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Commentary

Savage deregulation in Thailand: expanding Hallin and Mancini's European model

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In *Comparing Media Systems* (2004), now a key text within global communication studies, Daniel Hallin and Paolo Mancini explore the evolution of media systems in Europe, and argue that the historical development of social systems in Western Europe helps explain modern-day differences in the region's media systems. Their study divides Western Europe into three groups, roughly divided by region, and ultimately argues that the countries of Southern Europe – specifically Portugal, Spain, Greece and Italy – have the least advanced media systems with respect to public service requirements, information distribution, and diversity of voice and culture, due to socio-historical factors surrounding the development of the media sector in this region.

One of the regulatory hurdles that Hallin and Mancini place on the path to modernization for the Southern European countries, and which will be discussed here, is a set of circumstances which allowed for a 'savage deregulation' of the commercial media sector, in which governments 'introduced commercial broadcasting in an uncontrolled way, without imposing significant public-service obligations' (2004: 124) and which led to a 'deluge' of commercial broadcasters. This article argues, however, that Hallin and Mancini's description of savage deregulation is inaccurate and obscures the root causes of deregulation in that region. The authors' description of the 'deluge' of broadcasters that occurred in Italy and Greece (their key examples of the phenomenon) equates the two histories, when savage deregulation in fact took quite distinct forms in each case, the results of which have important present-day ramifications for the cultural and human rights characteristics of the media environment in the two countries as well as, I argue, in countries with similar histories, such as Thailand.

Savage deregulation in the three systems model

As stated above, Hallin and Mancini's three models of Western Europe detail the histories which ultimately led each of the three regions of Europe on to different paths. The first of these, the 'Polarized Pluralist' region of the Mediterranean South, which includes

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Portugal, Spain, Greece, Italy and sometimes France, could be said to be characterized by the authors as being historically less successful in (and perhaps less concerned with) the development of an open, democratic, media system that meets the social and informational needs of its citizens. In contrast, the 'Democratic Corporatist Model' of North and Central Europe (which includes Austria, Belgium, Denmark, Finland, Germany, The Netherlands, Norway, Sweden and Switzerland) and the 'Liberal Model' of the United Kingdom and Ireland, both had an earlier turn toward democracy, a more professionalized and independent media industry, and a greater socio-historical tradition of social welfare institutions. This history, according to the authors, manifests itself in the more diverse and democratic contemporary media systems of the North, toward which the Southern media systems are slowly evolving.

As the name implies, 'savage' deregulation connotes a primitive form, lacking the social and cultural developments of the more 'enlightened' North, and motivated by the selfish greed of advertisers and entrepreneurs. Musso and Pineau (1985) were the first to outline this phenomenon. They distinguished between two types of deregulation which characterized the new media market in Europe when television exploded across the region in the 1970s. Countries such as France and the UK, where the audio-visual sector as a whole was strongly governed by public service obligations which limited commercialism and advertising, fell under the category of 'controlled deregulation'. On the other end of the spectrum was Italy, which was 'from then on [directed] by the market, through media companies' (1985: para. 1, translation by the author), and exhibited uncontrolled, or 'savage' deregulation, in which governments failed to impose sufficient public service mandates on the new media producers and instead allowed media corporations to set the rules. Nelson Traquina (1995, 1998) adds Portugal to this list, emphasizing the inevitable loss of diversity in media content that comes with savage deregulation due to a competitive environment that encourages mainstream, broad-based entertainment and discourages informational and cultural programming. Hallin and Mancini (2004) then expand the phenomenon to Spain[1] and Greece, thereby completing the correlation between savage deregulation and the Polarized Pluralist countries. Savage deregulation is thus placed within the three systems model, and the authors conclude that, because of historical trends, 'the "commercial deluge" came to Southern Europe more suddenly and with fewer restraints than to Northern Europe' (2004: 125).

However, Greece does not fit into this model in the way that Hallin and Mancini suggest. Greece's media environment has more in common with countries featuring a highly *controlled* media environment than with the deregulated markets of Portugal, Spain and Italy. Thus Thailand, a country with a similar socio-political history to Greece, will be used comparatively to help emphasize why Greece does not fit with the rest of Hallin and Mancini's model and, conversely, what the history of savage deregulation in Greece can potentially teach us about Thailand and its path going forward. Like Greece, Thailand has recently undergone a period of what would be called savage deregulation by Hallin and Mancini's standards, and has a history of clientelism, instrumentalization and strong state control over the media. By isolating the cases of Greece and Thailand we will see that while all these countries do end up with some sort of savage deregulation, the structure of the deregulated environment in Greece and Thailand, and the context that brings it about, have distinct characteristics that allow us to better understand the implications of the phenomenon, its potential benefits, and the evolution of media systems more generally.

The differences between our two case studies and the rest of Southern Europe come in the sector of the 'deluge' (television in Southern Europe, radio in Greece and Thailand), the nature of the 'deregulation' (a legal loophole in Italy and Portugal, an *illegal* move of direct state defiance in Greece and Thailand,) in the motivation for the deluge (commercialism in Italy and Portugal, cultural and political repression in

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Thailand and Greece), and ultimately in the implications of these factors for the current regulatory environment. To be sure, savage deregulation has damaging effects that cannot be ignored. We will see that Thailand and Greece, much like the rest of Southern Europe, now have extremely concentrated media systems, as well as a severely weakened public service broadcaster. But we will also see that, under certain conditions, savage deregulation can have significant benefits.

A would-be paradox

The key problem with Hallin and Mancini's analysis begins when they equate savage deregulation with a 'commercial deluge' (2004: 125). While it is perhaps easy to argue that the 'deluge' was 'savage', the 'deregulation' was not entirely of a commercial nature. Their argument, which echoes Traquina's (1995), is that the government's kowtowing to commercialism weakened the existence of public service obligations and allowed a plethora of broadcasters to spring up. Traquina (1995, 1998) discusses the 'pirate' radio stations that 'mushroomed throughout [Portugal] in a truly chaotic fashion' (1995: 224), and the 'explosion of [television] channels' that arose (1998: 2), and goes on to show that deregulation produced 'a trend towards an increase of fiction and entertainment programmes' (1995: 232) on the public broadcasting channel, which was forced to compete with the commercial channels, and a 'sharp reduction in what is generally considered to be one of the most important categories of public service broadcasting – information' (1995: 233). Hallin and Mancini state that Italy began its deluge in the 1970s with the break-up of the state monopoly, RAI, and that in Greece, 'pirate radio and then television stations began to proliferate in the late 1980s' (2004: 125).

Thus with both Hallin and Mancini, and Traquina, there is an implied tenuous relationship between the *explosion of broadcasters and the increasing commercialism of television*. In short, they imply that the problem with savage deregulation is simply that it results in too much commercialism because the media system becomes purely market-driven. However, in economic terms, there is an implied paradox in the idea that a commercial deluge could produce a lasting plethora of commercial broadcasters. It seems that there is a piece of the puzzle that Hallin and Mancini miss.

The contradiction lies in the coexistence of three phenomena: (1) the large number of broadcasters that appear after savage deregulation occurs, (2) the fact that media ownership becomes highly concentrated, and (3) the resulting uniformity of mainstream media. Hallin and Mancini argue that the 'commercial deluge' leads to, among other things, the inability of the public service broadcaster to perform the basic tasks of 'providing information to citizens about public affairs, providing access to a wide range of political views, promoting national language and culture … and so on', because the broadcaster is forced to compete with the commercial market (2004: 124). In reference to Greece, they state:

> The government was forced to move toward legalization, but hundreds of broadcast stations continued to operate without authorization as the government was unable to establish licensing procedures. Public broadcasting, meanwhile … has dropped to the lowest audience share in Europe (8 percent). (2004: 125)

They describe the unregulated market as overly commercialized *and* as creating an explosion of broadcasters in virtually the same breath, as if these occurrences go hand in hand, when this very idea is, in fact, counterintuitive to what we know historically about economics. In other words, it is not clear from their analysis how the 'hundreds of broadcast stations' could continue to exist in a competitive market.

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In neoclassical economics, we learn that in an environment ruled by the market, the laws of supply and demand should lead to an equilibrium at which there is an ideal amount of product set at an equitable price (Black, 2002). However, in the case of savage deregulation in these countries, product far outstripped demand. This is even more perplexing if, as Hallin and Mancini claim, all the broadcasters are offering an identical product: namely, mainstream, sensational, commercial fare. Neoclassical economics would likewise predict that in an overly saturated market, where producers are offering the same goods, many of the producers would be driven out of the game as competition caused prices to fall below the marginal cost of production (Bannock et al., 1987). But in Greece and Thailand, an optimal number of players does not result, even after a period of time in which economic models would predict equilibrium would occur.

Newer post-Keynesian economic models that take into account the tendencies of corporations to merge both vertically and horizontally rightly emphasize that a free market frequently leads to high concentration in certain industries (Baumol and Blinder, 1979; Wilson, 1992). This is certainly the case throughout much of the developed world. Robert McChesney, a well known opponent of concentrated media ownership, notes the problem in the American context:

> When radio ownership rules were 'deregulated' in the 1996 Telecommunications Act, that did not mean that lots of new small firms could enter radio broadcasting and compete with the giants without having to get the FCC's permission. It meant that a small number of firms were permitted to gobble up ever more monopoly radio licenses…. Deregulation in media policymaking means, in reality, re-regulation purely to serve powerful corporate interests. (2007: 142)

We certainly do see a concentration of power in Greece and Thailand. In Thailand, in fact, the concentration eventually fell into the hands of one man – Thaksin Shinawatra, and his corporation Shin Corp. This same phenomenon occurred in Italy with Silvio Berlusconi and Mediaset, and in each of these cases these media moguls have achieved the rank of prime minister (which, given the level of state control of the media, has given each of them an arguably inappropriate level of control over the information system as a whole). In Greece this phenomenon is not as pronounced, but we do see power concentrate within a few large corporations (Hallin and Mancini, 2004; Hallin and Papathanassopoulos, 2002; Papathanassopoulos, 2001).

But neither neoclassical economic theory nor post-Keynesian economics offers an explanation as to why so many broadcasters would surface, and survive, when the financial structure of the market would not support them. This point is underlined by looking at two examples from Greece and Thailand. A study conducted in 1993 in Ilis province, Greece, found that local radio broadcasters in the region jointly estimated that their market could support a maximum of six stations. The number of stations at the time of that survey was 28 (Zaharopoulos, 2002). This number had dropped to 16 by 2002, but still continued to exceed economic demand (Zaharopoulos, 2002).

In Thailand, the number of community radio stations has been increasing since 2001, currently totalling approximately 3500. This comes to approximately one station for every 16,000 listeners. As a point of comparison, in the United States, which has a per capita income more than ten times that of Thailand's,[2] and more of a consumer culture and therefore more advertising resources, one station exists for approximately every 21,000 listeners.[3]

In the following sections we will look at the histories of these countries to see what other factors might have contributed to the occurrence of savage deregulation. We will see that, among other observations, Greece's savage deregulation was originally motivated more by calls for freedom of speech than by monetary ambitions, and that

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in Thailand the 'savage' part of savage deregulation included not only commercial radio stations, but a flood of community radio stations as well, which not only did *not* add to commercialism, but instead filled the role of the absent public broadcaster.

The Hallin and Mancini model: common histories of clientelism and instrumentalization in Southern Europe

Hallin and Mancini (2004) detail many concepts that affect current media systems. Two of these – clientelism and instrumentalization – are the most directly tied to savage deregulation, and will be explored here. Hallin and Mancini's late-democracy-to-savage-deregulation trajectory begins with the role of clientelism in Southern Europe's past. According to the authors:

> … [the] forces of the '*ancien regime*' – the landholding aristocracy, the absolutist state, and the Catholic or Orthodox Church – were stronger [in Southern Europe], and liberalism triumphed only after a protracted political conflict that continued in many cases well into the twentieth century. (2004: 89)

Thus in the South, where feudalism remained strong, a clientelist relationship continued in which the peasantry was dependent upon the landholders not only for income, but for access to information: 'Clientelism refers to a pattern of social organization in which access to social resources is controlled by patrons and delivered to clients in exchange for deference and various forms of support' (2004: 58).

In Greece, Zaharopoulos (2002) has argued that that the patron–client relations common there stem as well from a historical tendency within that country to rely on the family for protection, and to harbour a profound distrust of outsiders. Following from this tradition, the state was entrusted with controlling the country's few natural resources. 'Patron–client relations … are an outgrowth of the need for an extended in-group.… Political parties, competing for power, created such a system to secure public support' (2002: 2). Because of this, according to Hallin and Mancini, mass political parties did not develop until the 1970s. What existed instead were distinct political groups and frequent political conflict resulting in alternating periods of dictatorship and democracy (2004: 93–4).

In Thailand, clientelism was also strong, early on as personal relationships between peasants and nobles, and later with respect to politicians and businessmen. A feudalist system of indentured peasantry existed until the 1830s, when peasants began moving to new, unsettled territory (Pasuk and Baker, 1995; Reynolds and Lysa, 1983), but patron–client relations continued in alternate forms well into the 20th century. After the a coup d'etat in 1932 turned Thailand into a constitutional monarchy, decisions were left in the hands of a small group of bureaucrats, and there was no formal social welfare structure (Anek, 1988; Uwanno and Burns, 1998). In this environment, social groups were forced to develop ways to gain access to the political system, which led to a form of clientelism in which business and labour groups attached themselves to political players. When the government began granting media licenses in the 1970s, the licences were mostly given to entrepreneurs or advertisers who had the funds to bribe the national regulator, or had connections to the parties in power (Doner and Ramsay, 2003: 130; Ubonrat, 1992: 95).

Hallin and Mancini define instrumentalization as the control of the media by 'parties, politicians, social groups, or economic actors seeking political influence, who use them to intervene in the world of politics' (2004: 37). Clientelism thus often leads to instrumentalization when actors are able to gain privileged access to those

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controlling the media. Hallin and Mancini note that in Southern Europe political connections are often a prerequisite for obtaining government contracts (2004: 58). As mentioned above, this is the case in Thailand, and to a lesser extent in Greece, where media moguls have become intimately tied to politics. Hallin and Mancini note the modern-day lack of discourse surrounding the state's responsibility to address the 'public interest' within the media system due to the South's instrumentalist history: 'intervention by the state in media markets is almost always seen – and with much reason – as a cynical attempt at political control' (2004: 126). Thus, both of our case countries exhibit a history of clientelism between the citizen and some sort of patron group, be it landowners or political parties, as in the rest of Southern Europe. However, Hallin and Mancini's implication that these historical trajectories lead to less regulation does not hold water when we look more closely at the cases of Greece and Thailand. In fact, we will see that 'savage deregulation' in the Greek context is a misnomer, as the phenomenon began before any deregulation occurred.

Political and cultural repression in Greece and Thailand as an impetus for savage deregulation

In the 1970s, when the spread of television across Southern Europe reached critical mass, media companies began to push for privatization of the industry. This was easier to do in clientelist societies in which industry elites and policymakers were more intimately connected.

In Greece and Thailand, however, savage deregulation, rather than coming about because of a push by media corporations, was brought about through civilians and oppositional political actors. In both Greece and Thailand, in fact, deregulation was initially *opposed*, rather than legalized by the government. One key point that Hallin and Mancini omit in their analysis is that in Greece, as in Thailand, there was initially no actual media deregulation by the government. In Italy and Portugal, it was the dissolution of the state monopoly and the subsequent legalization of private broadcasting that allowed savage deregulation to come about, but in Greece and Thailand there was nothing 'allowed' about it. Rather, politicians opposed to the parties in power, and citizens whose informational and cultural needs were not being addressed by the state or by the commercial media, were illegally broadcasting to fill a gap left by government. As we look at the histories of these two countries, we see that the key motivations for broadcasters in these countries were non-economic, and served mainly to protest against government repression or to address the needs of local communities.

In Greece, the initial impetus to broadcast came from politicians opposed to the existing regime. And, as in Thailand, the most 'savage' aspects of deregulation came in the radio sector. By the early 1980s it was widely recognized by the Greek public that the state broadcast system supported state interests. By the end of the decade tensions were running high between the party in power – the Pan-hellenic Socialist Movement (PASOK) – and the opposition. Like the government in power, critics of PASOK used the media to make their case to the public, but they did so in direct defiance of the state, which had yet to legalize private radio. On 21 May 1987, the municipal government of Athens, opposed to the national government, set up a radio station and went on air without a licence. One month later Kanali 1 in Piraeus followed suit, launched by another opposition mayor. By March 1989 there were 13 such 'municipal' stations (Zaharopoulos, 2002). PASOK went so far as to try to demolish the radio towers in Athens and Thessaloniki, but party loyalists guarded the radio grounds (Zaharopoulos, 2002).

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Eventually pride, coupled with the undeniable rise of 'pirate' broadcasters, required PASOK to announce that they had *already been planning* to deregulate the sector. The first licences were approved in May of 1988, and by the beginning of the 1990s the number of radio stations had exploded, with most of the new stations operating without a licence. According to Zaharopoulos (2002), by the end of 1988 there were 22 licensed radio stations in Thessaloniki and 100 pirate radio stations, in Athens there were 52 licensed and up to 20 unlicensed stations, and as of 2002, there were over 600 radio stations operating outside these two metropolitan areas.

In Thailand, radio became a tool of the regime after the 1932 revolution, and continues to be used in an instrumentalist manner today. Thailand's political history was, and continues to be, unstable. The country has been plagued by a string of military coups, though they have slowed significantly in recent years (the most recent occurring in 2006, and the penultimate in 1992).

The public began calling for reform of the broadcasting sector in the 1970s, and has faced two major incidents of suppression by the state. The first was a student uprising in 1973 that toppled the Thanom-Prapas military regime and is commonly said to have ushered Thailand into an era of democracy ('Modern Media …', 2005; Thongchai, 2008). The second happened during a military coup in 1976, and was one of the most brutal civilian massacres in Thai history. After that year, stronger restrictions on broadcast content were imposed, mostly in order to limit the voice of the opposition (Ubonrat, 1992).

The public's needs regarding political and cultural expression and access to information were not being addressed by the mainstream media, especially in rural communities, and so the first unlicensed radio station started in Kanchanaburi province, in Western Thailand, in 2001. By 2002 there were 145 community radio stations, by 2005 there were 2227, and by 2007 there were 3457 (Community Radio Station Working Group, 2008), as compared to the country's 548 private, licensed stations (Sudharma, 2008).

The Thaksin government was quick to brand the new radio stations 'pirate radio' and to designate them illegal. The government attempted to quell the pirate radio trend by saying that the 1997 Constitution, and the subsequent 2000 Frequency Allocation Act, which guaranteed the right to community radio, were still not yet 'official' (Pirongrong, 2008). As of March 2008, this interim period continues, and these stations remain 'unofficial' and illegal. Control by the state has remained severe: a person can be imprisoned for up to two years and fined 200,000 Thai Baht ($5200) under defamation laws (UN ECOSOC, 2005). In 2005 a lawsuit against Supinya Klangnarong, a media reform advocate, was filed by Thaksin because she criticized him in the daily newspaper, the *Thai Post*, and in January 2006 Thaksin attempted to shut down the website of his most vocal critic ('Thai Government …', 2006).

In addition, stations are now required to translate all their broadcasts into Thai. Many stations ignore this mandate, as their audiences speak local and indigenous languages, but several have been severely handicapped by the legislation. Radio Neu Keun, located in Hot, was established by a small tribe, the Karens, in 2002, in order to 'protect the minority tribe's unique culture' (Crispin, 2007). When the area was flooded in 2006, the station aired emergency response messages 24 hours per day in the local language. Many stated that they 'wouldn't have survived' without it (Crispin, 2007). Since the passage of the language law, they now air only music. Today, although many stations continue to broadcast in local languages, most community operators practise some level of self-censorship in an effort to avoid being shut down by the government (Crispin, 2007; 'Free Media …', 2006; Pirongrong, 2008; Supinya, 2005; Toh, 2003).

In Greece as well, many of the radio stations serve the needs of local communities. And like Thailand, international outrage broke out when a radio station was

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closed down because, according to the government, the programmes were of 'poor quality' ('Greek Radio Station Shut Down …', 2005; 'Regulator's Order …', 2005). The station's chief manager claimed that the true reason for the closure was the station's frequent criticism of national politics ('Regulator's Order …', 2005), and the move was condemned as an 'unjustified and excessive' attack on press freedom by Reporters without Borders. A new July 2007 law requires that all stations have a minimum number of staff, have a minimum deposit of €30,000 in their accounts and broadcast all their programmes in Greek ('Greece Radio …', 2007; 'Greece Reportedly …', 2007). Such legislation, if it goes into effect, would serve to reduce the number of low-cost community radio stations. The language component of the bill is attracting particularly strong protest from the country's large Turkish minority, which has many community radio stations that aim to promote the group's language and culture.

Conclusion

From the preceding histories, we see that clientelism and instrumentalization certainly created a fertile ground for 'savage deregulation' to occur in Greece and Thailand. Other commonalities between the two settings become evident as well. The histories above, for one, illustrate that the media 'deluge' that accompanies some less liberalized societies has not always been entirely commercial. In both countries, surges in broadcasting occurred without legal deregulation on a small, local level, and profits did not enter into the equation in the way that Hallin and Mancini (2004) imply, rendering savage deregulation a misnomer in both contexts.

One of Hallin and Mancini's conclusions which is contradicted here is their assumption that a history of a lack of public service obligations should automatically lead to unconstrained loyalty to the market when capitalism does come about. In creating an either/or scenario of social welfare *or* pure market economics, they leave out the third possibility: that deregulation might occur while the regime continues to maintain control of the media for its own gain, as occurred in Greece and Thailand. In the case of Thailand, and to a lesser extent in Greece, a history of strong government control of the media leads to a tendency by the government to continue to maintain strong state control after market liberalization. With respect to public broadcasting, it is the concentration of *large* conglomerates that leads to the weakening of the public service broadcaster, not an explosion of small, local broadcasters. These in fact often promote a more democratic public sphere.

Finally, we see that savage deregulation is not necessarily as negative as the name implies. Though it clearly does have a negative effect on the public service broadcaster, and leads to concentration of the mainstream media, it does, at least in the cases of Greece and Thailand, represent an effort to give voice to those who might not have access to the public sphere, especially under repressive regimes. In their underlying assumption that there is a trajectory from not caring about social welfare to caring about social welfare, Hallin and Mancini miss the *public* involved in these histories, and the fact that, globally, both marginalized groups and opposition political parties have a history of fighting to make their voices heard.

Hallin and Mancini rightly recognize that many of the features that characterize Southern European media systems have begun to change in an era of more globalized communication, but in Greece and Thailand these struggles *do* continue to a large degree. It remains to be seen whether Thailand has the attributes which would cause it to follow the same trajectory as Europe, and so the question then becomes how lessons

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learned from Greece can be used to help understand why the media system in Thailand continues to be highly repressive, and what efforts might mitigate this. Today, Thailand finds itself, according to some forecasters, on the verge of its 19th coup since the Second World War (Rajoo, 2008). Citizens unsatisfied with the Thai version of democracy are protesting against the current regime, and continue to be suppressed, sometimes violently, by the state. During such uncertain times, civil society, the corporate world and the government will be facing off to try to find a way to balance power in the new system. The next question that must be addressed is how the benefits of deregulation (plurality of voice, diversity of opinion and access to the media by opposition politicians,) can be reaped while imposing the necessary government regulations on the sector in order to curb the historically observed tendency of powerful individuals and businesses to take advantage of the influential effects of the media, and the turbulence of an unstable regime.

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Notes

1. Hallin and Mancini do not explicitly tie an explosion of broadcasters to the Spanish context. Rather, they note the common results of deregulation there by stating that 'although terrestrial broadcasting is still defined in theory as an "essential public service" in Spanish law, public service regulations are weak compared with those in Britain or the Democratic Corporatist countries' (2004: 126).
2. Per capita income in the US (in 2007): $38,611 (US Bureau of Economic Affairs, 2008). Per capita income in Thailand (in 2007): $3737 (US Bureau of East Asian and Pacific Affairs, 2008).
3. Number of US radio stations (as of 31 December 2007): 4776 AM stations, 6308 FM commercial stations, 2892 FM educational stations, 831 low-power FM stations (FCC, 2008). US population (July 2008 estimate): 303,824,646 (CIA, 2008). Number of Thai radio stations: 334 FM stations, 204 AM stations, 3457 community radio stations (Sudharma, 2008: Section 1, pp. 5–6). Thailand population (July 2008 estimate): 65,493,298 (CIA, 2008).

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