

CHAPTER II

CONCEPTUAL FRAMEWORK

This chapter consists of three main parts: Background of Thaksin Shinawatra, Introduction to *Bangkok Post* and *The Nation* and Press Freedom Under Thaksin.

2.1 Background of Thaksin Shinawatra

Thaksin Shinawatra was born in 1949 to a well-to-do Sino Thai family from the northern city of Chiang Mai. His ancestors started off as tax farmers, later becoming silk traders and producers before diversifying into a range of other business interests. His father was a local politician in Chiang Mai, while his uncle Suraphan was an MP who eventually served as deputy minister of communications. He began his early education in Chiang Mai Province. Then he entered pre-cadet school Class 10 before emerging as the top graduate of the Police Cadet School in 1973. He won a scholarship from the Office of the Civil Service Commission to continue his studies abroad. Thaksin received a master's degree in criminal justice from Eastern Kentucky University and a PhD in the same field from Sam Houston State University, Texas before returning to continue his active service in the police Department in 1978.

After marrying Pojaman Damapong, daughter of the powerful Police Chief Samoer Damapong, Thaksin secured exclusive contracts to supply various government agencies – including the police – with IBM computers. He left the police in 1987 to focus on business interests – involving pagers, mobile phones, telephone directories and Thailand's first satellite – that would make him one of the leading entrepreneurs of Thailand's 1986-97 boom years.

Then Thaksin decided to enter politics with the first move was to hook up with Palang Dharma Party, brief serving as foreign minister in 1994-95. At that time, Palang Dharma, founded by Chamlong Srimuang, was a middle-ranking party with 47 MPs. The

party had benefited from Chamlong's image as an honest figure, who opposed corruption and led the anti-Suchinda protests that had culminated in the violent showdown of May 1992. As a result, the party had a very positive public image, especially in Bangkok. Since September 1992, Palang Dharma had been the junior partner in a coalition government led by Chuan Leekpai of the Democrats. He became foreign minister under the Palang Dharma Party's cabinet quota. However, he resigned after 100 days due to a controversy over whether his "monopolistic" business assets rendered him constitutionally ineligible to serve in the cabinet. After the collapse of the Chuan administration, the Palang Dharma Party elected Thaksin as its leader and he was elected to Parliament in Bangkok, and he remained in the party for sometime, held the position of deputy prime minister twice in 1995 and 1997 before resigning to set up his own Thai Rak Thai Party. The party's name and symbol expressed the theme of national defense. The party's slogan, "think new, act new, for every Thai," combined a promise of change with an inclusive nationalism.¹ The party has received strong support from the grassroots through its populist policies like suspending interest payments on farmers' debts, providing all villages with a million-baht development fund and a 30-baht-medical service for the poor. It won a landslide victory in the general election on January 6, 2001. As a leader of the majority party, Thaksin was appointed as the 23rd Prime Minister and he held the post for nearly two terms after another landslide of Thai Rak Thai in the general election on February 6, 2005.

However, due to many of his malfunctions and self-interested actions, which reached the peak by his family's sell off of Shin Corp to Temasek of Singapore without paying any single baht tax, the strong protest against him was so strong that Thaksin had to decide to dissolve the House on February 24 and called a snap election for April 2, when once again, Thaksin won a majority. His victory, however, was undermined by a strong protest vote. Thaksin did not accept the premiership to ease mounting political

¹ Duncan McCargo and Ukrist Pathmanand, *The Thaksinization of Thailand* (Thailand & EU: NIAS Press, 2005), pp. 7-20.

Thanapol Chadchaidee, *Simple Stories of 23 Thai Prime Ministers* (Bangkok: D. K. Today Ltd, 2001), p. 77.

tension. He then returned to work as a caretaker PM waiting for the next election at the end of the year. However, while the caretaker PM Thaksin Shinawatra was in New York and due to address the United Nations General Assembly, a sudden coup led by army chief Gen Sonthi Boonyaratkalin took place on September 19, 2006. Thaksin had to reluctantly quit his political ambitions to live in exile in London.

2.2 Introduction on *Bangkok Post* and *The Nation*

2.2.1 Early History of English newspapers in Thailand

It is interesting to note that the birth of the first English newspaper in Thailand also marked the first introduce of print media in the country. Dr Dan Beach Bradley, an American medical missionary began publishing Thailand's first newspaper, *The Bangkok Recorder*, on July 4, 1844, during the reign of King Rama III. The fortnightly newspaper, both in English and Thai was to inform the Thai people about their community. The first venture was not particularly successful and *The Bangkok Recorder* folded after two years, only to be resumed as a monthly newspaper on March 12, 1865.

In the following year, however, a libel suit was brought against Bradley by the French Consul in Bangkok because of his criticism of a French official.² The case was found against the American missionary, who was forced to print an apology and pay an indemnity. Two years later, he discontinued the publication, thus ending the short life of the first newspaper in Thailand.³

Following the death of the second *Recorder*, Bangkok was without a newspaper for four months. But on May 22, 1867, the *Siam Weekly Monitor*, owned and edited by S. d'Encourt, made its first appearance. Bradley printed the paper and was one of the staff of the *Siam Weekly Monitor*.⁴

² Ponpirom Iamtham, *The Political Role of Thai Newspapers from the Revolution of 1932 to the End of the Second World War*, thesis (Bangkok: Chulalongkorn University, 1972), p. 4.

³ John D. Mitchell, *The Asian Newspapers' Reluctant Revolution*, edited by John A. Lent, (Iowa: The Iowa State University Press, 1971), p. 212.

⁴ Virginia Thompson, *Thailand, The New Siam*, (New York: The Macmillan Co., 1947), p. 788.

Because d'Encourt was a heavy drinker, Bradley stepped more and more into the breach as a writer and editor. But the paper could not survive the weakness of d'Encourt. It died in September 1868.⁵

Other publications during this period were *The Siam Times*, *Bangkok Press*, and *Bangkok Summary*, all weeklies and all short-lived, dying within a year.⁶

The element of competition had entered Thai journalism by this time. Interest in publishing newspapers had spread to the Thai people. As a result, several daily newspapers, both Thai and English languages were begun.

The first English language daily newspaper was the *Siam Daily Advertiser*. It began as a joint enterprise by Englishmen, John Smith and Thomas A. Andrews, on September 1, 1868.⁷ Its earlier editions consisted of only one sheet that gave daily shipping and export-import news.⁸ Within a month of publication, it began to insert in Thai, advertisements, obituaries, and items about foreigners. The newspaper later ran parallel columns in English and Thai. It survived for seventeen years, making it the longest-lived paper in this period.

The next English-language newspaper, the *Bangkok Times*, was established in 1887 by T. Lloyd Eilliamese as a small weekly journal. It later became a daily in 1896.⁹ This was the dullest among conservative newspaper. It still was read, however, by most of the educated Siamese and foreigners.¹⁰

In 1891, *The Siam Free Press* was founded by J.J.Lillie, an Irishman, as a rival to the prospering *Bangkok Times*. In 1898, Lillie was expelled from the country for having insulted the sovereign, the government, and the people of Siam, and for having sent false and alarming communications to foreign countries. However, the *Siam Free Press* was continued for a new year by Francis Mc Cullough, who eventually sold it to an American.

⁵ John D. Mitchell, p. 212.

⁶ *Thailand Official Year Book*, Bangkok, 1968.

⁷ Virginia Thompson, p. 779.

⁸ *Thailand Official Year Book*, p. 453.

⁹ Virginia Thompson, p. 789.

¹⁰ *ibid.*

P.A. Hoffman. Hoffman sold his holding to Siamese interests, and the editorial staff rechristened the newspaper, the *Bangkok Daily Mail*. The paper continued to be American-dominated until its demise in 1933.¹¹

The *Siam Observer* was the politically oriented English-language newspaper that appeared at the end of the nineteenth century, published by the Tilleke family. It took over the *Siam Directory*, which appeared in 1878. *The Observer's* circulation was not large, and, although it received a government subsidy, it finally closed in 1933.¹²

Over the time, English-language newspapers have played an irreplaceable role in Thai society. *Bangkok Post* and *The Nation* remain active in the field with nearly the same circulation (60,000-80,000). Though both have good business sections, presently there is also the *Business Day* offering best business information daily.

Bangkok Post is more popular among foreigners while *The Nation*, among Thai intellectuals. Though clearly both are critical to similar degrees, many feel that *Bangkok Post* gives more *farang* “internationalist” view of sorts, whereas *The Nation* is a little better at local news and analysis. *The Nation* is sometimes qualitatively measured as fairly radical in this culture, and address questionable cultural values more often.

2.2.2 *Bangkok Post*

Bangkok Post was first printed on August 1, 1946, few months after His Majesty the King acceded to the throne. Its founders, former US Navy Commander Alexander “Mac” MacDonald, Prasit Lulitanond, Dr Thawee Tavedikul, Maj Vilas Osathanon, Ajint Unhanatana, Damrong Duritrak and Chavala Sukumalnantana had three things in common – blind faith, determination and lack of money. Only Mac had any experience. They acquired a cast off Japanese printing press, a two-storey house on Krung Kasem Road and ran off the first 500 copies.¹³

The problems piled up at that time. The young newspapers did not only suffer

¹¹ *ibid.*

¹² *ibid.*

¹³ From Krung Kasem and Ratchadamnoen and Klong Toey, *Bangkok Post 60th Anniversary*, (Bangkok: The Post Plc, August 2006), pp. 9-11.

from the lack of capital but also the government's policy on media restriction. The government used the draconian Press Act under which a newspaper could lose its licence after three warnings from the police. Intimidation also took more sinister form. Alexander MacDonald was accused of not being supportive of wartime collaborator Field Marshal Plaek Pibulsonggram's government when it ousted the administration of resistance leader Pridi Panongyong, and had to go. But far worse was to befall his fellow Post founders. Dr Thawee was assassinated and future chairman Prasit thrown in jail for nine years.

Veteran US editor Harry Frederick who succeeded Mac, and top Thai journalist Theh Chongkhadikij took on the tasks of reporting and manning the political battlements to keep the paper afloat, remaining a driving managerial and newsgathering force for 40 years. The launch of the morning *Bangkok World* in the mid-1950s made the Post less of a political target, providing healthy competition.

But the lack of money was a persistent problem, which would then be solved by Canadian-born press baron Lord Thompson of Fleet. In 1963, a deal was struck under which he purchased a majority shareholding providing an injection of capital and expertise. This enabled the Post to buy a new web-offset rotary press, move to Ratchadamnoen Avenue and make the transition from an afternoon to a morning newspaper.

That put it head to head with *Bangkok World* and market forces finally led the directors of both companies to pool their resources. The 1971 merger created *Allied Newspapers* and an improved *Bangkok World* was launched as an afternoon tabloid.

The *Bangkok Post* was no longer a family affair and larger offices were needed. In 1973, the newspaper headquarter was moved to the U-Chuliang Building on Rama IV Road and the beginning of 19 years of consolidation and change. New technology had overtaken the compositors and pages were no longer made up by arranging metal type. Punched paper tape was the new medium and staffs were retrained.

Six years later, they were retrained again when *Bangkok Post's* first computers with their floppy disks and green 9in. screens appeared. Specialist sections were

introduced and overseas training for key Thai staff began.

After the death of Lord Thompson in 1976 his shares were sold to Thai shareholders, including what is now the Central Group. Then, in 1984, Post Publishing went public and its shares were listed on the SET after they had been made available to staff, giving them a stake in their future.

Central's Samrit Chirathivat, who joined the board in 1976, became chairman of the Board of Directors in 1987 and played a key role in moving Post Publishing to a permanent home in Klong Toey in 1992. Also in the same year, Suthikiati Chirathivat, who joined the board in 1982, became Executive Committee Chairman and the South China Morning Post joined as a new shareholder. Kuok Khoon Ean, chairman of the SCMP joined the board in 1999.

The company then expanded into magazine publication, modernised the *Bangkok Post* into pagination and digital technology, as well as forayed into new newspaper ventures – the *Post Today*, a Thai-language business daily launched in 2003 and *Student Weekly*, an English weekly magazine launched in 2005.

Bangkok Post has been considered as rather conservative. The newspaper offers a good selection of international news.

2.2.3 The Nation

Unlike *Bangkok Post*, which was a brainchild of foreigners, *The Nation* was established by the co-ordination of a group of Thai journalists – M.R. Sunida Kityakara, Thamnoon Mahapaurya and Suthichai Yoon. In April 1971, British-based Lord Thomson of Fleet, then major shareholder of *Bangkok Post*, purchased the *Bangkok World*, now defunct but at that time Thailand's only other English-language newspapers. In response to what had become a monopoly of the English-language press in Thailand, the three experienced journalists decided to do something about it.¹⁴

Both M.R. Sunida and Thamnoon had been long time editors at the *Bangkok*

¹⁴ Laurie Rosenthal, *The Birth of The Nation*, in *20 Years That Shaped The Nation* (Bangkok: The Nation Multimedia Group, July 1991), pp. 219-221.

World before moving to *Bangkok Post*, where Sunida had been Social Editor and Thamnoon, City Editor. Both have since left to pursue other businesses. Suthichai, at 25, was himself already fairly well known to Thai readers. Columnist for the *Bangkok Post* and Sunday Editor and City Editor when Thamnoon had left, he also wrote a daily column in *Siam Rath*.

The Voice of The Nation, as *The Nation*'s initial name, was born as a certain result, on July 1, 1971. The 12-page newborn was published with the circulation of 3,000 on the first day. The public was also responding to the fledgling newspaper's policy: the newspaper could be run by Thai editors, it would be written by Thais and it would be able to criticise the government.

The newspaper has been run with extreme difficulty at early stage. Lack of money, they have many times asked for assistance from H.S.H. Sudhasiri Sobha, M.R. Suninda's mother. Then came the death of one pillar – Thamnoon died two days before *The Voice of The Nation*'s second anniversary. Both Sunida and Suthichai assumed the responsibilities of sales and marketing, taking care of the “day-to-day hand-to-mouth” existence, which continued with “mind-numbing regularity”.

Despite the difficulties, *The Voice of The Nation* began to find its voice through October 1973 event. The first newspaper to support the student uprising, it was also the first to ask in an editorial, “Who has handed this country to the students?” In October 1976, after the rightist mob attacked Thammasat University, the so-called National Administrative Reform Council seized power from the Seni Pramoj government and appointed Tanin Kraivixien prime minister. The NARC also revoked the license of *The Voice of The Nation*. The newspaper, scarcely five years old, was shut down. However, it was opened again as *The Nation Review* – “same wine, new bottle” – with Sunida as editor as Suthichai was still on the blacklist.

It would take another four years before *The Nation* would pull itself out of the red and move aggressively into marketing. Meanwhile, it holds its own story of determination to move offensively into a sector still dominated by a foreign-owned

newspaper.

Apart from print press like *Kom Chad Luek* (Thai-language daily), *Krungthep Turakij* (Thai-language daily business newspaper), *Krungthep Turakij Biz Week* (Thai-language business weekly), *Nation Weekender* (Thai-language weekly magazine), Nation Multimedia Group now has TV and radio as well. *The Nation*, the flagship of Nation Multimedia Group, is also going regional with the co-ordination with other 13 leading English-language newspapers throughout Asia. The newspaper has been considered to be more courageous, multifaceted and more sensitive and respectful to a diversity of viewpoints in comparison with *Bangkok Post*.

2.3 Press Freedom in Thailand under Thaksin

2.3.1 Introduction

The media, beside its function as a source for objective information, entertainment and shaping the consciousness of the whole population, should act also as “watchdogs” in examining the government activities. The “watchdogs” should be well alert all the time and “bark” when necessary to guard the public interest. The media should support people at all levels to participate in politics, economics and society while ensuring that the mass media must not be under the influences of markets and its mechanisms.¹⁵ The standard western descriptions of the media’s political functions as “watchdogs”, social “mirror” and “agenda-setter” are not always appropriate in Thai context, where the media is often a political actor in its own right, linked to or owned by prominent political figures, and dedicated to the promotion of particular vantage points.¹⁶ Kavi Chongkittavorn, a prominent columnist of *The Nation*, has already come into conclusion that the media under Thaksin acted more like “lapdogs” instead as they failed

¹⁵ Anuchat Pongsomlee, et al., *Civil Society Movements in Thailand: The Making of Thai Citizens*, The 7th International Conference on Thai Studies, Amsterdam, 1999, pp. 10-11.

¹⁶ Duncan McCargo & Ramaimas Bowra, *Policy Advocacy and the Media in Thailand* (Leeds: University of Leeds, 1995), p. 25.

to monitor and check on the government and politicians.¹⁷ The “dogs” tended to be gentle-natured ones to enjoy fondling rather than barking fiercely as they should do.

Freedom of expression (most obviously in press freedom) and alternative sources of information have been among other factors namely elected officials; free, fair and frequent elections; associational autonomy and inclusive citizenship to form a “full democracy” in Robert A. Dahl’s definition.¹⁸ In practice, democracies do have specific limits on specific freedoms. In democratic theory, the common justification for these limits is that they are necessary to guarantee the existence of democracy, or the existence of the freedom themselves. According to this argument, allowing free speech for the opponents of free speech logically undermines free speech.

Freedom of the press and access to alternative information sources is considered a characteristic of liberal democracy. For most developed countries, freedom of the press implies that all people should have the right to express themselves in writing or in any other way of expression of personal opinion or creativity. The Universal Declaration of Human Rights indicates: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers”.¹⁹

In Thailand, Article 37 of 1997 Constitution states that citizens have the right to communicate with each other through legal means. Article 39 and 41 guarantee the right of citizens and the media – including those owned by government agencies, state enterprises, and private sector – to express news and opinions so long as these subscribe to professional ethics. Article 40 of the Constitution, meanwhile, stresses that all broadcasting frequencies are considered national resources that must be reallocated for the benefit of the people.²⁰ Article 58 states that every person had the right to receive

¹⁷ The idea was first expressed at the annual seminar of the Press Development Institute of Thailand and Rangsit University on January 29, 2004.

¹⁸ Alan T. Wood, *Asian Democracy in World History* (London: Routledge, 2004), p. 11.

¹⁹ http://en.wikipedia.org/wiki/Freedom_of_the_press

²⁰ Wilasinee Phiphitkul, et al., *Gagging the Thai Press* (Bangkok: Thai Journalists Association, 2004) p. 2.

information from government agencies unless their revelation is contrary to national security.²¹

Besides, some non-governmental organisations use more criteria to judge the level of press freedom around the world. Reporters Without Borders (RWB) considers the number of journalists murdered, expelled or harassed, and the existence of a state monopoly on TV and radio as well as the existence of censorship and self-censorship in the media, and the overall independence of media as well as the difficulties that foreign reporters may face. Freedom House likewise studies the more general political and economic environments of each nation in order to determine whether there exist relationships of dependence that limit in practice the level of press freedom that might exist in theory. So the concept of independence of the press is one closely linked with the concept of press freedom.

Every year, the RWB organisation establishes a ranking of countries in terms of their freedom of the press.²² Thailand, by that way, ranks 122nd in the list of 168 countries in last year (2006), 107th among 167 countries in 2005, 59th among 167 countries in 2004, 82nd among 166 others in 2003 and 65th among 139 in 2002. The judgement by the Freedom House reveals more clearly the fluctuation of press freedom in the country. The status changed from “free” in 1992 into “partly free” in succeeding six years before reaching “free” level again in period of 1999-2002. Since then, the status has remained “partly free”.

This is a step backwards in the democratic history of Thai media as a result of various political issues.

2.3.2 Thai Media under Thaksin – More Quiet “Watchdogs”

²¹ Shelton A. Gunaratne (ed.), *Handbook of the Media in Asia* (New Delhi, Thousand Oaks, London: Sage Publication, 2000), p. 438.

²² The list based on responses to surveys sent to journalists that are members of partner organisations of the RWB, as well as related specialists such as researchers, jurists and human rights activists. The survey asks questions about direct attacks on journalists and the media as well as other indirect sources of pressure against the free press, such as pressure on journalists by non-governmental groups. RWB is careful to note that the index only deals with press freedom, and does not measure the quality of journalism.

Media panelists came into a conclusion at the seminar entitled “Thaksin – the Country’s Problem” organised by the Millennium Institute in Bangkok on January 31st, 2006, that the government under Prime Minister Thaksin Shinawatra, which was supposed to be in an era of full-fledge democracy, was more intimidating to the mass media than past governments in the time of so-called semi-democracy.

The situation was the same when Pol Capt Chalerm Yubamrung was a Prime Minister’s Office minister in the Chatichai Choonhavan government. He set up a centre to make war on the media and would frequently use harsh words against the press. The government under Chuan Leekpai was no better and chose to counter the press with the Public Relations Department, a government mouthpiece.

Some media practitioners have argued that the principle of impartiality/objectivity is irrelevant to the current situation. But it is difficult to deny the importance of impartiality/objectivity in professional journalistic work, where the goal is to serve public interest, regardless of any political, cultural, or social limitation. In 2003, however, conflicts of interest by business groups with political links became a significant media problem. Often mixed with business interests, the exercise of political power in media organisations appeared to be subtle, but still had disturbing effects. Media owners and their patrons regularly cited business reasons and market competition as an excuse for the interference in media content. The media, though came under criticism not only for failing to check the power of particular groups, but also for failing to provide adequate facts to the public. At least six main factors that have led to or have allowed interference in Thai media:

1. The main financial base of the Thaksin Shinawatra government comprised telecommunication and mass-communication businesses. It was the government itself, however, that granted the concessions needed by these businesses to operate. Thus far, several economic policies initiated by the present administration had been seen to benefiting such businesses. At the same time, the government had been noted to have initiated policies that support and protect its own political and economic power. In 2003, for example, the government, despite protests from many civil-society groups, enforced an executive degree on the

schedule of excise tax payment for telecommunications, a regulation that gave a continuing monopoly power to existing telecommunication companies.²³

2. The investments of telecommunication companies in the media industry had resulted in the merger of two important information powers: the telecommunication business, which emphasised the use of technology as the medium to transfer information to the public, and the mass-media business whose strength relies on the quality of information it provides its audience. This had not only created a power monopoly in the media market (especially the broadcast media), but also had had profound effect in the shaping of public opinion because the interference occurred in both the management and editorial sections of media organisations.

3. Publicly listed media companies had become prime targets for investments by cronies of politicians. The most prominent members of this group, which has already purchased major stakes in some media firms, were relatives of politicians who had proved skillful in accumulating wealth through stock-market investments and speculation. In some cases, the problem of interference in the editorial departments had appeared after such stock acquisition.

4. The fact that ad revenues accounted for two-thirds of the income in most media organisations made the media vulnerable to financial influence from political and business groups. Advertisement deals from companies or government agencies often came with preconditions that put media organisations in a dilemma between professional ideology and financial survival. In some media organisations, the management and marketing sections both gained more control on decision-making. This had only created different levels of interference, sometimes even leading to the retrenchment or transfer of editors and editorial staff. In some cases, the editorial departments had had to make compromises to keep peace with an even-stronger management. In other cases, the editorial sections had been forced to having news content screened before publication or broadcast, or worse, practically shaping content so that it would dovetail with the concerns of certain business interests.

5. The delay in the establishment of The National Broadcasting Commission (NBC) had stalled media reforms that should have had come with the reallocation of the country's broadcasting frequencies as well. Some media operators had taken advantage of this delay to obstruct the reform process through tactics that have included business restructuring, public listing of organisations that own broadcasting frequency, cancellation of current broadcasting contracts in order to lease the existing frequencies to new bidders, long-term concession contracts, and so on. For instance, changes in iTV television channel's concession contract allowed the editorial policy to be guided by commercial objectives instead of public interest as had been intended originally.

²³ Concluded from Ubonrat Siriyuvasak, *Anakot Sue Seri Nai Rabob Thaksin; Ruu Tan Thaksin*, in *The Future of Independent Media Under the Thaksin System*, Jernsak Pinthong ed, (Bangkok, 2004) pp. 168-183.

6. Across the board business expansion by media organisations had put pressure on media owners to increase income, including through advertising. This had opened the door for both structural and context interference from business groups with political links through stock acquisition, advertisement deals, and airtime leasing.

The conditions above indicate an intense conflict between business interests and the media's public responsibility. As a result, the Thai media are facing a severe professional and credibility crisis that may pose a threat to their independence.²⁴

Multi-layered relations among interest groups (most of them related through both family and business ties) had made interference in the media more complex, and had also resulted in an absolute control and monopoly of the media industry. Such control was exercised largely through state mechanisms and business and advertisement deals provided by conglomerates and corporations identified with politicians and/or political parties. Three types of interference in the media had been indicated namely structural interference, content interference and cultural interference.²⁵ Structural interference was the interference through media owners and owners of broadcasting frequencies, interference through patronage relations or advertising deals, and interference done by state mechanisms through some government policies. Structural interference had led to content monopoly by groups linked to the government and political parties. Many media workers as a result were then often caught in a conundrum between social and professional ethics, as well as between individual and organisational interests. After a long period of structural and content interference, cultural interference occurred almost unnoticeable. The cultural interference manifested itself in the attitude of many media professionals – in the editorial and management departments alike – who described the media as a business that had to survive by financial and marketing means. Repeatedly stressing the business side of media could lead media workers to put priority on the corporate bottom line more than anything else and to set aside their responsibility to the public. Cultural interference drove media professionals to accept structural and content interferences and see no need to struggle against these.

²⁴ Wilasinee Phiphitkul, et al., pp. 4-7.

²⁵ Ibid, pp. 8-22.

Over the previous decade, the most strident criticism of political leaders had come not from the parliament but from the press and public platforms. Thaksin deployed both old and new methods to bring this criticism under control.²⁶

Prior to Thai Rak Thai election victory in 2001, there were six non-fee-paying to air television channels, five of which were owned by the army or government. The sixth channel, iTV, the only channel independent of the state, designed to be a news station was launched in 1996. However, Shin Corp. acquired a controlling stake in 2000. The Nation Group, which was responsible for the news content but had only one per cent stake, was rejected. A rule restricting any single shareholder to a maximum holding of 10 per cent was removed. Thaksin's family company acquired a controlling interest that peaked at 55 per cent before the company was listed on the stock market in 2002. In January 2006, in selling his Shin Corp shares to Singapore's Temasek, Thaksin also handed to foreigners as part of the package the iTV and commercial satellite concessions he had obtained from the government.

Just before the 2001 general election, journalists on the channel complained that Thaksin was interfering in its election reporting. Twenty-three were summarily sacked.²⁷ They went to the labour tribunal, which ruled that their dismissals were illegal, but the company launched an appeal that bogged down in the courts.²⁸ In September 2003, several other iTV employees were sacked for resisting political interference. In February 2004, a reporter was removed after an interviewee had criticised the premier.²⁹ The channel's programming was changed to lighten the content, while the management petitioned government to remove the restrictions written into its original charter and allow it to broadcast more entertainment.

Five other channels were owned by the army and government. Over the 1990s, these channels had broadcast more programming, particularly on current affairs, provided by independent companies and allowing public debate on social and political issues. The

²⁶ Pasuk Phongpaichit & Christ Baker, *Thaksin – The Business of Politics in Thailand* (Bangkok: Silkworm Books, 2004), p. 149.

²⁷ Ibid.

²⁸ *The Nation*, September 27, 2002.

²⁹ *The Nation*, February 27, 2004.

Thai Rak Thai government set out to roll back this partial independence. Pracha Maleenont, head of the family running one of the most popular of these channels, became a minister in Thaksin's cabinet. In August 2001, a prominent current affairs programme was abruptly taken off the air just before broadcasting a discussion of Thaksin's Constitutional Court ruling. The Watchdog Company responsible for this and other programmes on radio and TV had all its contracts revoked on grounds of having the wrong license. In 2003, a popular radio station on an army owned frequency suddenly went off the air due to "technical malfunction" after it had aired Purachai Piumsombun criticising Thaksin for demoting him in a Cabinet reshuffle. A critical radio programme by the senator Somkiat Onwimon was also taken off the air, and another produced from the parliament was blacked out, by a "satellite blip" in the middle of a report on the government's interference in the media.³⁰

Thaksin demanded that TV channels "cut down on negative news bring out more positive news to boost businessmen's morale".³¹ The army sent a memo to all its radio and TV stations instructing them to focus news coverage on the work of the government. Other army memos specifically instructed stations to ignore news unfavourable to the government. One such memo stated: "opposition to privatisation of state enterprises is not allowed to be broadcast".³² Across all channels, news programming was shortened, and focused on government actions, crime, and human-interest stories. Little space was spared for the parliamentary opposition and none for protest or non-formal politics.³³

By early 2001, the procedure for selecting members of The National Broadcasting Commission, which should function as an independent regulatory body controlling broadcasting frequencies as proposed by the 1997 Constitution, was under way. However, the officials, generals, and concessionaires who currently controlled all radio and TV frequencies conspired to obstruct this change. As a result, all electronic media remained under the control of the government, army and Shinawatra family.³⁴

³⁰ *The Nation*, August 24, 2001.

³¹ *The Nation*, May 6, 2003.

³² *The Nation*, March 4, 2004.

³³ Pasuk Phongpaichit & Christ Baker, p. 151.

³⁴ *Ibid.*

The press management required different methods since the press was independently owned. It had played a prominent role in the critique of military dictatorship, campaigned successfully to revoke dictatorial press laws in 1991, and enjoyed its reputation as one of the freest and liveliest presses in Asia.³⁵

The Thai Rak Thai government used several strategies to quiet it down. It revived previous military governments' tactic of calling in editors for friendly but intimidating chats; provided journalists with facilities (snacks, internet hookups); demanded removal of reporters and columnists who were critical; and attempted to micromanage the news content.

Most effective was manipulation of the large advertising budget from government agencies and companies associated with government. Critics estimated that this combined budget amounted to 60 per cent of all press advertising. Many press owners had suffered financially during the crisis, and were especially vulnerable to this strategy.³⁶

The Thai Journalists' Association issued a statement: "It has become well known among print journalists that advertising incomes from companies under powerful people in the administration, and from government agencies and state enterprises, have been used to bargain against publishing stories that could negatively affect the government's image".³⁷ Thepchai Yong, editor of The Nation Group, said Mr Thaksin had followed Singapore's pattern of controlling the media by exploiting business connections. Thaksin's main weapon against the mass media was his ability to control advertising budgets of private and public agencies. The media, which reported in the government's favour were given contracts to run advertisements of state agencies while those critical of the government were not.³⁸

In early 2004, the editor of *Bangkok Post* was suddenly kicked upstairs. The paper had come under increasing pressure since publishing an editorial referring to Thaksin's "arrogance". It is said that editors received midnight phone calls instructing them to kill

³⁵ Ibid.

³⁶ Ibid.

³⁷ *The Nation*, December 29, 2003.

³⁸ *The Nation*, February 1, 2006

or bury critical items. In attempts to comply, they had censored whole columns.³⁹ The ex-editor said: “In 30 years, there has been no political meddling as shocking as this... What is happening now is worse than under military regimes.”⁴⁰

From late 2002, obvious interference with the media tailed away if only because most media owners and journalists became compliant, which resulted in decline in the role of the media as society’s watchdog. The head of the Thai Journalists Association said: “State power ... is applied to proprietors of publishing firms who subsequently put pressure on media operators who are their employees ... This has caused the media to impose self-censorship to avoid problems.”⁴¹

The Nation has branded Thai journalism according to its behaviour towards burning political issues at that time. For example, the Manager Media Group, whose daily newspaper, weekly magazine, online edition are aimed not only at discrediting the PM but also at fomenting nothing less than regime change, was called “radical journalism”, “militant journalism” or “suicide bomb” journalism. *Thai Post* or *Naew Na* had pioneered “dark journalism” before the Manager Media Group. *Thai Post* has made it known all along that the Thai public should not trust the Thaksin government in any policy issue. *Naew Na* has also attacked every major policy of the Thaksin government. While Pleao Si Ngern, a veteran columnist, represents the voice of *Thai Post*, Prasong Soonsiri, a daily columnist, is a pillar of *Naew Na*. Prasong, who has been considered a dangerous enemy of the PM, was forced to terminate his column. “Dark journalism” still runs deep in both daily publications, but they account for only a tiny share of the Thai newspaper market.⁴²

Thai Rath and *Daily News*, the No 1 and No 2 newspapers in terms of circulation, have been practicing “comrade journalism” at best. *Thai Rath* has deliberately let the Sondhi phenomenon out of its coverage, which has proved to have far-reaching political implications. Tens of thousands of people went to listen to Sondhi’s “Thailand Weekly” programme at Lumpini park, yet *Thai Rath* did not treat the event as newsworthy. *Thai*

³⁹ Pasuk Phongpaichit & Christ Baker, p. 153.

⁴⁰ *The Nation*, February 27, 2002.

⁴¹ *Bangkok Post*, May 4, 2003.

⁴² *The Nation*, December 2, 2005.

Rath treated Sondhi like a leaf falling from a tree. *Daily News*, meanwhile, did not support Sondhi and reported about him very cautiously.

Matichon newspaper has been disillusioned with Thaksin following GMM Grammy's recent attempt to take over its company. Before the GMM Grammy episode, *Matichon* was practicing "I-won't-hurt-you-but-I-can't-guarantee-your-friends-journalism". Then *Matichon* looked upon Thaksin with a different eye, something might be called "disillusioned journalism".

Publications under The Nation Multimedia Group have been keeping an eye on the Thaksin phenomenon with a mixture of skepticism and cynicism, which should be branded "skeptical journalism".

The *Bangkok Post*, given the political interference looming over the editorial team, pursues "soft journalism", particularly after it faced the threat of a Bt1 billion lawsuit.

Most TV and radio channels are practising "fast food journalism" as reading out the content of daily newspapers and reporting events in the old fashioned way, touting government policy and ignoring the biggest mass demonstrations since 1992 led recently by Sondhi. On the other hand, Thaksin was given all the airtime he required to promote himself, rebut accusations and even insult people who dare to challenge his leadership. Thaksin's weekly radio broadcast was repeatedly aired on state TV and radio stations several times throughout the day. The exception was the handful of community radio stations which bravely provided live terrestrial broadcast to their radio listeners in Bangkok areas covered by their limited transmission power, in addition to internet-based and satellite TV and radio stations.

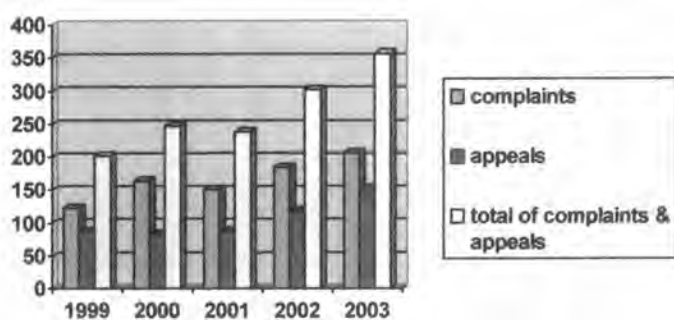
That is why Thaksin was not worried at all about all the noisy criticism from the minority press because it would never reach across the broad spectrum of Thai people, 90 per cent of whom have gotten their news from watching TV and instead been bombarded with soap operas, game shows, and his own populist policies.⁴³

⁴³ *The Nation*, December 2, 2005.

Ploenpote Athakor, chief reporter of *Bangkok Post*, admitted in one of her commentaries that sad but true, it appeared Thailand had made hardly any progress since the 1992 occurrence, not just in the area of political development, but also in media reform. “It seems the government leaves us with little choice but to fight for a new round of media reform and ensure that press freedom stays intact,” she wrote.⁴⁴

Interference in the media, however, is only one of the ways in which the free flow of information is tampered with or impeded. When the Official Information Act of 1997, many people assumed that getting official information or having access to public records would no longer be nearly impossible.⁴⁵ Records of complaints during the last six years, however, indicate otherwise. With the exception of 2001, the number of complaints regarding the implementation of the Act rose between 1999 and 2003.⁴⁶

Table 2.1 Complaints Regarding Requests for Information (1999-2003)



Source: Official Information Committee

There were cases where people who had requested information failed to get any response or report from the government agency involved. Agencies that turned down requests, meanwhile, failed to give the information seeker a clear reason why they did so.

⁴⁴ *Bangkok Post*, February 10, 2006.

⁴⁵ Wilasinee Phiphitkul, et al., p. 68.

⁴⁶ According to Article 13 of Official Information Act, those who request information could submit their complaints to the Official Information Committee if a government agency delays, refuses to assist them in their request for information or violates the Act. Article 15 of the Act also gives people the right to appeal in case of rejection, or when a government agency refused to consider their argument as stated in Article 17.

The Official Information Act benefits both state and private sector in many ways; it can be useful in an investigation on the work of a government agency and gives citizens the right to obtain government information on issues that affect them. But the slow pace adopted by the government in dealing with the problems of implementing the Act has led to some people to doubt the government's sincerity and commitment in enforcing the Act and ensuring public access to official information.⁴⁶

However, in comparison with other countries in the region, Thailand still ranks high in the list of accessing to information. The Philippine Centre for Investigative in 2001 carried out a comparative study of access to information in eight Southeast Asian countries.⁴⁷ The findings indicate that the level of development and access to information are not correlated. The main determinants of access appear to be a democratic and pluralistic polity; a plurality of media ownership; and a culture of discussion, inquiry, and political participation.

Table 2.2 Availability of Selected Government Records to the Public

Country	Percentage of information not made available to the public
Philippines	11
Thailand	18
Indonesia	36
Malaysia	38
Cambodia	43

⁴⁶ Wilasinee Phiphitkul, et al., p. 70.

⁴⁷ The definition of access to information used in this project is citizens' ability to obtain information in possession of the state. The study surveyed the availability of more than 40 types of public records, such as macroeconomic data, social data (literacy, poverty, infants mortality rates), data on government budgets and contracts, information about parliamentary meetings and inquiries, court proceedings, official investigations, and financial disclosures by officials and companies.

Viet Nam	49
Singapore	56
Myanmar	56

Source: Philippines Centre for Investigative Journalism (2001)

2.3.3 The Still-Alerted “Lapdogs”

The public has kept a vigilant eye on whether PM Thaksin’s promise of 90 per cent disclosure of government information would not end up as mere lip service.⁴⁸ But it was the journalists who have the greater responsibility of ensuring that they are able to keep providing information needed by the public. To be sure, the media in the Thaksin regime had been dismissed as lapdogs of political groups. They had certain strengths to hold on to their ideals and keep their principles.

First and foremost, professional organisations such as the Thai Journalists Association and the Press Council of Thailand had clear structure, responsibility and mission that help guide journalists through various ethical mazes and firm up their role in society. Both organisations had leaderships that employ a clear professional ideology and maintain their neutral stance from interest groups. And it helped that both groups had expanded their work from professional development to knowledge-transfer projects that encouraged with others through discussions, workshops and research.

Besides, the establishment of community radio had created awareness among the people at the grassroots level on their role rights, and potential as the owners of public media. Alternative sources of information through such website like Prachatai and Midnight University had provided the public with information from more diverse points of views.

Moreover, a movement for media reform by academics and civil society activists that had created an organisation of knowledge. Alongside legislative activity, Campaign for Popular Democracy, NGOs and media academics started to network with local NGOs

⁴⁸ Wilasinee Phiphitkul, et al., p. 78.

to form local committees to campaign for media reform and Article 40. Community opinion leaders joined the activities - workshops, seminars and meetings - set by the networks of NGOs such as CivicNet, Local Development Institute and the Voice of the Voiceless. The aim was to help local community leaders understand their rights of employing the radio frequency and to gain access to radio and television, as the owners, not as the producers of the programmes. This would help extend the networks through public discussions and support media negotiation power with the government.

In the past few years, the Thai Journalists' Association and the Press Council of Thailand have pushed up their efforts to check on the ethical conduct of the press. Such work, however, could have more impact if both organisations team up with other civil society groups working on media issues.⁴⁹

The protesting movement by civil society against Thaksin's anti-demo policies had been a favourable condition for media circle to raise the question firmly together with the whole society's demand for other seven components of real democracy namely the state and its decision-making powers exercised by politicians, limits on rulers' power, checks and balances imposed by independent bodies, the freedom to form political parties, minorities' rights and their freedom of expression, legal equality, and unbiased state protection for people under the law.⁵⁰

2.3.4 Concluding Remarks

Many scholars share the opinion that Thailand has passed the authoritarian typology of media and the pre-democratic era, it is now moving towards libertarianism. One indicator of this is that the process of lawmaking of the Ownership Act is widely supported by congress, non-governmental organisations, liberal lobbyists and public interest groups.

After a long journey of 163 years since the first newspaper was published in the country, press freedom in Thailand had reached certain level of democratic development acting as real "watchdogs" guarding public interest before being quieted down under Thai Rak Thai regime through various kinds of interference. However, in comparison with

⁴⁹ Ibid.

⁵⁰ *Bangkok Post*, February 9, 2006.

other countries in the region, the level of press freedom in Thailand still ranks high. In other words, Thailand's watchdogs were still more active than many others in neighbouring countries. And the whole Thai civil society had struggled together with the media circle to achieve more and more freedom against Thai Rak Thai's restrictions.

Duncan McCargo implied in his "Politics and the Press in Thailand" that the press might not simply be a barking watchdog, but also on occasion a biting watchdog, acting forcefully to challenge abuses and promote the public interest. By extension, the media may become a leading (even the leading) force for progressive political change or democratisation. However, there is a long and winding road to travel and a democracy in transition is not a road paved with roses. On this road, there are parallel movements of parliamentary politics and citizens' politics, which will need to converge at some point. Democratic consolidation in Thailand must come from the convergence of these two paths.⁵¹

⁵¹ Chai-Anan Samudavanijia, *Thailand: State-Building, Democracy and Globalisation* (Bangkok: Institute of Public Policy Studies, 2002), pp. 207-208.