of the spectrum for both telecommunications and broadcasting services. The

opposing discourse, led by academics working with civil society organizations, wanted to lay down the foundation for the broadcast media in the new legislation. This was meant to provide the legal framework for media reform. Secondly, this group proposed that there should be 2 regulatory bodies. One body overseeing telecommunications and the other takes care of the broadcasting media.

The discursive struggle between the reformers and the counter-reformers in the drafting process resulted in a legislation, which the main emphasis fell on the establishment of the regulatory body and its authority. The 2000 Frequency Allocation Commissions Act did not provide any detail on how to regulate and re-organize the broadcast media. This legal loophole gave the government and the Public Relations Department an opportunity to go back and continue to reinforce the 1955 Radio and Television Broadcasting Act despite the fact that it is in serious contradiction with the Constitution and the Frequency Allocation Commissions Act.

The reformers, nonetheless, were able to put in place 3 major discourses in the new law. Firstly, there would be two independent regulatory bodies, The National Broadcasting Commission (NBC) and The National Telecommunications Commission (NTC). Secondly, there would be 3 classifications of broadcasting services; public service, private/commercial service, and community service. Thirdly, at least 20% of the radio frequencies must be allocated to community radio and television (Article 26).

It could be seen that the 2000 Frequency Allocation Commissions Act succeeded in challenging the counter reform discourse and would, in the future, weaken the dominant power of the state. The tradition of monopoly and privilege on allocating and managing the airwaves must now face the power of the new knowledge stipulated in the Frequency Allocation Commissions Act. This is evident in the discursive practice of the community radio movement, which is based on the above legal discourse.

The National Broadcasting Commission (NBC) selection process

Much attention was given to the selection process of the National Broadcasting Commission (NBC) immediately after the enactment of the Frequency Allocation Act. The state, the broadcasting industry, and civil society were keen to participate in the selection process. At the same time, the state and the broadcasting industry were well prepared to compete for the largest number of commissioner in the NBC. During the long drawn process, from 2000 to

2005, the focus of the discursive struggle was on the issue of conflict of interests between members of the NBC Selection Committee and the applicants. The reformer sought knowledge on this matter to guide them in their argument that the process was lacking in merit.

Empowered by such information and knowledge they brought the case to the Administrative Court. Although the Administrative Court ruled that the selection process was unlawful since there were actually conflict of interests between the selectors and the applicants the ruling went unheeded. Both the NBC Selection Committee and the Office Attached to the Office of the Prime Minister, who acted as the secretariat of the selection process, claimed that the whole process was legitimate.

In February 2005, the Selection Committee sent the list of 14 candidates to the Senate for final screening and selection. The 7 finalists were duly selected in September. But a second ruling of the Administrative Court, in November 2005, that there was conflict of interest between the selection member and the applicant, and that the representation of the Chair of the Selection Committee in the committee was illegitimate stalled the final step of the process. In fact, the Administrative Court ruling has nullified the 7 NBC finalists. However, the Selection Committee along with the Office Attached to the Office of the Prime Minister are preparing to petition against the Administrative Court ruling by December 2005.

The establishment of community radio stations in the provinces

While the dispute in the selection process of the NBC intensified the public sector moved forward by setting up new community radio stations. The movement started at first from a few provinces in 2001 and gradually extended to several provinces across the country. Within 2 years, there were more than 100 community radio stations being established. Thus, community radio flourished in the outlying locations and communities outside the gaze and powerful control of the center. Paradoxically, there was no community radio station in Bangkok during the early stage of the movement. It was too close to the center of power.

Even before the commencement of the community radio movement, questions were asked about their knowledge on program production, station management, and radio transmission. And most importantly, there were queries about funding and capital investment to set up a radio station. The counter reformers in particular, were doubtful about the sources of income of community radio stations. How could these stations survive without the support of

advertising revenue? How could the principles of a people's radio station, which is owned and managed by the people and for the people, sustain itself? Yet, with the support from civil society, grassroots groups and community organizations on both funding and knowledge, community radio stations were set up, and mushroomed. The people are on the air.

"This is the historical moment !

Now, the people have their own voices !

Now, the people are no longer silenced !"

Every voice being aired from a community radio station is an invaluable voice that empowers the people and the community. At the end of the day, the integration of knowledge and power in this discursive practice has liberated the people from the hegemony of the dominant discourse. The deep-seated fear has finally dissipated. It is not that the people do not abide by the law or unreasonably stubborn, but because of their newfound confidence in the Constitution. They believe that the Constitution is the highest and most powerful law of the land. Its power is beyond doubt since this is the People's Constitution that the people took part in materializing. With this mighty power the guarantee on the rights and freedom of expression enshrined in the Constitution has acquired the stature of *'truth'*. At the same instance, it negates other laws and decrees, which have lesser power, and hence, limited degree of *'truthfulness'* such as the 1955 Radio and Television Broadcasting Act, and rules and regulations on announcers' license.

Under this context, the people's discourse on the rights and freedom of expression, and the establishment of community radio has manifested themselves as the dominant discourse. It is not only comparable to the dominant discourse but has gained a powerful foothold equivalent to, if not more powerful, than the state. The voices of the people, once silenced, now freed from the old shackle. The people can speak truthfully and freely. The iron structure of state monopoly over the broadcasting media has been dismantled by the power of truth. Hence, the state could no longer claim any legitimacy over the airwaves nor continue to monopolize the broadcasting media as in the past.

Looking back on their discursive struggle, although the state dominant discourse was severely weakened it had unceasingly utilized all its power to clamp down on community radio. The state went back to rely on the 1955 Radio and Television Broadcasting Act, which

prohibited people's access to the airwaves. In addition, it cited the conventional practice that during the transitional period and in the absence of a new legislation the people could not claim their rights based explicitly on the Constitution. This was the root of the dominant discourse of the feudal period and military rule. It appeared that the state has turned several steps backwards and away from the present reform agenda.

The people, on the contrary, resisted the ban by invoking the Constitution to counter the dominant discourse. They believe that the Constitution is the basis of people's power. It is sacred. But without any institutional support for their innovation the people and community radio movement must seek their legitimacy from civil society and independent institutions such as the National Human Rights Commission and academics. By allying themselves with these reformist groups the community radio movement was able to put pressure on the government to recognize their right to access the airwaves.

On July 16, 2003 the cabinet announced its resolution on the "*Temporary Measures and Principles to Endorse Community Radio*". The resolution was to pave the way for a committee, composed of representatives from the Community Radio Federation, academics and related government agencies. But the resolution was more of a lip service than a real effort to comply with the Constitution. On the surface, such a resolution for the state and civil society to cooperate on equal term has been rare if not unprecedented. The real intent, however, is a different matter all together. The state was fervently searching for the mechanism to control the independent operation of community radio. In this complex and long drawn discursive struggle the objective is to defuse the people's counter discourse, and to suppress the community radio movement as soon as possible.

In 2002, the state had quickly drawn up the plan to incorporate community radio as part of the local authority, i.e. the District Administrative Organization or Tambon Administrative Organization (TAO). The Council of State, acting as the legal advisor, had found the legal mechanism to control community radio. It advised that community radio should be made into local authority radio or TAO radio and registered under the Public Relations Department. But the community radio movement was able to read through its real meaning that the state wanted to force community radio to submit themselves to the Public Relations Department. Community radio will become a part of the Public Relations Department broadcasting network. It will lose its independence and all the principles of community radio. This plan was exposed and

vehemently resisted. In the end, the government's intention to make it a New Year's gift for the people failed miserably.

Unsuccessful in turning community radio into local authority radio the government took another drastic measure. It revoked the July 16, 2002 cabinet resolution, which provided the temporary measure for community radio to operate until a new legislation on broadcasting is passed. The government came up with a second resolution on community radio on 24 June 2003. The process took 6 months and involved several state institutions which work to support this discursive practice. These are; the Office Attached to the Office of the Prime Minister, the Council of State, the Public Relations Department and the Post and Telegraph Department. The July 16 resolution took a 180-degree turn from the previous resolution. It excluded the representative of the Community Radio Federation to take part in the committee. The Public Relations Department was to be the main agency to draft the temporary measure on community radio operation, with the assistance from the Council of State, and the Post and Telegraph Department. Although the community radio movement attempted to seek support from the Senate Committee on Public Participation to counter the government the intervention was ineffective due to the lack of political influence over the state dominant discourse and its institutional mechanism. Thus, the Public Relations Department was fully authorized to regulate community radio.

A close reading of the cabinet resolution on June 24, 2003 showed that the government wanted civil society groups and community organizations to work under state radio. The passage stated that the Public Relations Department, state agencies and other related agencies in the Administration that owned radio stations should allot airtime to the community. This is to deter community organizations from establishing community radio stations.

Subsequently, the National Broadcasting Board (the present broadcasting regulator) started to carry out the June 24 cabinet resolution by announcing that all community radio must register with the Public Relations Department in order to remain in operation. In addition, it permitted a 6-minute advertisement on community radio. This new device is a carrot and stick strategy to convince community radio stations to submit themselves to state control. In a sense, commercialism was expressly brought in to support this strategy. This resulted in a big boom in local commercial radio (which has been incorrectly labeled as '*community radio*'). Over 1,500 stations have been set up by local entrepreneur, local and national politicians, and media

professionals across the country, including Bangkok. It seemed the government effort to control community radio has backfired. Community radio is suddenly being transformed into commercial radio. Ironically, the majority of these local commercial radio stations were not registered, as they should. Moreover, the essence of the National Broadcasting Board regulation was contradicting to the June 24 cabinet resolution. Instead of providing community with some airtime it boosted the private sector, and the media industry to expand into local broadcasting. The discourse to democratize the structure of broadcasting has been hi-jacked. State agencies, with the aid of the industry, were able to maneuver for the liberalization of the structure. It could be seen that the state dominant discourse has been fractured and embedded with conflicting interests and political vying.

Thus far the National Broadcasting Board had distorted the media reform agenda and the people's discourse on community radio. This additional lineage of commercial discourse has created great confusion and conflicts within community radio advocates and their movement. Nevertheless, what emerged out of this disarray has broadened the range of discourses and the number of people involved. Opinions vary and the operational scheme of these small scale local radio stations are diversified. The knowledge on community radio and local commercial radio is now widespread, and the people and private sector are empowered with this new knowledge.

The emerging form of radio broadcasting, be they community radio or commercial radio, is an innovation that provides the audiences with new kinds of program and content. These are political and cultural programs, religious and entertainment programs, community, local and national programs, development and commentary programs which are filled with fresh and independent ideas distinctly different from the mainstream programs. The latter must exercise a great deal of self-censorship for the sake of survival and from constant threat of state control.

With protracted struggle and challenge from the community radio movement the state pulled the plug to demonstrate its force. In 2003, the low-powered transmitter of Angthong community radio station was seized and the operator, Sathien Chantorn, was arrested. This was a test case to quell community radio, which resisted state control. In 2005, the state claimed that community radio broadcast interfere with aviation radio communications. It referred to the 1955 Telecommunications Act on controlling radio transmission. It also referred to the 1955 Broadcasting Act on regulating broadcast contents that might affect national security, peace

and social morals. The Office of the National Telecommunication Commission (NTC) has closed down 14 radio stations by alleging them of interfering with aviation radio communications. These are seen as a threat to the rights and freedom of expression since the government was unable to prove beyond doubt that low-powered transmitter could actually interfere with aviation communications. The state tried to impose hi-tech and exclusive knowledge in a bid to force community radio stations, yet again, to submit to its control. But since the whole matter is ambiguous the claim could be false. False knowledge of this kind could not prove its powerful stature. It would, on the contrary, nullify the power of the state. Finally in July, the government closed down FM 92.25 or '*The Democratic Voice*', a local radio station in Bangkok, which is critical of the government. Anchalee Paireerak who is the producer of the station backed down after months of strong resistance. However, the station continued to broadcast on the Internet (after things quiet down the station resumed broadcasting again.)

However, counter discourse and new stations in all shades continue to grow. The discursive struggle went on blow by blow. Then the last blow came in August. The National Telecommunication Commission (NTC) proposed the most drastic measure to the Prime Minister (letter no. Tor Chor 1001/3329 dated 15 August 2005) to close down all community radio stations. This is totally in conflict with the previous cabinet resolutions announced on July 16, 2002 and June 24, 2003. Those were more lenient and receptive to the people's discourse. In the end, the NTC proposal signified that the compromise has been broken and the state has turned back to reclaim its dominant discourse and power to control the people's rights and freedom of expression.

The Final Discourse: People's Right on Community Radio

The most recent cabinet resolution, August 16, 2005 resolution, maintained a compromise of the state dominant discourse and the people counter discourse. On the one hand, it professed state legal enforcement especially on aviation interference. It also stressed that monitoring of community radio content must be strictly carried out. State agencies must keep a close watch on security issue, law and order, and social morals. On the other hand, it reaffirmed the principle that each community should have its own communication network. Low-powered community radio learning center or experimental broadcast station is permitted.

However, the station must have a 30-watt transmitter with 30-metre high antennae, and a broadcast radius of no more than 15 kilometers.

Circumscribed by the community radio movement and its discursive practice the state must acknowledge the right of the people to have access to the airwaves as stipulated in the Constitution. But while it seemed to abide by the Constitution the state put in place its control mechanisms by employing various legislations, executive decrees and orders, rule and regulations which work against the reform discourse.

From our discussion on the genealogy of media reform it is clear that the state has been unable to hegemonize or deter the people's discursive struggle against the state. This emerging power was founded on the 1997 Constitution and the Frequency Allocation Commission Act. The state must rely on its administrative mechanism such as cabinet resolution rather than on the legislation in its attempt to control community radio. Furthermore, it has to construct the argument on aviation communications interference as its technical mechanism. This is manifested as the '*truthful narrative*' to legitimize the dominant discourse. It was a myth and an excruciating excuse to wipe out critical voices on the air.

In the discursive struggle against the state the people have found new knowledge in their experiences on community radio. They were able to draw from traditions, rules and regulations within the realm of the community or people's institution to support their position. They also learnt many valuable lessons on the rights and freedom of expressions from their discursive practices, such as during the May 1992 political crisis, the subsequent Constitutional reform movement, Article 39 and 40 of the Constitution, and Article 26 of the Frequency Allocation Commission Act (2000), which stated that "*at least 20% of the radio frequencies must be allocated to the people's sector*". These experiences have significantly formed the basis for the reform discourse, especially on the people's right to have access to the airwaves.

It could be seen that both the state dominant discourse and the people counter discourse on media reform shared the same '*truth*' since they must legitimize their claim and belief on the rights and freedom of expressions enshrined in the Constitution. But they were poles apart on the question of community radio operation. Community radio advocates repeatedly affirm that the right of the people to have access to the airwaves has been guaranteed in the Frequency Allocation Commission Act and Article 40 of the Constitution. Community radio stations are, thus, legal entities. Any kind of closure by the state is unlawful.

Although these stations have not been allocated any frequencies by the regulator their operation rests on the highest guarantee of the Constitution. In addition, the cabinet resolutions on July 16, 2002, June 24, 2003 and August 16, 2005 have all agreed on the principle of community radio as the people's right of information and expression. By these measures it is clear that community radio stations could broadcast their programs without any hindrances from the state. Their right according to Article 39 of the Constitution is that;

"A person has the right to express his / her opinion, to speak, to write, to publish and to communicate by other means".

Their right is further guaranteed in clause 3 that;

"The closure of the printing press, radio station or television station in order to suppress the rights and freedom of expression guaranteed in this Article is prohibited."

Hence, state closure of community radio is evidently a breach on the Constitutional and a violation of the rights of the people.

Knowledge regarding the rights and freedom of expression, on community radio, and on various legislations led to the emergence of innovative ideas and practices that openly challenged the state. The state can no longer control the rights and freedom of the media, and the people, as was in the past. State radio and television as we once know is history. This new and emerging phenomenon would force the state to re-allocate the radio frequencies and to open its access to the people. There is no turning back. The state must take heed to the discursive power of the people.

*Knowledge is power,
Power defines what is truthful,
Power defines what is knowledge,
But knowledge defines the truth*

Reference

Foucault, M. (1978) *The History of Sexuality, Vol. I: An Introduction*, (Trans, Robert Hurley), New York: Pantheon.

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