

Double Reform for Radio and Television, Not Double Standard

A tug of war to seize the airwave is getting out of hand. The question at this particular juncture is to liberalize or not to liberalize, or rather to democratize or not to democratize. The idea of the government to wipe out some ‘dissident’ radio stations would not end this tug of war. The problem is greater than what it seems on the surface.

The fight to gain the right to self-expression of the people is part of the long and painful struggle for democracy during the past three decades. The present phenomenon should be seen in light of the historical contexts in which the Establishment’s claim of monopolistic ownership right over radio and television. This is just a sequel of the many episodes that goes back as far as the 1973 People’s Revolution. Since hardly any real reform has taken shape over the years the patron-client relationship and privilege connection remain the essential formula for broadcast operators to win a contract with any of the 500 plus radio stations in existence. For television, the airwave in the VHF band, i.e., channel 3, 5, 7, 9, 11, were already occupied by the state and private operators close to the military government in the 1960s. The inauguration of a new UHF television station after the May massacre in 1992 was a response to the call for reform of the state media at the time. It was a small step to ‘liberalize’ the state monopoly of the broadcast media structure. Unfortunately, this has proven to be inadequate and most disappointing as we witness the turn of event in recent years. Under the control of SHIN Corporation ITV has transformed itself into an entertainment station instead of a news and current affairs station. In the event, the state lost 17,430 million baht concession payment when it was slashed from 25,200 million baht to 7,770 million baht.

A new chapter on the broadcast media reform began in 1997 when the Constitution guaranteed the rights and freedom of expressions of the people and the media in article 39, 40 and 41. The subsequent organic law on the National Broadcasting Commission and National Telecommunication Commission (2000) has provided the basis on the re-allocation of the airwaves. Article 26 stipulated that 20% of the broadcast frequencies must be allocated to community broadcast services. This is a paradigm shift from the old concept of state-owned, state-managed and state-operated system to a novel foundation that the airwave is a ‘public resource’ owned by all Thai citizens and must be shared equally by all. Legally, it is the beginning of an end to the archaic era. At the same time, it signified the triumphant moment for the people to have access to what they been robbed for such a long time.

With the passage of the Constitution and the organic law the people take these to heart to exercise their new right. As a result, we see a gradual blossoming of over 200 community radio stations organized by community groups in many provinces between 2001-2003. These are community owned, community managed and community operated stations broadcast on low-power transmitter. The government and its functionary, the Public Relations Department, could not quite grasp the gist of the change they were faced with. What they were up to all this while was to defend the ‘status quo’ instead of taking up the reform agenda and making plan for the re-allocation of the broadcast frequencies.

The situation took another sharp turn in 2004 when the Public Relations Department announced that each community radio station is to be allowed a 6-min/hr for

commercial spots. Now, there are more than 3,000 small, local radio stations owned by local and national politicians, small entrepreneurs, independent media practitioners, large media corporations and large business groups all over the country. It is described by many as a 'highly chaotic' reality.

Let us look beyond the seemingly chaotic appearance on the airwaves for a minute. We can easily differentiate between these 2 groups of small, newly established radio stations. The first group of about 200 stations called themselves 'community radio station' according to the principle of people's access community media. These are non-profit, non-commercial radio stations. They are self-financed or receive some funding from donor agencies such as the Community Development Organization. In the future, they may receive funding from the Public Broadcasting Fund allocated by the National Broadcasting Commission (NBC).

The second group of about 3,000 stations are 'local commercial radio stations'. They operate on the principle of local commercial radio side by side with the 500 plus mainstream stations already in existence. These stations seek profit and operate on a commercial basis. However, when they call themselves 'community radio' the public are confused. Since their characteristics are openly manifested as none other than a 'commercial station' they should simply call themselves that.

To avoid further confusion these 3,000 stations should be separated from the original 'community radio stations' and place into its rightful classification of 'commercial station' operated by the private sector. There is nothing wrong at all for being a 'local commercial radio station' because this is already upheld by the National Broadcasting Commission and National Telecommunication Commission Act of BE 2000. Whereas article 26 stipulated that 20% of the frequencies must be allocated to the people sector, it also said that in the master plan on the allocation of radio and television frequencies the access ratio to the frequencies must be fairly divided between the state sector and the private sector. So, by my reading the right of the private sector to hold a radio or television license in the 'commercial station' category has been clearly provided. In addition, they should be demanding at least 40% of the frequencies which is rightfully theirs.

Consequently, the chaos on the airwave created by misunderstanding and the quest on the part of the private sector to have a share in this new political and economic right has been tantamount. It is depressing, on the one hand, to see the Public Relations Department open attempt to distort the principles of community radio. On the other hand, it is ironic that the 3,000 or so 'commercial stations' should cramp themselves into the wrong category when they deserve the right in the 'commercial station' classification.

The heat in this chaotic midst was heightened by the outcry of FM 92.25 that the station has been threatened and might be closed down anytime. Scraping a radio station especially a dissident voice trying to investigate the various corruption charges of this government would seriously damage the image of the government. Furthermore, it would be a discriminating action to single out 92.25 as well as a violation of the right to freedom of expression. Perhaps, a better way for the government and the Public Relations Department to rise from this chaotic situation is to embrace broadcast media reform to heart in the same degree as the people did.

This is the moment for all those involved to form a strategy of double reform for the broadcast media. What we need first and foremost is to democratize the broadcast media structure so that the people sector can have access to the airwave which is a 'public resource'. There should not be any further attempt by the government to eliminate the 'community radio stations' or to distort their principles of non-profit, non-commercial station.

The second reform agenda is to liberalize the broadcast media structure in order for the new group of 'commercial radio station' to operate alongside the existing mainstream commercial stations. The tug of war has already been launched and there is no turning back. The crucial problem on this reform agenda is how not to repeat the history of monopoly / oligopoly by a few powerful corporations.

We urgently need this double reform strategies on our national agenda, not double standard practice.

Ubonrat Siriyuvasak
Faculty of Communication Arts
Chulalongkorn University

25 May 2005