

# The Emerging Media Ecology in Asia<sup>1</sup>

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Asia has taken a big leap in transnational communication in recent years. A large number of local, regional and multinational satellite television companies have established a strong presence. Hong Kong-based StarTV, owned by the Murdoch empire, carries programmes from NBC, the BBC and CNN, and can potentially beam programmes to 220 million households in Asia and the Pacific.<sup>2</sup> The Hong Kong Chinese Television Network carries a 24-hour Mandarin language news channel. Regional news is broadcast from Singapore by Asian Business News (ABN) owned by Dow Jones. Realizing the need to provide programmes in Asian languages, the multinational satellite companies, such as StarTV and the BBC, have launched a series of television productions in association with Asian companies. For instance, the BBC has commissioned a series of television productions in India; CNN has established its bureaus in Asia; and Asian companies in Hong Kong, Taiwan, Singapore and India have also commenced television programme productions aimed at regional audiences in Asia. Local television stations have launched new programmes to win back the audiences lost to StarTV. Suddenly, the Asia-Pacific region has become a test bed for multicultural television programming. We see emerging in Asia a Chinese language audience, an Indian language audience and a Malay language audience. Very soon Japanese and Korean language programmes will join the competition. Unlike in the past when television audiences were seen as entities within nation states we now see emerging in Asia regional audiences transcending national boundaries and forming geolinguistic communities.

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While transnational television is a prominent example of the changes taking place in the communication scene in Asia, other forms of communication, both new and old, continue to have an impact on the Asian media scene. The Internet is spreading quickly, with even the poorest of countries aspiring to join the network (see Figure 1). Cellular phones, faxes, e-mail, data bases, electronic networks and cable are spreading rapidly and cutting down isolation in a historically unprecedented manner. On top of this, a large number of communication satellites are being placed in orbit by Asian countries.

The availability of audiences for transnational satellite communication depends on the policies followed by recipient countries' governments as to whether satellite dishes to receive these programmes are restricted or are freely permitted. Asian countries have markedly different traditions and policies relating to the reception of satellite TV transmissions. For instance, due to a confluence of historical, political and economic factors, India has adopted an open skies policy in relation to satellite broadcasts. India today is completely open to transborder television programmes via satellite. The Indian government has made policy pronouncements that it would not ban or interfere with foreign TV transmissions entering India via satellite. In this respect, Indian policy is similar to that of Japan where there is no bar to the access of foreign satellite television by its citizens. However, the effects of this policy in creating an audience for satellite programmes are quite different in India and Japan. An industry to provide foreign TV satellite fare, through a network of terrestrial cables has sprung up in India. These cable companies provide a direct link between Indian TV viewers and foreign satellite transmissions. Consequently, there is a large segment of Indian urban households linked via cable to

Figure 1. Internet Map of Asia



Source: Asian Communication Handbook 1998.

foreign satellite TV programmes. This is not the case in Japan.

While Japan, like India, has an open skies policy in relation to satellite broadcasts, to the extent that people are free to use satellite dishes to receive foreign programmes, this has not resulted in the creation of a large audience for foreign programmes. Hagiwara (1996) observes that US television pro-

grammes have not fared well except in the early years of Japanese television history. From the late 1950s to mid 1960s quite a few American social dramas were broadcast and enjoyed high ratings. After the mid 1960s imported programmes gradually lost popularity. The main reason was the improvements in the production capability of Japanese television in the wake of the strengthening of the

economy. The ownership of television sets by the rural population was also an important factor for the drop in ratings of imported programmes. Rural people had a strong preference for domestic programmes, often complaining that western programmes were too complicated or confusing (Ito, 1989). Furthermore, English which is the language in which most satellite TV programmes are broadcast, is not a language used very much in Japan even by the elite. While India and Japan are open to foreign satellite TV programmes, some other Asian countries, such as China, Malaysia and Singapore, remain virtually closed to such transmissions because dish antennas cannot be freely owned by citizens of these countries. In Singapore, households with cable TV get access to satellite TV programmes such as CNN. In Malaysia, the audience for foreign programmes is limited to programmes broadcast through national television. Malaysia amended its Broadcasting Act in 1996 to allow its citizens the use of satellite receiving dishes. But the permitted size of the dish is only 60 cm, so that only programmes beamed by Malaysia's own satellite, Measat can be received. Furthermore all satellite programmes beamed to Malaysia from outside are downlinked to government station, checked and uplinked to Measat and relayed to Malaysian households an hour later (Karthigesu, 1996). TV Malaysia has a policy of increasing locally produced TV programmes. In spite of this policy, however, foreign programmes (not necessarily western programmes) occupy around 40 per cent of broadcast time. This is partly due to the multiethnic and multilingual character of the Malaysian population. Foreign programmes are needed to cater to different ethnic groups. Therefore, Chinese language programmes are imported from Hong Kong and Taiwan; Indian language programmes imported from India. Another reason for the presence of foreign programmes is the high cost of producing local programmes and an apparent preference for some foreign programmes.

It is possible to find a correlation between a country's economic growth (GDP) and increases in a country's domestic television programme productions. This is particularly so for local drama programmes. However, empirical studies in Asia have shown that significant non-economic variables impinge on domestic TV productions. These include the presence of a large English speaking population as a result of British colonial rule. India, Sri Lanka, Malaysia, Myanmar, and Singapore are some of the countries in Asia that have a substantial audience for English language programmes. Furthermore, while a purely economic model would predict that

foreign television programmes would come from wealthier countries such as the US and the UK, there are again exceptions to this in Asia. For instance, although Japan is Asia's wealthiest country, there are very few Japanese programmes on the TV menus of other Asian countries. Japan, thus, appears to be culturally isolated. US programmes seem to satisfy Asia's cultural common denominator. Apart from economics, factors such as culture, politics and proximity influence the television menus of Asia (Waterman and Rogers, 1994).

While economic development increases the potential market for production industries all over the world, this increase is relatively greater for home producers from the countries experiencing economic growth. However, such growth in local media programmes must be carefully stimulated by the governments of these countries through appropriate media policies. The imposition of quotas for foreign programmes and the offer of effectively captive local audiences for local productions may not, in the long term, be in the interests of local programme producers. Such policies will create an uncompetitive, overly protected, cultural sphere that will require huge financial subsidies to stay afloat.

Despite such economic logic, leaders in many part of the world continue to look for ways to restrict foreign media influences in their countries. This is because of the perceived harmful effects of such programmes, and the belief that these outweigh the beneficial economic effects. Two areas in foreign television fare have caused considerable concern among leaders of the Third World. These are violence on television, and the effect of such programmes on vulnerable groups in society such as children. These concerns have shaped the response of many countries to television programmes from the West – particularly from the US. Some of these programmes are seen as featuring too much sex, violence, drug use and the glorification of other types of hedonistic behaviour, particularly among the youth, to be suitable for people living in societies with different traditions and values.

### **The Information Rich and the Information Poor**

It is common knowledge that the effects of modern communication technologies are not uniform across all countries. It means different things to different countries. While many of us speak of a phenomenon called globalization created as a result of the impact of new communication technologies, we also realize that many of the poorer countries in the world are

yet to be touched by this phenomenon, and that we should not be unduly dazzled by the developments in electronic wizardry. While developments in communication technologies have brought immense wealth to some countries, particularly those in the industrialized parts of the world, it has also created a great divide among the information rich and the information poor. This is the stark reality of the ecology of communication in the world today.

The governments of developed countries ably led by the United States, are pressing ahead with the creation of an international trade regime that would enshrine legal principles immensely beneficial to the transnational companies in the business of communication. A regime of public international law is being created to legitimize the self-interested action of the richer countries. International mechanisms such as GATT and WTO are being used as instruments in this quest for profit. Forces behind the Global Information Infrastructure (GII) are known to use international trade and financial institutions, such as the WTO and the World Bank to impose an ideological, political and economic order immensely beneficial to the industrialized wealthier countries. This in turn has created greater inequality. To quote a recent writer on the subject:

Of all the issues that have been brought on the agenda of GATT in the Uruguay Round, the subject of Trade Related Intellectual Property Rights (TRIPS) including Trade in Counterfeit Goods is one area where the most determined and combined effort of the industrialized countries is deployed against the Third World. What the Industrialized countries, led by the US, have sought to establish are new international rules to protect the monopoly profits of their TNC's, deny Third World countries access to knowledge, block their capacity for innovations and technological change and prevent any rise of competitive capacity in the Third World. (Raghavan, 1990)<sup>3</sup>

Economic interests in the fruits of new technologies have led to a shift in regulations from culturally based legal regimes to economically based ones; from legitimization based on cultural interests to legitimization based on economic interests; from a trusteeship model to a market model.

While a great deal of effort is made to create and sustain an international legal regime conducive to the interests of the richer countries, very little effort is made to assist the less fortunate countries to gain even a modicum of benefits. Universal access to ba-

sic communication and information services still remains a distant dream for many of the poorer countries in Asia. Many would accept the right to communicate as a basic human right. However, without universal access to basic communication facilities, such a right remains an empty principle. As Pekkar Tarjanne, Secretary General of the International Telecommunication Union (ITU) remarked 'without action on the part of the world community there is a very real danger ... that the global information society will remain global in name only; the world will be divided into information rich and information poor' (Tarjanne, 1997: 10).<sup>4</sup>

An obvious reason for the inability of poorer countries to provide universal access to information and communication services is the lack of economic resources. It is common knowledge that different countries in the world are at different stages of development. For instance, on the basis of wealth, Asia will fall into two distinct parts: the rich Asia and the poor Asia. Japan, Singapore, Hong Kong, Australia, New Zealand, Taiwan and South Korea are countries that comprise the richer Asia. Table 1 lists the per capita income among these countries. Japan is leading Rich Asia with a per capita income of nearly US\$39,000. Even among the countries in Rich Asia there is a wide disparity of incomes. The per capita income of Japan is over four times that of South Korea.

**Table 1.** *Per Capita Income of Developed Asia (US\$)*

Country	US\$
Japan	38 750
Singapore	22 520
Hong Kong	21 558
Australia	17 500
New Zealand	14 950
Taiwan	11 235
South Korea	8 550

*Source: Asiaweek, 1995.*

**Table 2.** *Per Capita Income of Developing Asia (US\$)*

Country	US\$
Afghanistan	150
Nepal	180
Cambodia	215
India	310
Laos	325
Mongolia	335

*Source: Asiaweek, 1995.*

**Table 3.** Access to Press and Radio in 14 Asian Countries

Country	No. of Newspaper Organizations		Press			Radio				Trans. to Foreign Countries	
	Gov./Corp.	Private	No. of Dailies (National)	Circulation/ 1,000 Pop.	No. of Languages	No. of Radio Stations Gov./Corp	Private	No. of Receivers	Receiver /1,000 Pop.		No. of Languages
Bangladesh	3	393	212	20.08	2	9	0	4,308,044	38.67	2	9
China	194	-	471	42.90	7	1,107	0	193,260,000	160.00	-	-
India	717	33,731	4,043	34.70	12	209	0	111,000,000	120.00	-	7
Indonesia	-	292	77	24.91	4	189	784	-	-	4	-
Korea	0	61	68	-	3	101	18	80,605,000	1,838.00	6	7
Malaysia	0	63	63	168.90	5	28	4	9,601,000	524.00	-	14
Nepal	3	314	39	9.47	4	7	0	2,200,000	110.00	-	0
Pakistan	0	4	273	-	6	24	3	6,000,000	50.00	20	70
Philippines	0	17	21	-	3	33	466	-	-	-	-
Singapore	0	1	9	-	4	14	1	285,660	96	4	3
Sri Lanka	1	3	8	-	3	1	5	-	-	-	9
Thailand	0	650	9	-	2	477	0	-	-	2	0
Hong Kong	0	25	-	-	2	9	6	-	-	4	-
Japan	0	112	121	578	2	2	95	126,956,559	-	-	-

Source: Asian Communication Handbook 1998.

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**Table 4.** Access to Television, Film and Telecommunication Services in 14 Asian Countries

Country	Television				No. of Lang. in TV	Foreign Transmission	Annual Local		Film			Telecommunications		Phones/ 1,000 Pop.
	TV Stations Govt./Corp.	Private	No. of TV Sets	Sets/ 1,000 Pop.			Prod.	Imports	No. of Cinema Halls	Seats/ 1,000 Pop.	Cinema Attendance/ 1,000 Pop.	Organizations Govt./Corp.	Private	
Bangladesh	2	0	1,500,000	14.46	2	2	121	38	946	3.77	-	1	0	2.00
China	837	0	274,870,000	230.00	2	4	466	85	6,000+	-	-	1	60,447	46.60
India	40	0	627,000,000	67.00	-	50	795	220	12,867	7.30	7,000	1	18	12.50
Indonesia	13	5	9,000,000	46.50	2	-	457	160	2,115	-	-	2	9	-
Korea	54	5	18,260,000	416.40	1	-	535	382	772	-	1,191	0	7	446.00
Malaysia	2	3	-	-	5	0	1,514	-	140	5.20	1,030	0	6	-
Nepal	4	0	100,000	5.42	4	0	38	-	153	4.60	1,704	1	0	3.90
Pakistan	6	10	5,477,800	27.00	11	-	121	89	650	3.37	219	1	3	13.00
Philippines	33	86	-	-	-	-	188	286	869	-	-	7	45	-
Singapore	2	0	668,671	224.00	4	-	-	583	114	15.50	6,000	1	0	378.50
Sri Lanka	2	6	1,500,000	83.00	3	0	-	-	359	-	1,816	1	5	12.20
Thailand	10	1	-	-	3	0	48	299	250	-	-	2	16	69.04
Hong Kong	0	4	1,752,000	414.00	4	0	110	-	180	-	4,523	0	6	217.00
Japan	2	123	35,377,295	281.00	-	-	718	352	1,776	-	-	0	4,726	-

Source: Asian Communication Handbook 1998.

Table 2 lists the per capita incomes of some of the countries in Poor Asia. Afghanistan's per capita income is only US\$150, India's US\$310 and Cambodia's US\$215.

These discrepancies in levels of income are reflected in the access to communication that people have in the different countries. Tables 3 and 4 are statistical summaries of access to communication facilities in 14 Asian countries.

According to these statistics Bangladesh has two phones, 14 television sets and 20 newspapers per 1,000 people, whereas Singapore has 378 phones, 224 television sets and 289 newspapers per 1,000 people.

While unevenness in development is a fact in most parts of the world, there is another equally important fact that we need to recognize. Despite the uneven levels of development, leaders of most countries have recognized the need to keep in step with technological developments in communications if their countries are to ever develop. The leaders of even the poorest countries aspire to benefit by linking up with the economic grid of the developed world. In fact most of these countries are rushing to link up with the electronic superhighway. Opening up of hitherto tightly controlled sectors of their economies, inviting multinational companies to invest in their countries and making substantial investments themselves in the telecommunications sectors of their economies, are some of the strategies followed to bring about rapid social and economic development. Table 5 gives the planned capital expenditure for telecommunications in selected countries in the Asia-Pacific region for the period 1995 to 1999. These investments are substantial, and are indicative of the seriousness with which countries in Asia consider the development of the communications sector as a path for rapid economic and social progress.

Out of 53 countries in Asia, 20 already have or are planning to have their own national satellites. It is estimated that Asia will account for 40 per cent of the world GNP within the next 25 years. By 2040 half of global output will be from Asia.

By the end of 1993 China had already installed 18 million new telecommunication lines, achieving a growth rate of 54.1 per cent from 1992 to 1993. A number of international donor agencies have pledged large amounts of money to developing countries in Asia to develop their telecommunication infrastructure. World Bank loans alone to Asian countries amounted US\$2,865 million during 1987 to 1990. The Asian market potential for telecommunication equipment is therefore substantial by any

**Table 5.** *Planned Capital Expenditure for Telecommunications in Selected Countries in the Asia-Pacific region 1995-1999 (Billion US\$)*

Country	Expenditure
Malaysia	16.2
Philippines	13.0
Thailand	9.0
Indonesia	8.5
Vietnam	7.0
Singapore	3.8
China	120.0
Japan	112.5
South Korea	15.0
Australia	15.0
India	14.0
Taiwan	13.0
Pakistan	11.0
Hong Kong	2.3
Sri Lanka	1.8
New Zealand	1.1

Source: *Business Times*, April 1995.

standard. We shall see major inroads made by large and small equipment manufacturers to participate in this market. The major players will be from the US, Europe and Japan, and their strategies will clearly have an impact on investment patterns. However, over the past decade, new cable and satellite delivery options have provided access to a variety of new entrants to the communication equipment industry.

We see in the world today the twin but opposite forces unleashed by advanced communication technologies. On the one hand we see the division of the world into two groups: the information rich and information poor. On the other hand we also see massive efforts by some of the poorer countries to catch up with technological advances by investing heavily in communications hardware. Still, it is quite possible that some countries may get left behind unless the international community steps in to assist them. There are areas, such as education and training, basic research, advice on planning and policies, in which the international community could render assistance, particularly to the poorer countries of Asia that are trying to harness new communication technologies for the development of their economies.

## Openness

Recent research on the attitudes of people in Asia to foreign television broadcasts beamed to their countries have shown a remarkable openness to such exposure by the ordinary people. The findings of a recent study on Broadcasting and Cross Cultural Relations in four Asian countries, viz. India, Hong Kong, Japan and Malaysia, show that the overall

opinion towards foreign programmes, mostly western programmes, was positive. The discourse on cultural imperialism, which postulated foreign media programmes as a threat to indigenous cultures, is thus being critically reexamined. Recent research writings question the validity of the assumptions underlying this thesis. (Lee, 1996; Goonasekera, 1996)

According to the survey in India more viewers liked foreign programmes such as news, current affairs and sports better than their Indian counterpart. However, when the programmes were culture specific, like films and serial, Indian programmes were preferred. Elements disliked in foreign programmes were sex, vulgarity, violence and crime. Though foreign programmes were considered better, some viewers also considered them harmful as they were likely to create an undesirable impact on lifestyles, particularly of the youth. The study found that there was a distinct difference between Indian and foreign programmes, but this difference was determined more by the channels' philosophy rather than by the country of origin. Doordarshan, irrespective of where the programmes were from, preferred the more purposeful programmes which meet certain social objectives and conform to Indian values and lifestyles. The Indian study surveyed 263 viewers in two metropolitan cities – Bombay and Ahmedabad. Most of the respondents believed that Indian culture, values and lifestyles were strong enough to withstand any foreign influence. They agreed that foreign programmes would bring both good and bad influences. The way to check the bad influences was to produce better Indian programmes. The overall view of the sample was firmly against banning of foreign programmes (Joshi, 1996).

In Japan, except for feature films shown by commercial networks during primetime (mostly Hollywood movies), Western programmes rarely get high rating. The reason for the low rating of foreign programmes is not antipathy by the Japanese towards foreign programmes. In fact, the survey results clearly indicated that the Japanese are, on the whole, quite favourable disposed towards foreign programmes. In fact, there was an overall tendency for respondents to agree with positive statements concerning imported programmes, and to disagree with negative statements. The majority of the respondents expressed the view that the number of foreign programmes imported should be increased. Very few said it should be decreased. The researchers concluded that the major reason for the failure of foreign television programmes in Japan is the strong competition posed by local programmes, not any

xenophobic attitude held by the Japanese audience (Hagiwara, 1996).

In Malaysia too, the overall attitude towards western programmes was positive. Very few (16.7 per cent) said there were too many foreign programmes. The respondents said that Western programmes were of good technical and production quality, were educational, enjoyable, and creative. They believed that Western programmes do have an influence on their children and neighbours. The good influences are that these programmes provide education, teach openmindedness, help Malaysians to learn English, teach modern lifestyles, and influence people to care for others. The negative influences are that these programmes expose young people to sex, teach loose morals, disrespect for elders, disrespect for authority, promote a lack of discipline, inculcate materialistic values, and cause an increase in crime.

The respondents were presented with a list of statements about Western programmes. These included positive, negative and neutral statements. Of the 10 negative statement, eight were rejected by the respondents. The majority of respondents did not consider Western programmes to be harmful to their way of life, nor did they think that Western imported programmes were more harmful than Asian programmes. The overwhelming majority of respondents (92.1 per cent) disagreed with the suggestion that the government should ban Western programmes. They did not see Western programmes as corrupting their culture; nor did they feel that foreign programmes increased their dissatisfaction with their own cultures (Karthigesu, 1996).

The findings in Hong Kong were quite similar to those in the three other countries discussed so far. There was little or no support for banning foreign programmes in Hong Kong. The respondents did not find foreign programmes repulsive, nor did they find the values in foreign programmes more deleterious than those in local programmes. On the contrary, they considered foreign programmes to be of better quality, both helping them to better understand foreign cultures an enriching their knowledge.

The results of this empirical study on the attitude of audiences towards Western programmes is clearly contrary to the thesis of media imperialism, which postulate a deleterious effect of foreign media culture on indigenous traditions and values. At least this is not how ordinary people, exposed to foreign media programmes, feel about them.<sup>5</sup>

Perhaps one reason for the favourable attitude of audiences towards Western media products is the

relatively dominant position that local productions hold in these countries. For instance, India is the largest producer of movies in the world and is an exporter of movies. The state-run TV network, Doordarshan, produces and broadcast quality programmes. India undoubtedly has one of the finest traditions of music in the world. Malaysia is economically rich and invests substantial resources on local productions. Hong Kong has a vibrant media production industry and is an exporter of Chinese TV programmes and movies. Japan is perhaps the strongest producer of movies and television programmes in Asia. A recent scholar has observed that when local productions are abundant and dominant, foreign productions of low quality are less likely to be selected and shown on local television. Hence, the high quality of foreign programmes and favourable audience perception of them. 'If there is a situation where foreign productions dominate and people have no alternative choices, they will have a greater chance of watching inferior foreign programmes and their attitude towards foreign programmes may not be favourable any more. Moreover, when local productions dwindle to a negligible amount, people's views about foreign programmes may also be different, and they may value local productions more than foreign ones as the former becomes something uncommon or novel' (Lee, 1995: 221).

### **International Agreements**

Many of the areas opened up by transnational communication require agreements among states in order to gain mutual benefits from their utilization. These can take the form of international conventions or bilateral agreements. Such agreements are particularly important in relation to international dissemination of cultural products.

Recently some issues in this area have been the subject of international debate and negotiations. In the European Community (EC), for instance, transborder TV has been the subject of EC directives. A 1984 EC Green Paper refers to the establishment of a common market for borderless satellite and cable TV operations. Transborder television is also the subject of 1989 EC Directive. In the European context, transborder could mean a common TV culture for Europe. The objective of the 1989 EC Directive was to develop TV Cultures in Europe and to establish the identity of a European culture. In February 1996, a reform bill was passed to strengthen the EC Directive, and in this endeavour European Broadcasters were obliged to observe the

European content clause which states that European-made programmes must account for 51 per cent or more of total broadcasts (HBF, 1996). This is obviously a way of restricting the market for cultural products from non-European countries.

In the Asia-Pacific region it is difficult to envisage transnational television or any other type of communication as means of establishing a common culture. Unlike Europe, the countries in the Asia-Pacific region have very different traditions and different historical experiences. These countries are far more diverse, sometimes are suspicious of each other, and jealously guard their indigenous cultural heritage.

In 1994, the General Assembly of the Asian Broadcasting Union (ABU) met in Kyoto, Japan and adopted a resolution specifying the Guidelines for Transnational Satellite Broadcasters in the Asia-Pacific Region. The objective of the guidelines was similar to that of the EC directive, but the content was very different. Unlike the European Directive, the ABU guidelines placed an emphasis on respecting the cultural diversity of the Asia-Pacific Region, rather than creating a common transnational culture. In its introduction, the guidelines state that the development of satellite television services will undoubtedly foster free flow of information in the Asia-Pacific Region. At the same time, the document asserts that there is a serious concern that this situation could have deleterious effects on the values and cultures of the different countries of the region. A series of similar guidelines called Guidelines on the Programme Contents of International Satellite Television Broadcasting in the Asia-Pacific Region were adopted at a Tokyo meeting of government Policy Makers from 21 Asian and Pacific countries.

These guidelines reiterated the need to respect the principles of Free Flow of Information; and, to protect the sovereignty and domestic systems of those countries that the satellite signals reach. (HBF, 1996)

It is quite possible that such guidelines will eventually provide a common ground for the development of a pan-Asian TV culture. However, in order to achieve this it would be necessary for the members of ABU and the relevant government agencies to work out a consensus or a common vision among the countries involved. This will require, at some stage, international covenants to bind the countries to a common course of action.

There are many other areas in which transborder communication has necessitated such international understanding or agreements. Liberalization of trade



in cultural products consequent to GATT/WTO decisions is one such are.<sup>6</sup> There was a time when cultural products such as movies performing arts and music were exempted from trade liberalization. In 1947, when the General Agreement of Trade and Tariff (GATT) was drafted, Article IV of the agreement authorized the imposition of national screen quotas for the 'exhibition of cinematographic films of national origin during a specified minimum proportion of the total screen time actually utilized'. This was based on a dichotomy between trade and culture – trade liberalization and cultural protection. International trade officials were scarcely involved in issues relating to broadcasting and telecommunications. The recognition of the special character of cultural products is not limited to GATT/WTO. The 1989 Free Trade Agreement between the US and Canada specifically exempted cultural products covering films, videos, TV, radio broadcasting, sound recording and print media. In many countries foreign ownership of the media of communication is either prohibited or severely restricted. The usual reasons are national security and social and cultural considerations. However, under the Uruguay Round of Talks in 1986, the sector of trade in services was brought under the GATT commitments to open markets and discipline. The rules of GATT/WTO<sup>7</sup> will now apply to cultural products and services, as they apply to all other services. Thus, traditionally regulatory areas have become market access issues under GATT Uruguay Round Negotiations (Kakabadse, 1995).

The question therefore is whether the rules of trade liberalization could be sensibly applied to cultural products. If trade in cultural products is liberalized, and cultural protection withdrawn, will this result in the flooding of Asian markets with products from the more powerful economies, particularly the US?

While it is true that GATT/WTO rules make no special distinction between cultural products and other goods, this by itself does not open up hitherto restricted markets in cultural products. This is because of the principle, under GATT/WTO, of allowing individual countries to make commitments in the market access areas. This mechanism gives all countries considerable flexibility in handling cultural products and services. Each country can decide whether it wishes to offer market opening guarantees for any particular cultural product or service. 'In addition GATT provide particular flexibility for developing countries wishing to open fewer sectors or liberalize fewer types of transactions in future negotiations, thus making explicit their rights to ex-

tend market access in line with their development situations.' (Kakabadse, 1995: 76)

From the point of view of international trade in cultural products, perhaps what is more significant is the agreement on intellectual property protection (TRIPS Agreement), which obliges all member countries to apply the Berne Convention standards, enforceable through dispute settlement mechanisms. For instance, producers of sound recordings must be granted an exclusive rental right – the right to authorize or prevent the commercial renting of their work. Protection provided for performers and producers is effective for at least 50 years, and applies to all signatories of the agreement. The Agreement also contains detailed obligations for governments to provide effective enforcement, including criminal sanctions against copyright piracy. GATT signatories are obliged to provide remedies under their municipal law to guarantee that intellectual property rights can be effectively enforced by foreign nationals who hold such rights. These very detailed and strict provisions, are expected to build investor confidence, thus leading to more trade in cultural products in the international market.

However, intellectual property rights still remain a major concern. This is a particularly sensitive issue in Asia. One reason for this are the relatively weak and ineffective legal and policing mechanisms. It has been claimed that violations of software licenses in the Asia-Pacific alone have amounted to losses exceeding two billion US dollars in 1994 (Low, 1995). Without protecting intellectual property rights and building inventors' confidence in their patent rights, Asian countries will not be able to attract foreign investments. Laws and regulations necessary for the enforcement of WTO decisions are still not in place in some of these countries.

Another concern among Asian leaders is the proliferation of international electronic networks. The Internet, for instance, is fast becoming a household word in Southeast Asia, particularly in the more affluent countries of the region. This has opened a vast area of issues ranging from cyber-trade, cyber-dollar, cyberporn, to censorship. Many governments in Asia, have assumed it as their moral duty to preserve core cultural values and protect society as a whole from what they perceive as corrupting foreign influences. This fear of foreign cultural domination is fuelled by the historical antagonism between the colonized, subordinated countries of Asia, and the colonizing, hegemonic imperial powers. This attitude has been reinforced by the popular discourse of media imperialism which became a powerful intellectual theme in the 60s. Western media products

were perceived as culturally and morally harmful to the well-being of Asian countries.

There is little or no contention regarding pornography on the Internet. Very few, if any would argue in favour of it. But in other areas there is much room for contention. For instance, it often happens that what is legal in one country is illegal in another. And cyberspace being seamlessly global, it has been argued that cyberspace censorship requires stricter laws. (*The Straits Times*, 12 April 1995). The application of such laws becomes very difficult, particularly in the case of electronic mail. Furthermore, it is clear that existing laws are not in step with developments in cyberspace. It is difficult to frame laws to control and censor information considered offensive and, at the same time, allow a free flow of information.

Cyber trade is another area of concern. According to one report there were an estimated 100,000 websites in early 1996 and their number is doubling every three months. Business activity has begun to grow on the Web. It has been estimated that commercial websites numbered 50,000 in 1996 (Ang, 1996). Business deals through the Internet were said to account for around 4.1 per cent of purchases in the US in 1994 and are expected to grow to 16 per cent by the year 2000 (*The Straits Times*, 14 August 1994). Such activities of electronic purses could lead to a rise in currency and credit exchanges beyond the control of national governments, and could create problems in the implementation of monetary policies. Imposing import duties and sales taxes could become increasingly difficult leading to losses in government revenue (Low, 1995).

As the trend towards transborder satellite multi-channels in the Asia-Pacific region increases, the competition for market shares is likely to intensify. Most of the current satellite programmes are in Eng-

lish, Chinese and Indian languages. Japan and Korea are also likely to enter this market. In addition to the current commercial transnational broadcasting services by private companies, several governments in the region have also launched international services or are planning such services. Notable among these services are CCTV international of China, Korea Channel and the Japanese international TV broadcasts. These telecasts are intended for nationals of these countries living abroad.

The main characteristics of Asian satellite services at present can be summarized as follows: Singapore and Hong Kong have become the centres of Asian satellite TV services; Satellite subregions have been formed based on cultural similarities. For instance, the Chinese language region and the Indian language region; An ASEAN subregion has been formed as a result of the seven member countries of ASEAN and neighbouring countries launching broadcast satellites for domestic services.

It is not an exaggeration to say that there is a scramble for domination of the skies. Large numbers of satellites are being placed into orbit by governments and multinational corporations (see Table 6). For as little as US\$25,000, China can uplink a communication satellite using its long march rocket. The skies have become open territory. This looked upon with apprehension by many countries in Asia. Organizations and individuals are now examining ways by which the international community can bring some order to this situation before it spins out of control. The Kuala Lumpur based Asian Broadcasting Union (ABU) has already formulated a series of guidelines to be followed by transnational broadcasters. This however is not binding on any of the members of ABU. They remain only guidelines for voluntary compliance. International agreements will be required to bind countries to such rules.

**Table 6.** *Geostationary Satellites in the Asia Pacific Region*

Country	Satellites	Launch Dates	Coverage
Australia	4	1985, 87, 92, 94	Australia/NZ, PNG
Hong Kong	4	1990, 94(2), 95	Regional
India	5	1990, 92, 93, 95	Indian sub-continent
Indonesia	6	1983, 87, 90, 92, 95, 96	Regional/ASEAN
Japan	13	1988(2), 89, 90(3), 91, 92(2), 94, 95(2), 97	Japan/Asia Pacific International
Korea	2	1995, 96	Korea
Malaysia	1	1995	SE Asia
China	6	1988, 90, 94, 95	SE Asia
Thailand	2	1993, 94	ASEAN/Europe
Tonga	6	1983, 94, 95(2), 96, 97	Asia Pacific, Eurasia

Source: *Asian Communication*, No. 6, Vol. 9, 1996.

## National Laws

Furthermore, decisions of national courts based on municipal laws have become quite important in relation to transnational communication in recent times. The following case material elucidate current thinking of influential persons in Asia on this subject: the gazetting of international publications in Singapore and libel action against *International Herald Tribune* (IHT); allegations of bribery against the Malaysian prime Minister, Dr. Mahathir, in the *London Sunday Times* and its aftermath. (The *London Times* is owned by media mogul Rupert Murdoch). The Gandhi gaffe in *Nikki Tonight* programme broadcast to India by Star Television; the case against a television station in Sri Lanka, called Extra Terrestrial Vision (ETV), filed by StarTV, for alleged copyright violations; and the implications of the Indian Cable Act (1994) for international satellite broadcasts to India. The legal principles that emerged through these court decisions and the efforts to create space for co-existence between multinational media and Asian governments is an interesting study of an emerging culture or transnational communication. It is a sociological study of how communities create meanings in new situations brought about by the introduction of advanced communication technologies. It has much relevance to question of freedom of expression in a world with porous borders – a world with differing geo-political, commercial and cultural interests competing for ascendancy.

During the years 1986/87, Singapore government restricted the circulation of *Time*, *Asian Wall Street Journal* (AWSJ), *Asiaweek* and *Far Eastern Economic Review* (FEER) – all having wide circulation in Singapore. The restrictions were imposed by a Government Gazette notification, under the Newspaper and Printing Act, and hence this procedure is referred to as gazetting. The disputes with *Time*, AWSJ, and *Asiaweek* have been over the right to reply considered by Asian leaders as an integral part of freedom of expression. All three publications had carried stories about events in Singapore which the Singapore government said was factually incorrect. The government replied. *Time* and AWSJ refused to publish it. *Asiaweek* published the reply but unknown to Singapore government edited the reply and attributed the edited version to the Singapore government.

FEER's report it was alleged was not only false but was also defamatory of Mr. Lee Kuan Yew, the Prime Minister of Singapore at that time. The government wrote twice to FEER to either substantiate

or withdraw the allegation. FEER refused on ground of editorial prerogative. Its circulation was restricted from 9,000 copies to 500 copies and libel case was filed in Singapore courts<sup>8</sup>.

A more recent case involved charges of contempt of court and libel against IHT. The article in question was written by an American academic who at that time was a Senior Fellow at the National University of Singapore. It alleged that some intolerant regimes in Asia, which he did not name, rely upon a compliant judiciary to bankrupt opposition politicians. The Singapore courts found the writer, the Asia Editor of IHT, IHT publisher and CEO and IHT printer, Singapore Press Holdings guilty of contempt and libel. Fines were imposed on those convicted<sup>9</sup>. When IHT was criticized for agreeing to pay damages, IHT president, Mr Richard Simmons, said that the courts have found IHT to have libelled and that it would not contest the High Court decision. It would continue to operate from Singapore. Critics who were demanding that the IHT try to impose American liberal standards abroad were uninformed. (AWSJ, 18 January 1995)

Apart from recourse to legal proceeding, there are also other ways in which Asian leaders make known their displeasure to journalists who publish disparaging articles. Malaysia's Pergau Dam case is instructive in this regard. The *London Sunday Times* of February 24, 1994, in a story headlined "Wimpey offered contract Bribes to Malaysian Prime Minister" alleged that the giant construction company, Wimpey, had offered initial payment of \$50,000 through a middle man to the Malaysian Prime Minister, Dr. Mahathir Mohammed. The Malaysian Prime Minister was furious at what he alleged were totally false allegation. In retaliation, the Malaysian government decided to shut out British contractors from all infrastructure projects in Malaysia. Announcing the new policy, the Deputy Prime Minister of Malaysia, Mr. Anwar Ibrahim said "the British media may have their own political agendas but we detest their patronizing attitude and innuendoes that the governments of developing countries, particularly a Muslim led nation such as Malaysia, are incompetent and their leaders corrupt" (*The Strait Times*). Because of these press reports, it was argued, that to deal with British companies was to have shady undertones. Therefore the Malaysian governments had decided not to award any new contracts to British companies. This decision affected some big contracts that may have been won big industries in Britain including General Electric, Balfour Beatty and British Aerospace. Britain lost thousands of jobs. The end result was that the editor

of the *Sunday Times* was removed by Murdoch. Dr. Mahathir said that the editor was sacked.

The Gandhi gaffe involved a StarTV program called *Nikki Tonight* which is beamed to audiences in India. The programme features gossip of Bombay film industry and in one of its programmes the host, Nikki Bedi, egged her guest, Ashok Row Kavi, a gay activist, into repeating scandalous remarks that Mr. Kavi had made a long time ago in the press against Mahatma Gandhi, father of modern India. Kavi called Gandhi a bastard Bania. He implied by this that Gandhi was a miser and a sharp dealer. This was a totally false allegation because money meant very little to Gandhi, who lived a very simple life. The allegation went unchallenged in the programme. While such a remark may have been tolerated in Western countries it created a roar of angry protests in India. The Indian parliament accused Burdch of cultural terrorism. The fiasco led to the issuing of an open warrant in India for the arrest of Rupert Murdoch and some others working for StarTV, under Indian law of criminal libel (*Independent*, 6 July 1995). This incident illustrates the tension that could exist between cultural policies of Asian countries and commercial interests of transnational broadcasters operating beyond the borders of recipient countries. Freedom of expression gets caught in between such conflicting interests.

The fourth case I want to take is from Sri Lanka. A commercial television company in Sri Lanka was taken to courts by StarTV for allegedly infringing its copyright. The TV station in Sri Lanka, called Extra Terrestrial Vision (ETV), had been downloading StarTV satellite programmes and re-telecasting them on terrestrial transmitters. In addition, the company was blocking StarTV commercials and inserting local commercials for a fee. It was not paying StarTV any royalties for the use of its programmes nor had it sought StarTV authority to retelecast its programmes in any form. The Sri Lankan court decided in favour of the defendant. In light of this decision, the current position appears to be that international TV broadcasters cannot complain against unauthorized use of their material once they telecast these programmes freely to other countries. Such decisions sit uneasily with World Trade Organization agreements on intellectual property rights and copyright. Undoubtedly local laws have to be brought in line with provisions in international agreements once these agreements have been ratified by these countries.

The (Indian) Cable Act 1994 (ICA) is another instance of Indian effort to regulate the TV broadcast-

ing scene in India. This law clearly applies to transnational TV broadcasts to India when such broadcasts are retelecast through Indian cable companies. A majority of households in India receive foreign satellite programmes through cable services. A dish antennae is too costly for most Indian families to own. ICA stipulates that no programme or advertisement can be transmitted in India unless it is in conformity with prescribed programme and advertising code. The programme code bans material which "offends good taste and decency, criticizes friendly countries, encourage violence or anti-national attitudes, affects the integrity of the nation, encourage superstition or blind belief, denigrates women or children and which contain visuals or words which reflect a slandering, ironical and snobbish attitude in portrayal of certain ethnic linguistic and regional groups. The Act also limits foreign ownership of local channels to 49 per cent." (Banerjee, 1996). I believe that many a foreign programme would fall foul of such a programme code.

The manner in which Hong Kong and Macau settled their differences in transborder broadcasting highlight the different ways in which economic interests could impinge on such decisions (Lee, 1998). At the centre of the differences between Macau and Hong Kong was the need for Hong Kong to secure its internal market for Cantonese TV broadcasts. The moment Hong Kong's local Cantonese TV market is adversely affected local programme operators such as TVB, ATV and Warf Cable will apply pressure on the Hong Kong Government to secure this market.

In 1991, Macau TV (TdM), which is government owned, decided to boost up its signals to cover vast areas of Hong Kong. This would make TdM virtually another free-to-air TV station in Hong Kong without getting Hong Kong license. Furthermore one of the TdM channels broadcast in Cantonese. This would affect adversely the incomes of local programme operators. The advertising standards in Macau were more free with few restrictions on cigarette and alcohol commercials. This would result in loss of advertising revenue for local TV stations. Consequently pressure was brought on Hong Kong government to stop Macau from broadcasting to Hong Kong. In the absence of any covenants, laws or understandings governing transborder broadcasting, Hong Kong government had no formal way of addressing this problem. It used economic pressure on Macau government to get them to stop the intended TV expansion. They did this by threatening to legalise casinos in Hong Kong. Legalisation of casinos in Hong Kong would affect adversely

Macau's most important source of revenue – gambling. People in Hong Kong are the major customers of Macau casinos. If Hong Kong was not a major source of revenue to Macau, probably Hong Kong government would not have been able to persuade Macau to drop its intention to boost up its TV. There was no legal basis on which the two countries could have settled their differences.

The permission given to international media to operate in an Asian country is a privilege granted by the government of the Asian country on its own terms. The basic understanding is that these foreign journalists report events in these countries as outsiders for outsiders. It is alleged that many foreign media reports are meant for the countries about which the news item is written, English is spoken and read by influentials in these countries and therefore has an impact on an important section of the population. Local language newspapers pick up these stories and thereby give them wide publicity even among people who cannot read English. In short, the international press has become an off-shore press to be read and consumed by the people in Asian countries. Some of the journalists assume a role that the American journalist play in America. They become invigilators, adversaries, and inquisitors of the government. In other words, Asian leaders see journalists in the off-shore press as interfering in the domestic affairs of their countries<sup>10</sup>.

Most of foreign journalists have little or no understanding of the language, history, culture of forms of governance in the countries that they try to report on. Some of these journalists approach their subject with a cultural arrogance and superiority which is resented in Asia. No Asian country can withstand such an insidious and irresponsible onslaught from the foreign press.

The libertarian ideology of the press is not a universal model that is applicable all over the world and at all times in the same country<sup>11</sup>. The libertarian view is that the press should be free to publish or not to publish what it chooses, however irresponsible or biased its actions may seem to be. In this model, the audience is seen as freely choosing in the market place of ideas. The 'logic' is that where the media are free, the market place of ideas sorts out the irresponsible from the responsible and reward the latter. But this model cannot be applied to all countries. In different countries, the press has grown out of different historical traditions and political experiences. Consequently, they will play different roles. The free market place of ideas in multicultural, multiparty democracies in Asia can result in heightening of racial and religious ten-

sions, mobilizing sectional constituencies and arousing emotions. In this situation a partisan media can flood the market place with racially divisive information, confuse and befuddle the people and set the country in a course of racial strife and civil war. In such a media environment, basic issues such as economic growth and equitable distribution are rarely tackled by the press. Instead easy solutions are peddled for complex problems that require hard political decisions. In this situation the free market bring about confusion and violent dissension rather than enlightenment and consensus.

The important point is that a body of legal decisions, customs, conventions and treaties are continually evolving. Transnational communication is being regulated in one form or another. It is important to elucidate the principles based on which such regulation are being made or attempted.

Cultural considerations and commercial considerations seem to be competing with each other in the evolution of these principles. Flow of information, at present, depends more on national policies than on international agreements. Systematic research is needed to elucidate the processes involved.

We are also seeing changes in the very concept of foreign media programmes. Earlier we identified such programmes on the basis of the countries of origin. The US was identified as providing the bulk of such media programmes. In future, the world will see 'generic' multimedia entertainment software, created by the confluence of technology and capital from the US, Japan, Europe and other nations, servicing the newly deregulated and privatized media systems in Asia and elsewhere. In the future, it may not make much difference whether an increasingly 'generic' cultural product is owned and produced by companies in America, Japan, Europe or Asia. The challenge is this: how can one identify a path towards autonomous national cultural production in a system that is increasingly catering to the marketing imperatives of transnational monopolies? Will the overarching development in global media leave room for such autonomous, national cultural productions? There is no guarantee that market forces by themselves will allow for such an outcome. Moves such as those by Microsoft to use its monopolistic position (Windows hegemony in this instance) to squeeze out competitors, are worrisome developments for international competition.<sup>12</sup>

In a world that is divided on the basis of wealth and power, we need international agreements and common understandings if fairness is to prevail in the way we share the opportunities created by advanced technologies. The formulation of interna-

tional agreements relating to the common use of the skies will be a first step in this direction. Many would agree that it is no longer desirable to allow only those with the technological capability to harness the skies either for transborder communication or for any other use. This will obviously require an examination of both international and municipal laws, conventions and custom that apply to the use of the skies at present. This requires both legal and social scientific research, preferably by an international community of scholars. The findings of this research will form the basis for initiating discussions among nations on how the resources in the sky are to be used. We already have a Law of the Sea. Perhaps this could provide a model, though not an exact one; a starting point for an examination of the emerging Law of the Sky. Principles enshrined in the Law of the Sea, such as the recognition of certain areas of the sea as the 'common heritage of mankind', should find parallels in the skies.<sup>13</sup>

In any such inquiry, the international community should consider the rights and responsibilities of governments and countries that receive unsolicited TV broadcasts from foreign commercial companies. Already, international conventions exist in areas such as civil aviation, activities on celestial bodies, exploration and the use of outer space and the allocation of the radio spectrum (Evans, 1991). It can be argued that cultural products in the form of TV programmes beamed to one's territorial skies are as important as any other object in the sky. Therefore in fairness to both senders and receivers, the international community should agree on rules and regulations governing such conduct.

Modern communication technologies have created social situations where the traditional and older systems of conducting business will not do. It has created new situations which require new modes of response. As it stands, some countries that have to decide how to respond to new situations have no option but to use the prevailing municipal law. India's response to the Gandhi gaffe, Sri Lanka's response to StarTV's, and India's supreme court decision regarding the use of the air waves are all instances of interpretation of legal principles applicable in the countries that decided these cases.

However, international communication generated by modern information technologies require a consensually agreed set of rules and expectations. WTO provides a broad framework in relation to both goods and services. The principle of free trade has been enshrined in WTO decisions.<sup>14</sup> In the absence of covenants or understandings among countries as to the use of the skies for transborder com-

munication, international cultural exchanges operate on different principles and expectation in different countries. Fear of cultural annihilation in the powerless countries, on the one hand, and the division of the world into cultural market by the powerful countries, on the other, need to be reconciled on an agreed basis. International conventions on transborder communication are therefore a pressing need, particularly in Asia.

The loud and clear message of transnational communication is that we live in the same world. But different groups see different meanings in this world. Communication across cultures facilitated through advanced technologies makes for more informed, more aware persons with possibly, less parochial outlooks. It can promote unity among diverse people and contribute to the emergence of a more tolerant, consensual culture crossing national border. The very same forces have also raised fears of cultural domination and obliteration of ethnic identities. History has shown us that traditional indigenous cultures are strong and adaptable and at times are strengthened in the face of challenges. History has also shown that there is danger of a destructive backlash against all foreign influences – good and bad – when countries are faced with foreign cultural intrusions. However, trying to shut oneself off from the 'intrusion' of foreign cultural influences may be like blinding oneself in the hope that one may walk with more safety in a jungle of pits and precipices. The global spread of media is here to stay; it cannot be wished away and we must learn to live with it. In order to harness its potential for good, one should look at it as an opportunity to open one's eyes through education and experience, and not to blind them in fear and ignorance. Perhaps what is required most at the present stage of development is to provide systematic education, both formal and informal, as to the nature of global communication. This requires continuing research. We need an informed public discourse through the media, through the schools and through public debate. If the enormous possibilities for commerce across cultures, opened up by modern technology, are to be harnessed for human freedom, betterment, tolerance and understanding, it is necessary for the international community to act on the basis of a proper understanding of the processes involved.

### **Theoretical Implications**

Human beings are meaning searching and meaning creating animals. They act on the interpretation of meaning. Events that they encounter must be mean-

ingful to them. Human beings interact with each other on the basis of understanding of each others expectations. We interact with others in the expectation that the other would behave in a "predictable" manner. Such predictability is required not only for social relations among individuals but also for relations among individual countries. Law is one of the principal ways in which these expectations are crystallized among members of a community. International law is the crystallization of these expectations among members of the international community. In this sense law is one of the finest cultural contributions of human kind. It is the basis for cultural advancement and civilized living. However history has shown us that laws can also be used to dominate and victimize. It is necessary that laws are recognized as fair, just and legitimate by all those who live by it. Amidst the clash of interests between multinational media and Asian governments, describe earlier in this paper, we see a search for such meaningfulness. In other word a process of meaning creation is taking place. We could interpret this as the emergence of a new set of meaning to which both contending groups could subscribe. Legal decisions have crystallized these meaning as principles. When IHT president told his critics, who were demanding that IHT try to impose American liberal standards abroad, that they were uninformed, he was agreeing to a different role for the multinational media that would allow it to co-exist in countries with press ideologies different to that of the US. The dismissal of London *Sunday Times* Editor, Andrew Neil, removal of Nikki Bedi from StarTV, and the withdrawal of *BBC World Service* programme from StarTV's telecasts to china carry the same message. If multinational media wants to do business in Asia, they must learn to coexist with the forms of governance in these countries. Perhaps there is no profit to be made in cultural imperialism. A new set of meaningful relations are emerging in Asia between the multinational media and the governments in these countries.

Modern communication technologies have created social situations where the traditional and older systems of conducting business will not do. It has created new situations which require new modes of response. Notions such as 'free expression' should be examined in this context of changing meanings. As it is some countries that have to decide on such a response to new situations have no option but to use the prevailing municipal law. India's response to Gandhi gaffe, Sri Lanka's response to StarTV complaint of using unauthorised commercials and In-

dia's supreme court decision regarding the use of the air waves are interpretations of legal principles applicable in the countries that decided these cases.

How best can communication researchers examine this situation where there are cogent arguments for pursuing different communication policies by different countries. Max Weber, the eminent German sociologist used a theoretical construct called *Ideal Type* to understand social structures and social processes from a sociological perspective. An Ideal Type is a model constructed by the social scientist or researcher. It is based on empirical and historical observations but an ideal type is not found in its "pure" form in empirical reality. It is a theoretical construct – a tool to observe, interpret and understand empirical reality. Perhaps Asian communication scholars should begin to construct historically informed Ideal Typical models of media structures similar to the ideal typical constructs used by sociologists. The Western model or the capitalist press model is one such type. Libertarian Press Freedom is its sheet anchor. Its driving force is profit. It is risk taking capitalist enterprise. US Press is perhaps the archetypal example<sup>15</sup>. In contrast to this we have the communist model of the press which is basically an instrument of State policy. It is state owned, party operated and Marxist-Leninist in ideology. An annual subsidy from the government is its main source of revenue. A third model is the communitarian model. Perhaps this model approximates the Asian Press. It has similarities with the capitalist press. Profit is high in its agenda of priorities. Advertising is a prime source of revenue. Working in tandem with the government of the day for the general well being of society is another. It is therefore not an adversarial or confrontational press like that of the Western model. Maintaining high journalistic standards is important in this model. An over-riding feature is the predominance of the collective over the individual. This is in consonance with the national ideologies in some Asian countries such as *Pancasila* (five principles) in Indonesia, *Ruknegara* (Framework of the Nation) in Malaysia and *Shared Values* in Singapore. In all three models, censorship is a fact of life. In the capitalist free enterprise press, one would be very foolish to publish stories critical of the owners of the press or go against the owners' commercial and political interests. Advertisers are another powerful group that keep journalistic freedom in the capitalist press in check. In the Communist Press profit is not a concern. Newspapers are distributed even free. They are displayed in notice boards for anyone to read. In the emerging Asian

model of the press governments are key players and one would be very foolish to go against important government policies<sup>16</sup>.

What we see in all three types of ideologies is a process of meaning creation or making the activities of the press meaningful to the people who are affected by it. Each type of policy clearly serves a dominant group in society. It may be the owners of the media, or the communist party bosses or the leaders of the government in power. What is more interesting is that when we examine press systems as historically informed models (ideal types) we see changes that are taking place within each system. As we saw earlier, the capitalist model is adapting to the situations in Asian countries where it is looking for markets. Murdoch who wants to do business in Asia would not hesitate to drop programmes from StarTV that offend governments of Asian countries. His removal of the Editor of the *London Sunday Times*, his dropping of the programme *Nikki Tonight* and removal of *BBC World Service* from StarTV's telecast to China are all examples of the adaptation of the Western Free Press/Free Enterprise model to realities in the media scene in Asia. Equally momentous changes are taking place in the Communist Press. The tortuous road to press freedom in China is well documented in Yu Xu's study of the birth and demise of *World Economic Herald* (AJC Vol. 2 No. 2, 1992). What is interesting in this account is that the struggle for openness, freedom and democracy came from the ranks of the journalists within the Chinese Communist Party itself. Although the

*Herald* waged an unprecedented struggle against the Communist party's tight control of Journalists it could not change this. It perished in the effort. The *Herald's* experience in testing the limits of an outmoded political system toying with new entrepreneurial spirit has implications far outside the *Herald* or the press in China. It reflects the vulnerability of the media in most countries under the tight control of political ideologues both from the Left and the Right. All these have important implications for the future of freedom of expression as a social practice.

No media ideology or media practice can claim a monopoly of truth. Many a times truth is a question of conformity with the conventions of the epistemic community to which one belongs. It is that which conforms to the relevant criteria accepted in the social circle of one's 'knowers'. Very often these are understandings that are in harmony with the conventions of the culture to which one belongs. In the age of global communication one needs to transcend this idea of truth in order to communicate with global multicultural audiences. Credibility of the media will depend on the journalist's ability to achieve this. Journalism as a profession needs to inculcate this in its members by building of knowledge. Journalism as a profession needs to inculcate this in its members by building of knowledge. Journalism schools need to address this issue seriously. It cannot be left to the forces of free market place of ideas. And herein lies the greatest challenge facing the media in the age of global communication.

## Notes

1. Parts of this paper were published in the *Asian Communication Handbook 1998*, AMIC, Singapore.
2. The Murdoch empire includes television (Fox Network and eight US station affiliates, BSkyB Satellite delivery system for Britain, StarTV for Asia, Middle East and India), film (Twentieth Century Fox), book publishing (Harper Collins), magazines (TV Guide) and Multimedia (Delphi Internet Services and MCI Joint Ventures).
3. 'The US with the help of the media have injected some value loaded word like 'piracy' and 'counterfeiting' to describe those who were not prepared to accept their demands. In such media discourse the

US became the champion of artists and creative peoples rights and others were painted as criminals indulging in immoral activities. ... While the US insisted that a corporation's trade secrets be given protection it was unwilling to advance similar protection to knowledge held by third world peasantry. For example seeds that have been nurtured by the peasants for hundreds of years and perfected to suit the soil and environmental conditions of a particular region have not been patented by anyone ... Under the US proposal a TNC such as Cargill, could obtain a patent to that seed and resell it to the peasants...for a fee.' (Pendakur, 1995: 37, 36) Moral Rights are also excluded from the Berne Convention and TRIPS does not include coverage for Moral

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The article is based on a paper presented at the *Agora Seminar on Children in the New Global Media Landscape* (arranged by NORDICOM) at the UNESCO Intergovernmental Conference on Cultural Policies for Development in Stockholm, March 30 to April 2 1998.



- Rights because the US together with some other countries did not want to recognise such rights and lobbied for their exclusion. See Michael Pryles, Jeff Waincymer, Martin Davis in *International Trade Law* 1996: 1083, The Law Book Co., Information Services, Sydney.
4. The ITU Administrative Committee on Co-ordination endorsed the declaration on Universal Access to Basic Communication and Information Services. The endorsement follows a year long project by the Organizations of the United Nations Common System to promote the Right to Communicate as a basic human right (AMCB, 1997: 10-1).
  5. It is possible for critics of these findings to argue that ordinary people cannot see the dangers of cultural imperialism. This again can be dismissed as a patronising position of elitist researchers.
  6. General Agreement of Trade and Tariff or GATT. World Organization (WTO). GATT was replaced by WTO in 1995.
  7. There are 27 separate legal agreements and 25,000 pages of liberalizing commitments on market access for goods and services which entered into force in January 1995 together with the creation of WTO.
  8. The article in question was about a Marxist conspiracy revealed by the government in which some members of the Catholic Church were implicated. The report was about a meeting held between Mr. Lee and Catholic leaders led by Archbishop Yong. In his suit Mr. Lee alleged that the article depicted Mr. Lee as being intolerant of Roman Catholic Church and that he set out to victimize Catholic priests and workers. (*The Straits Times*, January 1988). The Singapore courts found all 4 defendants guilty of ill-will, spite or wrong or improper motive. It awarded Mr Lee \$230,000 in damages. Eight years after this incident FEER remain gazetted under the newspaper and Printing Act. However, after many years, the permitted circulation has been increased to 4,000 copies.
  9. IHT was ordered to pay Mr. Lee Kuan Yew \$300,000 in damages, \$350,000 to Prime Minister Mr. Goh Chok Tong and \$300,000 to Deputy Prime Minister, Mr. Lee Hsien Loong.
  10. It is even argued that the purpose of such interference is to bring an outcome favourable to the international media organizations for which they work or to the interests of Western countries in general. This they do in many ways: by setting the agenda for influential groups in these countries; by publishing stories that question the honesty and integrity of government leaders, thereby making such leaders fearful of the foreign media. This is a strategy to soften their stand against such media. Freedom of the press is seen as battle cry to impose Western hegemony in emerging Asian nations. Refusal to publish rebuttal of their stories by international media, which is controlled by companies based in Western countries, is seen as cultural arrogance.
  11. In Singapore's encounters with the US State Department over the restriction of the circulation of AWSJ, the State Department said that it deplored the governments restriction of sales. This was despite the fact that AWSJ had refused to publish Singapore governments reply to an inaccurate report. This was a curious position to be taken by media that champion the freedom of the press – and therefore by implication freedom of expression.
  12. We are currently witnessing an effort by the US government to prevent Microsoft from using its Windows hegemony to force Microsoft's hardware partners, such as Compaq and Micron Technology, to install its Web browser, Internet Explorer, into every PC they make. Failure to do so by hardware manufacturers will result in losing the right to sell Windows 95 Computers. By doing this Microsoft will effectively squeeze out competitors, such as its primary rival Netscape Navigator. Netscape Navigator, Compaq, Micron and Microsoft are all American companies. US anti-trust laws will apply to these companies and provide relief under US laws. An important question from the point of view of other international players in this field is: What if the competition is from outside the US, say India, Australia or Japan? What relief is there for such businesses from monopolists like Microsoft who want to squeeze them out of business by using strongarm tactics based on their monopolistic position. International copyright laws provide full protection for companies such as Microsoft from so called piracy. It is necessary to examine the international obligations that accompany such protection so that under the cover of international protection, monopolists do not use their position to squeeze out international competition.
  13. Convention on the Law of the Sea: article 1(1) and article 136, 140.
  14. The Uruguay Round has been described as the biggest and most difficult trade negotiations in history. It produces results that no one thought would be possible when the Round commenced in 1986. It is said that there has been no comparable achievement since the creation of Bretton Woods institution in 1944.
  15. In the words of Peter Hamilton, former publisher of the *Wall Street Journal*, "a newspaper is private enterprise owing nothing whatsoever to the public, which grants it no franchise. It is therefore affected with no public interest. It is emphatically the property of the owner who is selling a manufactured product at his own risk". (Quoted by Mahathir, 1989: 114). Nobody could have described the parameter of an Ideal Typical Western capitalist press better.
  16. In all three systems an overarching ideology has developed. In the capitalist press it is press freedom. In the communist press the ideology is one of serving the proletariat by propagating the communist party line. In the Asian model it is Freedom and responsibility.

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