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# Restructuring Broadcasting Policies in Taiwan: Managing Cultural Identity in a Recently-Democratic Society

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# RESTRUCTURING BROADCASTING POLICIES IN TAIWAN: MANAGING CULTURAL IDENTITY IN A RECENTLY-DEMOCRATIC SOCIETY

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# ABSTRACT

This study examined some of the most commonly cited factors that affect the reforms of broadcast policies governing developing countries' broadcast media, and how these factors influence the establishment of Taiwan's cultural sphere. The subjects for this study were key persons from government, educational, economic and television production sectors involved in the planning and implementation of broadcast policies in Taiwan. They included public officials responsible for broadcasting policy, educators and community activists, media policy analysts and television manager and producers.

The data of the study were collected through informant interviewing and document review. Within the Government Information Office, a number of public officials were consulted. Beyond the GIO, other media sources and agencies provided important documentation in the form of surveys and reports. The investigation was carried out in Taiwan over a period of four months between April and August 2004. The results of this research reveal that in spite of the expectation that television should be used to help foster and promote national culture, Taiwan has not successfully developed and implemented policies to ensure the achievement of this policy goal. The research findings indicate that the production of domestic television programs are undermined through a colonized broadcasting system. Despite of the influence of foreign broadcasters over the cultural production, the case study also shows that the role of civil society group in restructuring television industry is made manifest by resistance to private groups' intervention in the broadcasting policy process.

This study has practical implications for the formulation of national broadcasting policies in recently-democratic countries and other countries facing similar dilemmas. The broadcasting policy analysis conducted in this study focused in part on the commercialism of foreign television programs, which severely threatens indigenous cultures around the world. In an era of globalization, the preservation of local identity is a challenging goal for broadcasting policy planners since the many states have embraced neo-liberalism approaches to the communication sector. Within a situation of global-local nexus, the study concludes that protection of national cultural spheres will be the important policy agenda for both policy makers and researcher for years to come.

# CHAPTER ONE
# THE PROBLEM

## Introduction

The problem addressed in this study concerns the impact of Taiwanese broadcasting policy on the establishment and maintenance of cultural identity in Taiwan. In spite of the government's recognition that the preservation and construction of a unique Taiwanese identity could contribute to the cultural autonomy of Taiwan, Taiwanese broadcasting policy analysts have not yet systematically assessed, analyzed and reconfigured policy to remedy the serious imbalance between market-driven and culturally-oriented broadcasting environments.

For most Taiwanese the question of cultural identity is a significant social issue but one that is not clearly defined. Only 54 % of the Taiwanese population, according to opinion polls, perceive themselves as Taiwanese rather than Chinese (United Daily News, 1995). In many other countries, to the contrary, cultural identity seems to exist in a definitive and consistent manner. Because of Taiwan's particular history, however, the establishment of a Taiwanese cultural identity is still in its infant stage and is strongly influenced by American culture and the legacy of Japanese colonialism (Huang, 1994). Even today, the hottest hits on the music billboards in Taiwan are U.S. pop songs and Taiwan's younger generation is captivated by Japanese television dramas. Nevertheless, in the past decade the Taiwanese have begun to strive for a cultural identity of their own.

The Taiwanese people did not gain the right to vote in major elections until the early 1990s. From 1949 to the late 1980s, General Chiang Kai-sek led a military government in Taiwan after his expulsion from Mainland China by the Chinese Communists. For the sake of demonstrating the political power of the Kuomintang (KMT or Nationalist Party), Chiang resisted the establishment of a democratic state. He used the mass media primarily as a propaganda machine to promote a Confucian identity for Taiwan as a mean of legitimizing his dictatorship (Gold, 1994). In December 1991, however, a national parliamentary election was held, and in December 1994, the first actual elections of the

governor of Taiwan Province and the mayors of the cities of Taipei and Kaohsiung were carried out. In this new democratic environment, the Taiwanese people began to reject the previous state-centric broadcasting policies (Weng, 1993). Because modern broadcast media serve as vehicles for shaping cultural values (Gerbner, et al, 1994; Castell, 1997), the government of a recently democratized Taiwan must negotiate the conflict between the desire to promote a Taiwanese identity and the need to preserve the ruling party's political power. The government's policy of dealing with illegal cable television in 1992 demonstrated such a dilemma. For instance, communication scholar Lee noted (1999) that the state policy of cracking down on illegal cable television failed on the island. He argued,

> One of the reasons is the crackdown policy lacked either moral legitimacy or a strong legal foundation. Secondly, as the Democratic Progressive Party (DPP), an opponent party composed by native Taiwanese, was denied access to state television. It had no recourse but to capitalize on Channel Four and other little media to diffuse anti-KMT propaganda (p.138).[1]

Once the Taiwanese public began to participate in civic affairs in the early 1990s, Chiang's KMT lost political resources. (The KMT is largely composed of "mainlanders," military personnel originally from mainland China.) The KMT lost a presidential post to Taiwanese candidate Chen Shui-bian in 2000, for example. In comparison with native Taiwanese, mainlanders tend to work as public servants, thus dominating Taiwan's government administration and cultural resources. Such asymmetrical relations are a factor influencing the formation of broadcasting policies, especially those that might regulate the media's influence on popular perceptions of the Taiwanese cultural identity (Cheng, 2003). The major task of Taiwan's broadcasting policy analysis, then, is to assess broadcasting policies in terms of their impact on the preservation of a Taiwanese cultural identity. According to the research of cultural policy analysts, the reconstruction of a Taiwanese cultural identity has become one of the Taiwanese public's most sought-after cultural policy goals since the inception of democracy on the island state (Lin, 2002)[2].

[1] After a severe political confrontation, the DPP finally set up Formosa Television in 1994. Formosa TV is the fourth commercial (but partisan-oriented) TV station in Taiwan.

[2] In his book, *The New Perspective on Taiwan's Cultural Policy*, Lin (2002) argued that the most important task in reconfiguring cultural policy is the establishment of an autonomous Taiwanese cultural identity. See Lin, S. H. (2002) *The New Perspective on Taiwan's Cultural Policy*, Taipei: Yang Chi (in Chinese).

Based on an understanding of the process by which media policy is formulated, Weimer and Vining (1989) asserted that understanding the policy environment is an important step in evaluating any social policy process. In the case of Taiwan, the integration of global trade into its economy has influenced the ideology guiding Taiwan's broadcasting policy. For the purpose of promoting electronics producers' benefits, for instance, Taiwan's government proposed a digital television plan, which invited foreign companies to invest in the broadcasting industry (Government Information Office, 1998). Since 1991, major changes in the broadcasting environment in Taiwan have taken place. The most significant of these is an increase in the number of channels and the internationalization of broadcast programming. The broadcasting environment is composed of private and state broadcasters. The Taiwanese TV market was fully opened to the private sector for the first time in 1992. In the four years between 1993 and 1997, almost 17 international satellite channels appeared, ten of these American and seven Japanese, thus marking the entrance of Taiwanese broadcasting into the era of globalization. Taiwan's TV environment came under the influence of the global capital economic system, such that local stations no longer had an unchallenged leading position (Su & Chen, 2001). In this way, the trans-cultural imagination and cultural experience created by Japanese, U.S. and other overseas channels became a prime element in the transformation of the broadcasting industry in Taiwan.

When analyzing the restructuring of Taiwanese broadcasting, policy analysts must first examine the response of the Taiwanese state to an emerging geo-political economic block. The salient task for Taiwanese policy analysts is to assess the influence of external factors on the formation of broadcasting policy in Taiwan. Only such an analysis can enable policy researchers to sketch feasible broadcasting policy proposals. On the other hand, the influence of policy actors is not necessarily limited to the market domain. The quest of civil society for a unique Taiwanese cultural identity adds another factor to the Taiwanese broadcasting policy environment.

In the policy arena generally, policy analysts must seek to determine how to create a particular cultural sphere through the recasting of the country's regulatory framework (Waterman, 1996). In a recently democratic society, broadcasting policy analysts must first focus on how the previous state monopoly in the broadcasting structure is challenged

by civil society groups, as happened in Taiwan in the mid-1990s (Castells,1997).

Communication scholars Sreberny-Mohammadi and Mohammadi (1997) provide an example of the use of already existing social networks to challenge the state-controlled media system. In Iran, banned materials in the form of audiocassettes were circulated through existing religious networks, and the values and traditions of these networks gave energy to the revolutionary movement opposed to state censorship. In addition to such potential civilian challenges, the restructuring of the broadcasting industry in a deregulated broadcasting environment brings about another issue: the relationship between government and public interest groups in promoting cultural identity. Further, policy analysts must address how the views of local cultural organizations can be incorporated into the planning of broadcasting policy (Dimaggio, 1987). In addition to these economic and social factors, the failure of policy makers to appreciate or accommodate new technologies can produce an ineffective policy framework[3].

Technological innovations are relevant to the analysis of a proposed broadcasting policy. Recently, the broadcasting policy agenda has included a debate on the best infrastructure for the information society. This policy agenda concerns how best to distribute the terrestrial digital broadcasting spectrum. Broadcasting policy analysts face the burden of public interest, an unique characteristic of broadcasting policy. According to communication scholar Napoli (2003), "given the time, resources, and effort being devoted to completing the digital television transition, policymakers must regain their focus on the public interest obligation issue if the video service is to make a meaningful contribution to the media system and to political and cultural life" (p. 153). For example, while proposing digital television (DTV) policies, a public interest group may urge that the design of DTV provides convenient access for seniors. Middleton argues, "like websites and computer software, DTV appears to be designed by and for young, dextrous technophiles" (Middleton, 1997). In policy analysis terms, the question is how to identify the public interest and create broadcasting regulations that strike a balance between the preservation of cultural identity (in the public interest) and the application of new broadcast technologies with the potential to enhance the economy. A well-formulated

[3] Success in implementing certain communication projects is, in fact, related to a government's official perceptions of the technological innovation. See J.K. Mayo (1986) Voyages of discovery: reflections on development communication projects. *Media Development* 2: 18-20.

media technologies policy actually helps to extend the cultural realm to some sub-social groups. In a survey of Spanish-American radio stations, Tovares (2000) states, "Making *Latino USA* available via the Internet also helps boost distribution. Technology has helped make reaching this educational audience cost-effective and helped reduce the cost per listener (CPL) of the programs" (p.483).

Taiwan's Government Information Office (GIO) announced its digital television policy in 1998. According to this policy, the digital spectrum was to be granted to three national commercial TV stations without charge, and the island's households were expected to receive wireless digital programming in 2006 (GIO, 1998). The deliberation of this regulatory committee on new communication technologies demonstrates how a state will restructure its broadcasting regulatory framework to accommodate developments in information technology. In the case of Taiwan, the debate over the redefinition of the public interest, in light of the opportunities presented by the digital spectrum, influenced the work of Taiwan's new National Communication Council (NCC). The NCC is a Presidentially-appointed administrative committee similar in function to the U.S. Federal Communications Commission. Taiwan's NCC is charged with establishing the country's communication hardware standards, planning broadcasting policy, and negotiating agreements concerning the allocation of the digital spectrum in the wireless communication area (Central News Agency, 2003).

When used to understand the formation of cultural identity in developing countries, the theoretical approach of cultural imperialism invites criticisms from communication scholars. The following section will address the limitations of using theoretical approaches based solely on the notion of cultural imperialism to explore the relationship between the formation of cultural identity and broadcasting policies in developing countries. From the perspective of cultural globalization, trans-national Western television channels such as ESPN, CNN, or Discovery do not necessarily cause cultural homogeneity in third world countries (Hamelink, 1983). According to those who assert the power of media imperialism, a dangerous cultural phenomenon is the so-called cultural "McDonaldization" or "CNNization" (Thussu, 2000) of cultures in developing countries. These terms refer to the cultural standardization of media content received by developing countries, which in turn paves the way for the importation of Western goods,

including American TV programs and movies. As an alternative to the notion of cultural imperialism, Robertson (1995) has suggested the use of the concept of "glo-localization" to understand the reconstruction of cultural identities in developing countries. Robertson observed that globalization has involved the reconstruction of the notions of "home", "community" and "locality." Cultural producers use forms and genres that have spread globally to express ideals of what "home" is like, for example. According to Robertson, a subtle interplay between the global and local in television form and content is always in play.

Secondly, cultural anthropologist Geertz (1983) used the term "local knowledge" to refer to the local implications of global cultural flows, and maintained that such phenomena offered a heuristic opportunity to examine how the majority of the world's audience experiences global television programs in its everyday life. Mandel (2002) argued that an imported British soap opera *Crossroads* was shown in post-Soviet Kazakhstan to promote free-market capitalism and to entertain the public. Cunningham and Jacka (1997) studied why *Neighbours*, an Australian television drama became popular in Britain. They suggested, "The fluidity of the (fictional) social life portrayed, that Australians get into each other more than British do, facilitates perceptions of the serial's usefulness in the participation in and negotiation of gossip and rumor for the Punjabi teenagers" (p. 305).

Local identity tends to be elusive and fluid rather than remain fixed among local audiences (Lee, 1991). Hence, conventional views of the cultural harm caused by the invasion of dominant Western media conglomerates or foreign television programs are insufficient for exploring the social connections between the formation of identity and broadcasting policy. The policy analysis approach, in fact, redresses the shortcomings of cultural studies, which some claim to be biased rising from the ideological prejudices and over-subjective interpretations of researchers (Mosco, 1996). Conducting an inquiry based on policy analysis, accordingly, provides richer documentary evidence within a more comprehensive research structure. Further, a policy analytic approach allows for a more complete consideration of various broadcasting policy choices and their impacts on cultural identity.

## Purpose of the Study and Research Questions

Since the 1990s, Taiwanese society has experienced dramatic social changes and the fruitful consequences of democratization. Due to the liberalization of the previous state monopoly in its broadcasting system, however, one of the most urgent tasks faced by government officials and the Taiwanese people is the restructuring of the broadcasting industry in ways that will preserve Taiwan's cultural identity. This study examines the internal and external factors compromising the broadcasting environment of recently-democratic Taiwan. The internal factors refer to those related to the public interest actors who influence broadcasting policy in Taiwan. External factors refer to those related to the global broadcasting environment, which requires Taiwan to adjust its broadcasting policies to meet the demands of transnational corporation (TNC). In addition, the study will explore regulatory frameworks for new communication technologies and their relationship to the preservation of cultural identity. The following questions address the overall purpose of this study, taking into account the variety of economic, political, and social entities that may influence broadcasting policy:

1. What policies related to the introduction of digital technology were adopted by Taiwan's broadcasting industry ?

1a.What issues arise in the policy debate on digital broadcasting technology in terms of its impact on Taiwanese cultural identities?

1b.What are the benefits to be gained from government regulation of digital broadcasting technology?

2.How did the state's neo-liberal policies affect the reform of Taiwan's broadcasting industries?

2a.How have broadcasting policy issues been addressed on the level of international communication?

2b.How have broadcasting policy issues been addressed on the national level?

3. To what extent did transnational media interests influence the regulation of Taiwan's broadcasting industries and the nation's cultural sphere?

3a. What types of policies has the government of Taiwan enacted in response to the pressure from trans-national broadcasters?

3b. How have transnational broadcasters influenced domestic television

program production?

4. What role did civil society groups play in the reform of Taiwan's broadcasting industries and in the nation's cultural sphere?

## Significance of the Study

Communication scholars have long attempted to identify factors that explain the outcomes of broadcasting and telecommunication policy-making process (Hawkins, 1999; Schiller, 1999). For instance, in a study of Asian countries' regulation of STAR TV, Chan (1997) argues that there exist four policy models to overview how Asian countries' governments react to the introduction of foreign satellite television. The four policy outcomes are virtual suppression, regulated openness, illegal openness, and suppressive openness. These efforts have resulted in a number of models that delineate the policy process and explain outcomes of decision-making according to the nature of the interests at stake, the strength of the players involved, and the rules governing their behaviors (Feng, 1993). Such models have been applied to a number of policymaking case studies in Western countries, from telecommunications reform (Burgelman, 1999; Weiser, 2000) to the transition to digital TV (Napoli, 2003). The problem with the use of such models in comparative policy studies is that they tend to be static across place and time. In other words, most of these models are fixed, taking for granted a certain basic political structure and the stability of social actors and institutions across time. To overcome these problems in comparative policy studies, Galperin (2000) suggested that alternative policy approaches are required that stress cultural factors, interest group pressure and the aggregation of choices by self-interested individuals. Institutional analysis focuses on the organizations and rules that structure the relations between social actors and the state and that define policy-making procedures in different polities. This sort of institutional approach emphasizes the dynamic aspects of the policymaking process, focusing on the interactions among social actors, the state and relevant historical factors.

This study has practical implications for the formulation of national broadcasting policies in newly-democratic countries and other countries facing similar dilemmas. In Taiwan, the efforts of the government to restructure the broadcasting industry have faced a variety of challenges from the state's neo-liberal camp. Neo-liberal policy scholars advocate the privatization of cultural sectors and the removal of public service

obligations from the broadcast media. Such policies may undermine the autonomy of Taiwan's cultural sphere (Shih, 2001). Since the awakening of a democratic society in the 1990s, more and more enterprises and broadcasters in Taiwan have urged the government to 'Open up the sky' (Feng, 1999). The proliferation of cable and satellite TV channels in response to the dynamics of worldwide capitalism provides evidence that policy debates about TV should not proceed from the assumption of a spectrum shortage. Further, the neo-liberal ideologies of some Taiwanese uphold the value of minimizing government intervention, a thrust not necessarily consistent with the post-democratic society. In Taiwan, the Taiwanese identity is a premature formation.

The broadcasting policy analysis proposed here focuses in part on the commercialism of foreign television programs, which severely impacts the indigenous culture. In recently-democratized societies, the preservation of local identity is a challenging goal for communication policy planners since freedom of expression tends to be associated with the deregulation of the broadcasting industry. After examining some significant broadcasting policy issues, the elements of a reasonable broadcasting regulatory framework are discussed.

## Cultural Identity

Before discussing the development of broadcasting policies that foster the preservation of cultural identity, it is essential to understand the elusive concept of cultural identity. The concept of cultural identity is not easily defined. In education the concept of cultural identity refers to the identification of pupils with the teachers' utterance style, design of the curriculum, and classroom context (Nieto, 1999). In anthropology, cultural identity refers to the representative narratives prevailing in predominantly oral communication-based societies. The analysis of aboriginal mythology becomes a means of learning about the cultural identity of aboriginal tribes, while for the feminist scholar cultural identity mainly refers to gender identities (Kotz, 1993).

Cultural identity also is an important concept within international communication studies. A UNESCO-sponsored campaign to counter media imperialism by creating an alternative information order (new world communication and information order, NWCIO) gave a more balanced view of developing countries than had been presented previously by American and European press coverage (Thussu, 2000). Recently, global trends in

broadcasting deregulation and advances in communication technologies have led communication scholars to explore the relationship between broadcasting infrastructure reform and cultural identity. Such a perspective has become part of a new research agenda in the communication academic community[4].

In this study, cultural sphere is the meaning production system of a society. It includes other elements or sectors besides broadcasting, such as education, publishing, museums, the arts, etc. The focus here, however, is on broadcasting as a cultural production sector within the overall cultural sphere (McDowell, 2001; Schlesinger, 1991). As a result, the collective identity of Taiwan's people is generated from such a cultural sphere. The collective and individual identities of people, then, result from a variety of images, which originate in cultural institutions and the media environment (Chu, 2000). In terms of sustaining a cultural sphere, the regulation of broadcasting policy should include new communication media. This regulation should provide for equal access to local communities instead of privatizing the cultural sphere through the regime of consumer sovereignty (Feng, 1999). In modern society, therefore, debate concerning the regulation or de-regulation of the broadcasting industry is central to the governance of a country's cultural sphere.

## Structure of the Dissertation

### Chapter One: Introduction

The introduction briefly defines problems that Taiwan has confronted when the government deregulated the national broadcast media system in the 1990s. The author describes three major factors influencing the restructuring of the Taiwanese broadcasting industry. Such factors are external, internal and technological in character. The external factors mainly are associated with foreign broadcasting institutions. Through spillover of western satellite television and introduction of foreign capital, the broadcasting environment has been changed tremendously. Internal factors refer to challenges within civil society. In order to influence broadcasting policies, civil society groups play an active role in the state's policy-making process.

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[4] the book, *Communication, Citizenship, and Social Policy: Rethinking the Limits of the welfare state*, (eds) A. Calabrese and J. Burgelman (1996). Boulder: Rowman and Littlefield Publisher, provides insightful comments on this issue.

Chapter Two: Literature Review

The literature review mainly focuses on the interactions among state, civil society, and foreign broadcasters, all of which contribute to the formation of broadcasting policies in Taiwan.

Chapter Three: Methodology

The methodology chapter addresses the study's research design, data collection and issues of validity and reliability. The research used a qualitative research approach to explore the relationship between state broadcasting policies and the restructuring of Taiwan's broadcasting industry. Data collection techniques included document analysis, literature reviews and in-depth interviewing. Library resources, public media records and government documents were used to secure empirical evidence required to explore the state's policy process.

Chapter Four: The Kuomintang and the Regulation of Taiwan's Cultural Sphere

The chapter presents the profile of Taiwan's broadcast media. In 1964, the island inaugurated its first television station through U.S. support. The television industry served as the nation-building instrument in its early stage. The Government Information Office (GIO) was the key broadcasting policy maker. Also, the GIO functioned as a censorship mechanism controlled by military government. The liberalizing of broadcasting media began on 1990s due to the introduction of DBS channels. This liberalization policy brought about tremendous changes in the country's broadcasting industry.

Chapter Five: Internal Factors that Influence the Broadcasting Policy Process

The major research question concerns how broadcasting policy has been influenced by civil society factors. The issue concentrates on the legislative process that produced broadcasting laws. The first agenda explores how the state deals with civil society groups, which influence the policy process in Taiwan. Secondly, the study explains how civil society groups have been included in the broadcasting policy. The other significant factor is the admittance of private satellite television channels, which transformed the distribution of television content.

Chapter Six: External Factors Influencing Broadcasting Policies

Two major phenomena will be discussed in this chapter. One is the introduction of

foreign satellite channels, which influenced broadcasting policies in Taiwan. The other significant change is the admittance of transnational television channels, which transformed the constitution of Taiwan's cultural sphere. A third major research question concerns how the state incorporated technological innovations into its broadcasting policies. The policy of introducing new communication technology raises concerns about restructuring the broadcasting regulatory framework.

Chapter Seven: Conclusions

In this chapter, the researcher presents major findings of the dissertation and relates them to the development of cultural sphere. Also, the author summarizes policy issues discussed in previous chapters, and relates them to regulatory issues in developing countries. More importantly, the conclusion revisits the theoretical concerns of policy analysis mentioned in Chapter Two, including the relationship between transnational broadcasters and civil society groups, and this relationship's influence on broadcasting policies in Taiwan and elsewhere.

# CHAPTER TWO

# REVIEW OF THE LITERATURE

## Introduction

In 1994, a year after the legalization of cable television in Taiwan, over 42 percent of all households with TV were subscribing to cable services. By 1998, with many cable operators offering more than 90 channels of information and entertainment programs, that number had soared to nearly 80 percent (Wang and Lo, 2000). The influence of broadcast media on cultural identity in Taiwan is a topic worth exploring. In fact, the issue of cultural identity has become central everyday discourse in Taiwan. However, for most Taiwanese, cultural identity is still a vague and unsettled social agenda, which swings to and fro between Chinese-ness and Taiwanese-ness (Taipei Times, 2003). The major concern of this study is the relationship between cultural identity and broadcasting policies, focusing mainly on policy issues relevant to the management of cultural identity in Taiwan. Another goal of this study is to achieve an understanding of the factors and circumstances that contribute to the regulation of the cultural sphere in Taiwan.

In communication research, two major theoretical approaches, the cultural studies approach and cultural institution analysis, explore the formation of cultural identity and its shaping by broadcast media. The cultural studies approach uses Critical Theory to "de-construct" the narratives associated with specific television programs and also employs ethnographic observations to describe media effects. The interpretation of narratives by researchers is viewed as a credible way to uncover power structures hidden in messages (Miller, 1995; Rafel, 1995). For example, the postmodernist Jameson (1993) states that the production of narratives is based on different stages of cultural production. The narrative articulates the relationship between culture and external influences exerted upon the narrative. For instance, such sources of influence can be viewed as the proliferation of satellite television programs. He rejects the Marxist theory of cultural practices, which puts the emphasis on the linear relationship between base (economic capital) and superstructure (cultural activities).

A text or narrative can be viewed as the focus of representation in a cultural arena. Such representation is associated with the real world, as well as with concepts in the mind, and the arrangement of signs. In British scholar Stuart Hall's conception, representation is more about politics than about reflecting the real world naturally (Hall, 1997). In sum, the narrative in modern societies is an important artifact, which, on the one hand articulates the cultural arena for certain media content; and on the other hand, enables ordinary people to join in the public discourse.

However, the cultural studies approach tends to ignore the relationship between the broadcast media and the economic and political environments in which they operate (Chu, 2000). The cultural studies approach is more about the interpretation of textual meaning connoted in messages rather than providing a productive suggestion to address the problem of cultural identity. The practical purposes of narrative analysis are restricted. As Golding and Murduck (2000) point out, "if cultural studies is primarily interested in the way these mechanisms [of power structures] work within a particular media text or across a range of texts, political economy is concerned to explain how the economic dynamics of promoting certain cultural forms over other media content" (p.85). That is, the cultural studies approach has not provided enough theoretical concepts to address the problem of cultural identity in terms of a democratic policy-making process. Indeed, as Mosco (1996) observes, "numerous commentators have noted, some cultural studies work is so inaccessible, so limited to a specialized academic audience, that any democratic inspiration or aspiration seems to be irretrievably lost" (p.251). The cultural institutions approach, on the other hand, explores the relationship between cultural identity and the broadcast media. In so doing, it provides a theoretical framework for considering the influence of broadcast policies on national culture.

This study will, therefore, rely on the institutional approach to explore the relationship between cultural identity and broadcasting policy in Taiwan. As Hall and Neitz (1993) state, "culture is not produced solely by capitalists, of course, even if global capitalist enterprises have been increasingly organizing the process for a long time. The culture that gets made is the product of complex social relations among diverse people who do not necessarily share the interests of the owners or managers of the means of cultural production" (p.155). From the perspective of cultural production, the analysis of

the state's broadcasting policies includes two dimensions.

The first dimension involves the regulatory relationship between the state authority and cultural institutions. One of the major regulatory agents of cultural institutions is indeed the state. Hall and Neitz (1993) observe that state funding provides significant financial support to art works and media institutions. Another aspect of the relationship within cultural production involves the non-state sector (Winckler, 1994; Basil, 1999). Spitulink (2002) notes that in some developing countries the content of small media, videotapes, or community newspapers, published by civil society groups constitutes an arena of cultural production. Therefore, the internal relationship between the state as a regulatory agent and non-state sectors comprises an important dimension in exploring cultural identity and broadcasting policies.

The influence of transnational broadcasters and digital broadcasting technology constitutes an external factor whose impact on the national culture constitutes the second dimension of our analysis. The focus of the analysis will be on how the state has defined broadcast media as cultural institutions in order to reduce the influence of transnational broadcasters (Gooch, 1993). A further impact comes from neo-liberalism policy discourses. Therefore, the next question will be: What has the state proposed in terms of new broadcasting policies to meet the challenge of global competition while protecting the cultural sphere in the nation-state? (Kellner, 1999; Hawkings, 1999; Barnett, 1998).

The complicated relationships among regulatory agents, the challenges of internal and external factors, and the impact of economic liberalization policies comprise the main theoretical concerns of this study. The literature review is divided into four subsections. First, it begins with a discussion of the distinction between the concepts of culture and cultural sphere. Secondly, the researcher considers the role played by the state in regulating broadcast media to protect national culture. Two major policy models, the development model and the communicative space model will be cited to discuss policy issues regarding state activities in regulating the cultural sphere. Thirdly, the interdependence among state broadcasting policy, civil society, and transnational broadcasters, will be examined. This subsection seeks to identify major policy actors participating in the broadcasting policy process (Barnett, 1998; Galperin, 2000). Finally, due to the influence of economic liberalization on broadcasting policies, what policy

issues have been addressed will be the main point in examining the role of the state in regulating the cultural sphere in the era of globalization.

In summary, how a country's broadcasting policies evolve reflects the nation-state's efforts to manage cultural identity. This can be derived by examining the relationship among the state and other influential social actors. Moreover, how broadcasting policies have influenced the constitution of the cultural sphere will be an important task in addressing the issue of cultural identity in Taiwan. The following section will discuss the distinction between culture and cultural sphere.

## Conceptualizing the Cultural Sphere

The main purpose of this subsection is to examine the concept of culture in terms of two theories arising from anthropology and sociology. In terms of definition, the concept of culture in anthropology is so general that cultural identity may refer to anything that generates "meaning". For example, cultural identity may be formed in the manner of eating a hamburger at a chain store. The behavior relating with consumption of fast food represents one aspect of cultural identity in modern urban life. Such identity indicates a speedy life pattern in the work routine. The sociological concept of culture adopted in this dissertation, on the other hand, takes both the culture and its products into consideration (Crane, 1994). As Crane (1994) argues " culture today is expressed and negotiated almost entirely through culture as explicit social constructions or products, in other words, through recorded culture, culture that is recorded in either print, film, artifacts or, most recently, electronic media" (p.2). Under the concept of recorded culture, cultural identity will be inferred from the cultural sphere. This includes the production, distribution, and arrangement of cultural products in a society. The researcher argues that the proposed concept of cultural sphere confines culture within those institutions that create meaning for the purpose of symbolic communication.

### Culture

Culture is often popularly talked and written about as a set of stable and timeless attributes that distinguish groups. It is imagined in terms of what anthropologist Clifford Geetz refers to as the webs of significance through which people make sense of their worlds and those of others (Geertz, 1973). The configuration of cultural identities, according to the anthropological tradition, is elusive and fluid. According to Sakai (2000),

"cultural identity is formed by stories about belonging, in other words, by individuals' declarations of where they stand in their imaginary worlds"(p.8). Cultural identity is imaginary since culture and society are narrated through stories, which are not necessarily true, but nevertheless represent the perspective of the narrator. Identities have been the core of cultural thought, as narrators turn to their own cultural identities when they face "others". In a study of Japanese bankers in the city of London, for instance, Junko indicates that individuals found themselves floating between different value systems when they faced the frontiers of their culture. The floating was not only between memory and the present time, but also in space. When they had hoped to move to another culture, they were more positive about cultural boundaries. When they encountered difficulties, their notion of cultural boundaries came to the fore (Sakai, 2000, p.203).

The Vagueness of Anthropological Cultural Identities

The anthropological sense of cultural identities obscures the importance of the adaptive function of culture in human society. As Hamelink (1983) states, "every type of human society is characterized by the necessity to adapt to its environment. For this adaptation human beings develop a series of direct and indirect relations with their environment. The indirect relations constitute the cultural system of a society" (p.1). Hamelink (1983) indicates that this system comprises three types of adaptive relations:

- Instrumental: the instruments human beings develop and apply;
- Symbolic: the symbols with which human beings communicate;
- Social: the patterns of social interaction, which people create to carry out the varied tasks of life.

Therefore, the culture of a given society exists in an evolving state, rather than one fixed in static environment. Secondly, the anthropological concept of culture seems too broad to be a suitable research subject. As McGuigan (2002) argues, "the anthropological concept of culture encompasses literally everything and, in so doing, blurs important and useful distinctions between that which is principally cultural and that which is not first and foremost about meaning and signification" (p.1). For the sake of solving this problem, communication scholar Raymond Williams (1974) delimited the concept of culture as a realized signifying system. From this point of view, culture refers specifically to the institutions that make meaning where symbolic communication is usually the main

purpose and even an end in itself.

Defining the Cultural Sphere

Based on Williams' definition of culture, therefore, cultural sphere refers to those social practices that create the cultural conditions of existence, such as building a public museum or producing a radio talk show for instance. Watching TV is the most common social practice associated with cultural meaning in modern societies (Gerbner and Signorielli, 1994). Moreover, from the concept of television flows explored by Williams (1974), the culture connoted in television production "practices" exists in a collective pattern, which identifies the broadcast media as an integral part of national cultural institutions. He points out that we tend to say we're watching television rather than we're watching a particular TV program. This is an indication of the way in which drama, news, and fiction—genres which, though different, often imitate each other in form, and which collide with barely marked boundaries between them—are experienced in one sitting as a single flow.

In other words, under the assumption of cultural sphere, a national culture will be related with those cultural institutions that make meaning in the society, like schools, museums, popular media, etc. Culture is distinguishable from the production and consumption of commodities specifically to sustain life, such as food or products that function routinely as means rather than ends in themselves. Therefore, based on this perspective on culture, the broadcast media can be viewed as cultural institutions that provide cultural flows within a nation-state (McGuigan, 2002).

Due to the Kuomintang (KMT) Government's ignorance of Taiwanese culture in past decades, the analysis will concentrate on those policy issues that affect the Taiwanese broadcasting sector's cultural sphere. In the 1990s, the Taiwanese government implemented a series of political democratization measures, which reformed the regulation of broadcast media (Penn 1992; Chu, 2000). The following section will discuss the relationship between state regulation of the cultural sphere and state broadcasting policies.

Broadcasting Policies and State Regulation of the Cultural Sphere

The main point in this section is the role of the state in regulating the broadcast media. Theoretically, as Schudson (1994) argues, "if culture has any kind of priority in

the question of integration, it is in providing common elements and clear boundaries to which meaning is attached and feeling invested" (p.43). The section begins by discussing what "broadcasting policies" refers to. By definition, policy refers to a general category identified by the analyst in which concepts, values, and ideas are presented. Then, the researcher continues with a discussion of the policy issues in terms of regulating the broadcast media as cultural institutions. Two policy models, development policy and communicative space policy, are examined to determine the policy issues involved in state regulation of the cultural sphere. The researcher argues that the policy issues related to choice of programming and the allocation of broadcast media resources contribute to the regulation of the cultural sphere.

Broadcasting Policies

Broadcast media are among the major cultural institutions in modern society. The state's broadcasting policies relating to the regulation of the cultural sphere are crucial. As Hall (1997) indicates "the capacity to influence the general shape of the culture, to control or determine the way cultural institutions work or to regulate cultural practice, exerts a definite kind of control over cultural life"(p.228). For instance, Taiwanese scholars Su and Chen (2001) found that the open sky policy adopted by the state, allows Japanese satellite television broadcasts to the island, which increased from three to 10 program channels within 5 years. Such proliferation of foreign channels in Taiwan severely impacted the autonomy of the cultural sphere of the island (Su and Chen, 2001).

In general, due to the nature of national culture as a public good, the state tends to regulate cultural institutions more than those dealing with economic affairs. Regulations generally operate through "command and control; directives are given, compliance is monitored" (Weimer and Vining, 1989, p.150). For instance, as Catalbas (2000) indicates: "for years Turkey Radio Television (TRT) had pursued a programming policy in accordance with the defined principles laid out in Law No. 2954, which aimed to protect and enhance national culture, tradition and language" (p.133). By definition, the term "policy" refers to a system of theories, values and ideas. The task of a policy analyst is to identify the policy discourses or argument in every stage of policy development. As Majone (1989) defines it, policy is an intellectual construct, an analytic category the content of which must first be identified by the analyst. Also, the policy scholar argues

that the state broadcasting policy process involves the interrelationships among state, civil society and commercial broadcasters. This interrelationship begins the reforms in broadcasting policies (Kraidy, 1998). “Policy reforms”, therefore, refer to those modified state broadcasting policies related to changes in the social and economic environment of the society (Chin, 1997;Barnett, 1998; Stavitsky, Avery & Vanhala, 2001).

Specifically, the broadcasting policies considered in this dissertation includes broadcasting laws, directives, ordinances, and guidelines of advisory reports issued by the Taiwanese Government. The following section will discuss two major theories that shed some light on the state’s activities in regulating the broadcast media.

The Cultural Sphere and the Mass Media: the Modernization Approach

For purposes of economic development, the state is expected to shape for its people a modern personality, or modernity, which constitutes a major dimension of the cultural sphere (Abu-Lughod, 1997). In Rostow’s perspective (1963), all nations pass through the same five stages of economic development. These stages include the pre-conditions for economic take-off, the take off, the drive to maturity, the age of high mass consumption, and beyond consumption. For Rostow, technology, savings, entrepreneurialism, and the correct political system are all key motors in moving countries along this path. Another important argument he makes is that countries that begin to achieve sustained economic growth later may move through the stages much faster. The task in the national cultural sphere mainly consists in trying to cultivate people with “achieving motives”, who are expected to promote national development.

A major study that examines modernity is David McClelland’s *The Achieving Society* (1961). According to McClelland the rise and fall of civilizations is due to the individual values held by the majority of the population in the society. He argues that there is a personality characteristic, which he calls the achievement motive, acquired in the cultural sphere, which makes a society open to economic and technological advancement. Many studies have shown that education and industry employment are directly related to the acquisition of modern values. These studies have been conducted in a variety of countries, so that the relationship may be generalized to most developing countries.

The notion of a need for achievement as a psychological trait was developed by the

American sociologist Alex Inkeles (1974) who formulated a set of attitude questions known as the modernity scale. During the 1960s and 1970s the modernity scale was widely used to measure the extent to which members of a given society hold what are considered to be modern values. Modernization theorists, and structural functionalist theorists in general, also argue that the creation of modern values can be the result of human planning, and that particular social institutions, including the mass media, schools and factories are extremely important for their emergence. In his book entitled *The Passing of Traditional Society*, Lerner (1958) demonstrates how the pervasive tensions between the traditional and the modern are negotiated through the development of new personality traits such as empathy and the broadening of worldviews. Key motors of modernization for Lerner are media such as radio and television that bring new and different ideas from the far corners of the earth to all classes of people. Lerner also argues that in order to negotiate the new values and behaviors adopted during modernization, individuals need to be flexible and able to relate to a wide variety of people.

Evaluation

There are some major criticisms of the modernization theory. First of all, modernization theory assumes that modern values and behavior by individuals necessarily lead to socioeconomic development at the societal level. However, Fagerlind and Saha contend that this casual linkage does not necessarily hold because a society is not simply the sum total of the individuals within it (Fagerlind and Saha, 1989). Secondly, Tomlinson (1991) contends that modernization theory, in seeking the cause of development, focuses on factors internal to a society, and that education, as a societal institution, is generally assumed to be a part of the internal modernization process. Modernization theory fails to account for the problematic aspects of television's contribution to development, including its possible negative impacts. In summary, within the modernization paradigm television is frequently employed to help develop local communities. Banning foreign programming may or may not be an appropriate policy goal for nationalistic' governments.

The Cultural Sphere and the Mass Media: the Communicative Space Approach

Based on the social evolution hypothesis, local communities are similar to organic units, and need to be integrated into the nation-state. As Schudson (1994) states, "the

media event gives the audience an experience of communitas, a direct communion with the societal "center," as people engage in a ceremony together despite their dispersion" (p.38). The starting point for considering the relationship between the nation-state and diverse local communities remains Tonnies's distinction between *Gemeinschaft* (community) and *Gesellschaft* (society). In *Gemeinschaft*, people "remain essentially united in spite of all separating factors, whereas in *Gesellschaft* they are essentially separated in spite of all uniting factors (Giddens, 1993). The concepts were developed to explain the transition from predominantly rural societies integrated by traditional obligations to industrial cities that grew from the capitalist market economy. The broadcast media help to create a sense of community through the transmission of television programs to large members of people. Moreover, Anderson's "imagined communities" suggests a bottom-up process in the shaping of national consciousness. Anderson (1991) insists that national identity is created by 'print capitalism' that is one of the features of the modern nation-state. Anderson argues that print capitalism helps to form a nation's self-identity by taking vernacular forms of a country's common language, standardizing them, and disseminating them through the market. For the purpose of establishing imagined communities, the nation-state tries to regulate the cultural sphere by making broadcasting policies. The main goal of broadcasting policies is to integrate the scattered social, cultural or ethnic groups into common "imagined communities" (Morley, 1998). In other words, based on the hypothesis of communicative space, the national cultural sphere is a functional term, which connects diverse cultural sub-systems into a communicative space within nation-states (Hamelink, 1983).

Evaluation

Based on the perspective of communicative space, regulation of the cultural sphere by the nation-state serves three major functions. First of all, such a cultural sphere exists to protect the national cultural system from exogenous influences. Secondly, the cultural sphere, through judicious planning of the use of technological facilities, can create shared experience and values. Finally, in terms of promoting national culture, the culture sphere should be supported by a domestic television production capacity.

However, due to the fact that the formation of the cultural sphere involves the mainstream values shaped by the intellectual class, it tends to be paternalistic, which may

cause problems of media elitism. In the case of television programming, the intellectuals in charge may interpret both past and present events in a way most favorable to the interests of the national cultural sphere. These media-using intellectuals differ from more traditional intellectuals in that they actively participate in and try to influence society as organizers or constructors of national consciousness. In an analysis of Flemish television programming, Van de Bluck (2001) found that television was actively working for the emancipation of Flemish citizens. He argued that both the community and actual broadcasters considered television as an instrument for promoting Flemish identity (Van de Bluck, 2001).

In brief, this dimension of the cultural sphere regulation urges popular resistance against outsiders' cultural influence. The desirable goal is to create an educated citizenry, which is qualified to participate in the political system. The following section will discuss the relationship between the cultural sphere and broadcasting policies.

Policy Issues Relevant to the Regulation of the Cultural Sphere

According to modernization theory, developmentalist policies frequently attempt to activate people's perceptions in terms of a social psychological mechanism. Television or radio is designated as a change agent for nation-building. Gooch (1993) mentions that, "underlying almost every country's system of broadcast regulation are the ever present issues of nation-building and cultural sovereignty. Many nations, both developing and industrialized, have invoked protective policy measures aimed at curtailing the effects of trans-boundary television" (p.14). Under the development policy paradigm, banning foreign television program or advertising is a desirable social objective of broadcasting policies. For instance, Kitley (2000) argues that "the ban on advertising [in Indonesian TV's programs] can be understood as an expression of the protection of the uniqueness of Indonesian national culture against the corrupting and aggressive penetration of the Indonesian economy by transnational corporations and investors" (p.64). Therefore, the goal of nation-building through the use of media may include integrating different linguistic, religious, cultural and racial groups, but providing adequate representation to all groups in media content is more difficult. McDowell, Pashupati and Sun (2003) have argued that the nation-building image sometimes masks control by specific political, state and corporate groups.

In the context of the developmentalist paradigm, the main goal of broadcasting policy is to support the development of the nation-state. This leads to what Denis McQuail (1994) calls “development media theory”, which emphasizes the following goals: (1) the primacy of the national development task, (2) the pursuit of cultural and informational autonomy, (3) support for democracy, and (4) solidarity with other developing countries (p.131). Hence, the assumption of developmental communication implies a cause and effect relationship between the role of the state in defining broadcast media and in regulating the cultural sphere.

The cultural sphere, in terms of the developmental paradigm, is the aggregation of individual psychic motives and actions. The cultural sphere, therefore, can be reinforced through community networks (Rogers, 1995). Malik (1989) has found that community integration is in fact multidimensional. Its dimensions include the strength of individual psychological attachment to the community, the presence of an interpersonal network connecting the person to others in the community, and the identification of the person with the larger community relative to other sources of identity—neighborhood, local group or organization (Malik, 1989). From the perspective of cultural flows, media diffusionists insist that the nation-state should maintain an open interaction with, and learn from, cosmopolitan cultures in order to develop its own capacity (Lee, 1999, p.131).

According to the communicative approach, the national cultural sphere is enhanced through state regulation of broadcasting technologies and programs. As Schlesinger (2001) puts it, “histories of the press and of broadcasting, and of such communicative practices as advertising, are almost invariably nation histories in which there is an overarching interest in how such institutions contribute to the shaping of the national culture, economy, and polity. Arguments about questions of ownership and control of the media or about “ bias” in the news have also presupposed a relevance in virtue of a given country’s political system for the functioning of which such matters are important” (p.99).

In terms of the application of broadcast technologies, the broadcast media are expected to bring about the “imagined communities”. For some of developing countries, the constitution of the cultural sphere is articulated by defining broadcast technologies in the arena of communication and cultural policies (Basil, 1999). In contrast with the assumptions of development theory, the broadcast media mainly convey the shared

cultural values instead of infusing western democratic values. In other words, television or visual technologies themselves are viewed as both the products and the representatives of cultural diversity.

The philosophy of public television organizations induces them to consider themselves guardians of important national cultural spheres. The public media are the major cultural institutions mediating the values inherent in industrialization. Their mode of mediation is generally synchronic. This means that in most social systems the public transmission of information and entertainment is guided by a concern to create a consensus regarding societal goals and their underlying values. Hoffmann-Riem (1987) asserts that this is the proper role for public broadcasting, and that public programming is chiefly valuable for this purpose alone. In his words: "Safeguarding broadcasting is a public responsibility. Broadcasting fulfills a public task, functioning as a trustee for society. Broadcasters are obliged to ensure that citizens have access to the information that is essential for their own, as well as society's orientation, and indispensable for the functioning of democracy" (p.58). The idea that public broadcasting stations are the custodians of cultural values implies that one of the important roles of these stations consists in delimiting the cultural boundaries of a nation-state.

The concept of using national television programming to combat unwelcome outside influences is beginning to catch on. Compared with the modernization approach to the cultural sphere, the communicative approach concentrates on the creation of national myth rather than on the banning of foreign programs or advertising and their influences. Technically, nation-states can control the foreign media content circulating in domestic television markets. As Marttelart, Delcourt and Marttelart (1984) observe, " Although many countries in the third world have displayed their hesitation in the face of the consequences of a real national communications policy, many others have taken strong measures in order to limit the activities of transnational corporations within their territory" (p.65). As a matter of fact, through the domination of the nation-state and intellectual elitism over the television industry, the state plays a leading role in the interpretation of national history. Confronted with imported foreign content, broadcasting elites in developing countries are eager to shape their nation's identity not only by their depiction of current social values, but also by their portrayal of the nation's history.

Through television programming policies, a nation-state can do more than merely preserve or promote cultural traditions from the past, it can even, to some extent, reinvent or at least reinterpret the past to suit its desired self-image. In describing how nation-states produce "invented traditions," Hobsbawm (1990) draws attention to the way in which historical writing lends itself "to the creation, dismantling and restructuring of images of the past which belong not only to the world of specialist investigation but to the cultural sphere of man as a political being." Nation-states that engage in producing "invented traditions" for themselves necessarily require the skills of talented intellectuals in order to produce an effective and convincing reinterpretation of the past.

Based on the assumption of the cultural sphere, the broadcast media are categorized as national cultural institutions. By regulating the broadcast media, therefore, the nation-state tries to accomplish the following objectives in maintaining its cultural sphere: 1) presenting local culture 2) integrating social groups 3) promoting the national culture, and 4) limiting the foreign cultural flow. However, the two policy models, the development model and the communicative space model, provide different strategies for regulating broadcast media.

In terms of regulating broadcasting technologies, the development model uses broadcasting technology to support socially progressive projects. On the other hand, the communicative space approach uses broadcasting technology to encourage local and regional expression. Also, for the sake of creating national consensus, the programming policy of the communicative approach emphasizes the creation of national myths and the shaping of collective history. The development model tries to define media as the agents of political and social education.

Based on the previous literature review, the exploration of the relationship between broadcasting policies and the regulation of the cultural sphere in Taiwan is based on the assumption of state activity in regulating the broadcast media. Of relevance to this study is the following research question: what is Taiwanese broadcasting policy regarding the regulation of the cultural sphere?

## Civil Society and Broadcasting Policies

Due to the internal tension between civil society and the state, civil society groups usually try to influence state broadcasting policies that aim at regulating the cultural

sphere (Keane, 2001). The reason for such efforts by civil society emerges from the unbalanced representation of social groups in the shaping of cultural policy in the past (Schudson, 1994). For instance, in the development policy model, provision is made for the planned development of skills and attitudes by state broadcast media that would contribute to the process of "nation-building". The ethnic and cultural diversity of the nation's population is not well represented (McDowell, Pashupati and Sun, 2003). In Malaysia, a civil society group, *Charter 2000*, has called for a reform of media regulatory policies. It proposed the establishment of a cultural diversity media system in the country. The group argued that "it is crucial to allow for a multitude of independent media to provide for alternative channels and expressing the aspirations of an economically and socially diverse and plural society (Charter 2000, 2003).

Eventually, bargaining processes between state and civil society groups become part of public policy. As Majone (1989) argues, "all important policies require political and moral choices to be made in a context that is characterized by norms, beliefs, goals, and pressures which differ from those of an academic community" (p.146). Based on the definition of policy reform mentioned above, this section discusses the state broadcasting policy process and the participation of civil society in that process. First, the researcher addresses the definition of civil society. Then, relevant literature is reviewed concerning civil society's influence on state broadcasting policies.

Civil Society: Definitions

Conceptually, civil society refers to a sector of society that is distinct from both the state sector and the market sector. In Western countries, civic associations and trade unions are said to be typical models of civil society organizations. For instance, Jacobs (2000) argues that "civil society refers to the entire web of associational and public spaces in which citizens can have conversations with one another, discover common interests, act in concert, assert new rights, and try to influence public opinion and public policy" (p.2).

The above definitions do not necessarily characterize the relationship between the state and civil society in third world countries. In this case, there is an unstable relationship between state and civil society may prevail. Further, liberal civil society theory fails to consider the complicated relationship between state and civil society in

"semi-peripheral" countries such as Brazil and Korea where the state still plays an important role in capital accumulation and there is little bargaining between the state and civil society. As Peter Evans (1979) has argued, under certain circumstances transnational capital preferred dealing with a stronger, more bureaucratically capable, state apparatus. He suggests that a natural evolution of both the conflict between third world countries and transnational corporations, and the alliance between them, was to enhance the organizational capacities of the state in certain countries. While foreign loans have replaced direct investments, the state's power in allocating these loans strengthens its hand vis-à-vis the local bourgeoisie.

Due to differences between Western and third world countries, in this dissertation civil society or *critical civil society*, to use Antonio Gramsci's terms, is constituted of autonomous groups aiming at challenging the state or the market's dominant power. For instance, in a study of broadcasting policy reforms in Lebanon, Kraidy (1999) explicates the tenets of civil society as follows: "first, civil society concerns are public, not private. Second, civil society relates to the state without being a part of it, through pressure to redress policy and expose government corruption. Third, civil society is marked by pluralism and diversity, reflected by independent mass media and cultural institutions" (p.388).

Evaluation

Civil society draws power from numerous decentralized units, which protect it from the intervention of state power and of capitalism (Castells, 1997; Washbourne, 2001 and Waterman, 1996). Civil society is viewed as a means to safeguard the autonomy of cultural life in Third World countries. However, due to the emergence of global capitalism, some theorists argue that the empowerment of new social movements cannot be overestimated. In other words, the argument about the state policy process being influenced by civil society groups should be carefully examined. Moreover, civil society groups emphasizing an identity orientation may be categorized as a form of post-modernism, which embodies cultural diversity and de-centralized regulatory authority, thus posing a challenge to a state policy agency (Nash, 2001). But both capital accumulation and centralization of power continue on a world scale. Such factors constrain the optimism of civil society supporters.

Civil Society and Broadcasting Policy Reforms

Participation by civil society groups in the formulation of state broadcasting policy takes two forms: (1) direct attempts by civil society organizations (CSOs) to influence the formulation of state broadcasting policy; (2) indirect attempts by CSOs to shape national cultural sphere by setting up community media that play an activist role. Both approaches are ways in which autonomous groups are attempting to reframe broadcasting policy.

In general, civil society is associated with different social groups representing different constituencies, none of which can claim to represent the whole of society. Two instances of civil society involvement in the broadcasting policy process are mentioned here for purposes of illustration. First, from 1995 to 1998, South African civil society groups participated in the state's broadcasting policy reform process by demanding that the South African Broadcasting Corporation (SABC) be a non-commercial broadcasting station and that a list of all private broadcasters in the country be made public. These civil society groups conceptualized public service broadcasting as a set of obligations and responsibilities that extend to all broadcasters, including private commercial broadcasters (Barnett, 1998). The other example concerns civil society's attempts to shape the licensing policies regulating low power FM radio (LPFM) in the U.S., about which Stavitsky et al. (2001) commented as follows: "the history of LPFM represented the civil society's best-organized and most-determined initiative since the fight to save public broadcasting from the budgets cut threatened by Gingrich Congress in the mid-1990s. The history of LPFM generally shows that reformer [of civil society] may get a sympathetic hearing when not competing with existing stakeholders" (p.348).

Such examples of public involvement demonstrate the role played by civil society organizations in their attempts to exert influence on the state broadcasting policy process. The next task is to identify the constituent members of these civic associations that are trying to influence state policy. These potential policy actors range from college students to local video rental shops (Hsu, 2002; Weng, 1997; Hamilton 2002). This identification of civil society organizations engaging in participatory democracy indicates a change of policy rationale not proposed by the state's reforming plan, but by the requirements of autonomous associations in selected recently-democratic countries. Torgerson (2003) points out that Jurgen Habermas promotes an active sphere of public discourse that would

include the voices of civil society (p. 116). Therefore, exploring the policy process in Taiwan to find out how civil society groups have participated in the policy making process and contributed to modifying state broadcasting policy is of crucial importance in understanding state regulatory activities in the cultural sphere.

According to some recent studies, civil society groups are transforming the production pattern in media localism, which has constituted a unique cultural sphere within nation-states. For instance, in the United States, Chicago Access Network Television's (CAN TV) Hotline 21 Studio combines the interactive features of a call-in hotline with the reach of live television, giving non-profit organizations a simple and effective format for producing their own programs. The show is part of CAN TV's efforts to help nonprofit groups to connect with the public. In addition, the Chicago Cable Access Network offers nonprofit organizations a range of services including Internet discounts, fax-on-demand, interactive bulletin boards, and a computer-generated video magazine (Benton, 2000b). More importantly, the content of localism depends on the participation of media users. In a study of aboriginal radio in Australia, Browne (1990) makes the following observations: " as radio services developed in a number of cities, they began to exchange information, eventually through a tape exchange service. This exchange helped listeners realize that their problems were not unique and that Aborigines dispersed throughout Australia were in certain respects one people" (p.114). By urging broadcasting policy reforms, the independent broadcast media operated by civil society contribute to the national cultural production (Chang, 1999; King and Mele, 1999).

In the 1970s, media activists in the U.S. achieved some success in urging the Federal Communications Commission (FCC) to consider requiring local cable systems to provide public access channels. As the cable industry began to expand in the early 1970s, the FCC required firms with the largest audience base to support public access, including providing a regular channel, minimal equipment for production and complete editorial control to local producers. King and Mele (1999) comment, "the FCC stipulation was overruled by a federal court in 1979, but the underlying framework for public access channels had been instituted across the country. Congress further insured freedom of expression without penalty for public access channels in 1984" (p.609). In Lebanon, due to technical problems caused by the proliferation of independent private television

stations during wartime, providing a regulatory framework for post-war television and radio has been an important task for postwar governments. The discussion of policy issues for the governments and policy scholars is about the allocation of electronic spectrum. Kraidy (1998) indicates, “Discussion continued until a broadcasting law, the so-called *Audio-Visual Law* [italics mine], was passed on October 19,1994. The law, the first of its kind in Lebanon, provided an urgently needed regulatory framework for broadcasting in the country. It re-affirmed media freedom within the framework of the Constitution and mandated more local production”(p.393). In summary, state media policy regarding the localism can be said to be interrelated with those community media operated by the participation of civil society activists.

The main purpose of discussing the civil society factor is to explore the internal dynamics of the broadcasting policy process in developing countries (Galperin, 2000). One important perspective of policy analysis includes internal dynamics. Broadcasting media operated by the cooperation between civil society group and local television will contribute to the local identity in national culture. The research questions deriving from the preceding discussion of the literature are as follows: how have pressures from civil society groups influenced the reforms of broadcasting policy in Taiwan? Also, based on the concept of media localism, what have broadcast media operated by civil society contributed to the cultural sphere?

To recall a point made earlier, some of the socio-economic factors impinging upon the state broadcasting policy process originate internally, and others externally. The next section will discern how the external factors, represented by transnational broadcasters, have increasingly encroached upon state autonomy in broadcasting policies process.

## The Influence of Transnational Broadcasters

The cultural sphere is assumed to constitute an autonomous space. In that space, the cultural institution’s role is to preserve creativity as a self-contained and self-determining process (Hamelink, 1983). In a traditional society, exogenous influences are limited by geographical distance. However, such natural protection is rapidly being eroded by globalization. Globalization, in this study, refers to a set of interconnected, but not necessarily unified, linkages and exchanges of cultural flows among nations (Kaplan, 2002). This section discusses how external factors have constrained the autonomous

decision-making of the state relating to its regulation of broadcasting as a cultural institution.

Discussion of the relevant literature begins with the definition of transnational broadcasters and their impact on global cultural flows. These global cultural flows are channeled through the networks connecting transnational broadcasters with local satellite/cable systems. The researcher argues that transnational broadcasters and local cable systems have constrained the state's policy-making and undermined its autonomy in regulating broadcast media.

Defining Transnational Broadcasters

Theorists of cultural imperialism (CI) view transnational broadcasters as cultural and economic invaders. One such scholar is Herbert Schiller, who argues that American television exports are part of an attempt by the American military-industrial complex to control the world. Schiller (1998) remarks that "growth of media companies through merger, consolidation and capital expansion in the symbol-producing industries has been especially active. Time Warner and Disney-ABC Capital Cities, two $20 billion-plus communication/cultural programs, books and magazines, and recordings. At the same time, their holdings extend to the circuits that disseminate these products, e. g. cable systems, TV networks, theme parks, etc." (p.24). At the heart of Schiller's argument is an analysis of how, in pursuit of commercial interests, huge US-based transnational corporations, often in league with Western (predominantly US) military and political interests, are undermining the cultural sphere of the South and increasing its dependency on the North for media hardware as well as software (Thussu, 2000, p.61). From this perspective, however, cultural imperialism is simply an inevitable trend that is bringing third world countries into the global cultural flow to which they are connected through their local broadcasters. As a result, the widespread consumer values broadcast by transnational/enterprises have severely impacted domestic cultural spheres.

Transnational Broadcasters and their Impact on Cultural Spheres

The paramount position of the industrialized countries, the United States above all, in the production and diffusion of media has led many observers to speak of cultural imperialism. A cultural empire, it is argued, has been established. Third World countries are held to be especially vulnerable because they lack the resources to maintain their own

cultural autonomy (Giddens, 1993).

Via the electronic media, Western cultural products have certainly become widely diffused across the globe. Hamilton (2002) relates the story of a video beer bar in Puhket, Thailand. The owner of the bar screens American videotapes while he serves beer to his customers. American videotapes as well as audiotapes of Western popular music brought in on the black market are commonplace in the Islamic Republic of Iran (Sreberny-Mohammadi and Mohammadi, 1997). According to Yang (2002), "in China, music stores sell this music on cassettes and CDs. Hong Kong songs are sung in Cantonese by young Shanghainese whose point of comparison in their cultural identity these days is not Beijing but Hong Kong."(p.198). The transnational broadcasters as a matter of fact constitute a global cultural network. The network of transnational broadcasters collaborates with Hollywood movie and television companies in curtailing the autonomy of third countries in regulating their national cultural sphere (Wasco, 1997).

Hamelink (1983) characterizes the problem caused by western media influence in third world countries as "cultural synchronization". Such a process creates a situation in which "the decisions regarding the cultural development in a given country are made in accordance with the interests and needs of a powerful central nation and imposed with subtle but devastating effectiveness without regard for the adaptive necessities of the dependent nations" (p.22).

The influence of foreign cultures is accentuated by direct broadcast satellites (DBS). The satellite/cable system that mushroomed in third world countries broadcast foreign programs to whole populations, damaging these countries' cultural spheres. In Belize, for instance, a city cable television opened in 1996. The station's rebroadcast facilities covered almost the entire country, providing access to direct U.S. programming to virtually the entire population (Wilk, 2002, p.173). Similarly, due to the coming of Star TV, most Asian countries' cultural spheres are put under the influence of Star TV signals. Wang and Lee (1995) in their survey of STAR TV's impact on Asian countries' cultural identities argue that "for some weak economies the indigenous cultural industry may be adversely affected by cheap programs from the west, especially the USA. As the USA has a large internal market, its cultural products enjoy great economies of scale. This not only enables investors to bear high costs of production, but also enables them to sell their

products at prices far lower than the cost of producing similar programs in overseas countries. As a result, programs from the West can be of better quality and may stifle the indigenous cultural industry" (p.144). Furthermore, foreign programming channels undermine the communities' normative standards. Gooch (1993) describes that Barbadian youths' imitative violent behavior portrayed in imported programs broadcast through local cable/satellite operators.

Evaluation

Some cultural globalization theorists assume that the free flow of cultural products will eventually increase the third world's domestic cultural production capacity. Robertson (1995) refers to this cultural process as "glo-calization" which produces new hybridized cultural identities in third world countries. However, the approach neglects the transnational broadcaster's influence on the creativity of the cultural spheres of receiving countries. Robertson overestimates the balanced relationship between the developing countries and western countries in the global television market. As Miller (1999) observes, the relation between global and local cultural production constitutes a new division of labor (NDL), which produces more western consumer-style television genres, such as talk shows that look like news programs. Such NDL cultural production patterns severely undermine the national productions. Moreover, the NDL relationship is asymmetrical; the well-developed countries have more power to decide the production quality of cultural products for the receiving countries (Iwabuchi, 2002). Thus, "glo-calization" theory ignores the transnational broadcasters' influence on domestic cultural institutions.

Transnational broadcasters indeed limit the space of the national cultural sphere. To understand the transformation of cultural institutions in developing countries, the concentration of cultural and media industries in the western countries should not be neglected. The idea of cultural globalization points to the need to examine more closely how foreign broadcasters have instituted domestic broadcast media, thus contributing to the suppression of national cultural production.

Transnational Broadcasters and Broadcasting Policies

Due to the influence of transnational broadcasters on local media systems, it is important to address how transnational broadcasters have gradually influenced the state's

broadcasting policies in Taiwan. In other words, how the “unlocking” of the national cultural sphere by transnational broadcasters has paved the way for the marketing of imported programs of all kind. Cultural globalization is manifested in the presentation of Western television programs that convey consumerist values, which further reduce Third World countries’ autonomy in regulating their cultural spheres. Shields (1998) points out that the logic of global consumerism will eviscerate national identity and culture, and thereby undercut national integration projects. The policy implications seem clear: state policy-makers must restrict the excessive consumption of Western or Western-like media artifacts and encourage the indigenous production of more appropriate programs. However, the relevant literature shows such a restricted policy to be ineffective.

Transnational broadcasters, through legalization of cable television, have influenced the domestic broadcasting capacity of countries. For instance, for the sake of gaining the support of the Berlusconi television network, Italian parliamentary politicians passed the “Berlusconi Decree”, which allowed the television monopoly to become legal in 1985. Kaplan (2002) indicates that “the key to Berlusconi’s competition with the state networks (RAI) was the purchase of American media products at substantially cheaper prices than RAI was spending to create original Italian programming. In 1981, for instance, RAI continued to produce 80 percent of its own programming, while private stations produced only 10 percent”(p.196). In a study of the Taiwanese Cable Broadcasting Law, Iwabuchi (2002) argues that “the Cable TV Law requires that at least 20 percent of the programs of the cable channel be locally produced, but it is obvious that many cable channels do not abide by this condition. Most channels are buying entire programs from overseas, mainly from the U.S. and Hong Kong” (p, 266). Based on the literature just reviewed, transnational broadcasters have challenged the autonomy states in regulating their broadcast media. In the last two decades, linkages between local and global communication flows have increased across the span of the globe. Under the influence of global cultural flows, countries could be losing their essential autonomy in regulating their cultural sphere (Giddens, 1993; Hamelink, 1983). Therefore, how broadcasting policy is designed to reduce the influence of foreign broadcasting channels is one of the major cultural concerns in third world countries. Based on the assumption that broadcast media are cultural institutions, the research question of relevance to this study is: To what

extent have transnational broadcasters influenced the regulation of the cultural sphere in Taiwan?

Satellite communication technology has affected the autonomous decision-making of states in regulating their own cultural sphere, according to the above discussion. In addition, digital technology, an innovation of the late 1990s, also is influencing nation-states' ability to control the future of their broadcasting industry. The following section will further discuss the relationship between technological innovation and the role of the state in regulating the cultural sphere.

## Technology and the Regulation of the Cultural Sphere

The study raises a major theoretical concern, which is: in the information society, how has broadcasting programs been influenced by digitalization (Napoli, 2003). In this subsection, the literature review will examine the role of the state in policy-making regarding digital television broadcasting.

Two policy models are involved in the discussion. The first is referred to as the low-regulation model. In this model, digital television (DTV) is viewed as a technological innovation, in which the principle of market competition is encouraged by state policy. In other words, the diversity of electronic media content can be enhanced through competition between a variety of electronic software and hardware providers. On the other hand, a policy referred to a high-regulation model to include DTV as new infrastructure in the telecommunication sector. It aims at constructing a multi-plex platform to connect the local content providers. In the discussion, the researcher argues that how the DTV has been included in the broadcasting policies depends on the policy debates among state broadcasting policy makers

### Defining the New Broadcasting Technologies

New broadcasting technology refers to the application of digital communication technology in the broadcasting industry. In practice, digital communication technology refers to the joining together of communication technology and production processes. This is a major feature of the development of media technology in the 1990s. In *Communication, Citizenship, and Social Policy,* Calabrese and Burgleman (1999) write about forms converging into a single electronically based, computer-driven mode that has been described as the universal integration of systems that retrieve and process sound and

image data. In brief, digital broadcasting becomes multi-media. Also, new broadcasting technology refers to services and to new ways of doing business and of interacting with society. Media convergence through new broadcasting technology can be expressed as "the ability of different network platforms to carry essentially similar kinds of services; and the coming together of consumer devices such as telephone, television and personal computer" (Tadayoni and Skouby, 1999).

Policy scholars argue that media convergence is realized by way of digitalizing communication content and production utilities. All forms of electronic communication are converging through digital formats, and computer-mediated communication applies to newspapers, telephone systems, broadcasting production as well as the Internet. Therefore, digitalization is used here as the equivalent to "new broadcasting technology". For instance, Middleton (1997) indicates that "digitalization hugely increases the capacity of the different delivery platforms (satellite, cable and terrestrial) and paves the way for some new types of services such as video on demand (VOD) (where a number of channels show the same film at staggered intervals so a viewer can select when they wish to watch it)" (p.201). Due to the trend of digitalizing media outlets, "free" television is transformed to become subscription television, which increases the audience's options and the availability of more programs. As Croteau and Hoynes (2000) point out,

> the impact of digitalization is enhanced further when coupled with fiber optics or digital broadcasting, rather than transmitting information over a copper wire, as is usually done, fiber optics allows information to travel by way of laser-beam light over a tiny, pure-glass fiber no thinner than a human hair. This format greatly increases the capacity for transmitting vast amounts of information at high speed. Digital broadcasting, too, has brought increased communication options (p.94).

The media convergence approach suggests that new regulatory frameworks may arise with the introduction of technological innovations in the broadcasting industry. The following section will delineate two policy models dealing with the application of digital technology to television systems.

Digital Broadcasting Technology and the Diversity of Media Content

As Lo (2003) argues, the more broadcasting systems are fragmented, the more detailed rules are created concerning minor—but still significant—aspects of media structure. In terms of regulating technological convergence, the re-regulation approach, to

be described below suggests that the state still plays a role in influencing digital broadcasting. Based on the requirement of creating a diversified message, the re-regulation approach includes two major policy ideologies concerning how to achieve such a policy goal. The line separating the two policy ideologies has to do with the extent of state intervention in introducing broadcasting technology into a given socio-economic context.

The first policy ideology will be referred to as *the standard mandate model*. In this model, the function of the state is to mandate standards for the digital communication industry. For example, in the U.S., the electronic spectrum frequency and television receiver standard are usually set by the F.C.C. (Huff, 2001). Although not in the case of DTV in the U.S., due to the mandated standard, the uncertainty of technological innovation is offset, which further lowers broadcaster and electronic manufacturer's research and development costs. The policy is expected to lower broadcaster's and manufacturer's "transition cost", which will benefit consumers who will buy cheaper consumer electronics. Also, due to the broadband spectrum granted by the FCC for use, the digital broadcast industry is willing to create a variety of content providers, interactive television, yellow page or Video on Demand (VOD) etc., which will gather this diversified information into a single receiver box or a computerized television set (Longstaff, 2002)

The second policy alternative constitutes a "*universal access model*". As Collins and Murroni (1996) argue, "universal service obligation (USO) in broadcasting is one aspect of the more general entitlement to a right to cultural rights" (p.93). Also, Longstaff (2002) states that "public policies designed to achieve diversity of messages encourage creativity and the creation of new messages. This government protection of local cultural products such as movies and TV programming has been justified on the basis that certain messages about ethnic histories, cultural preferences are important to each citizen sense of identity" (p.216).

The universal access model is often implemented in social democratic countries. In practical terms, the state merges state telecommunication and public broadcasting sectors into a digital multiplex operator, which functions as the streaming platform. The digital content providers including Internet, digital audio broadcasting (DAB) and digital

television (DTV) serve as channels to national and local receivers to secure the principle of universal access (Tadayoni and Skouby, 1999).

Evaluation

Kellner (1999) argues that the spread of new technologies and the series of transformations that are resulting need to be understood, as a crucial part of the global restructuring of capitalism. In analyzing the broadcasting policy process, a researcher needs to avoid the extremes of either exaggerating or playing down the autonomous role of technology in this process, as if technology were either the dominant instrument of the contemporary world or an unimportant phenomenon of much greater forces, such as capitalism or human self-development. The adoption of new broadcasting technologies needs more debate and discussion. Moreover, Docter and Dutton (1999) state, "in ways analogous to the study of public policy decisions, theorists who examine the social shaping of technology assume that technology is not simply the result of rational product innovation, but arises from conflict and differences of opinion among a network of actors" (p.224). Therefore, the social shaping of technologies in terms of defining broadcast media will influence how states design broadcasting technology policy. .

Debates over the Application of Terrestrial Digital Television

In general, these two models, universal access and standard mandate models, stand for the role of the state in regulating the digital communication technologies. In the standard mandate model the state declines to take a low-regulated stance in regulating digital broadcasting technologies. The policy still faces a potential problem. As Longstaff (2002) argues, "as long as competitors believe that lower costs, new territories, or increased security can be bought with better communication systems, any equilibrium that would allow some stability in the communications sector may be difficult to achieve"(p.186). In other words, the diversified information "marketplace" created through lowering the "entry barrier" for broadcasting industries may be further in the future. The state standard mandatory authority does not promise a stable transitional process.

The standard mandate model, upholding the function of technological convergence, is based upon the hypothesis of social evolution, which emphasizes that change is determined by technological innovation (Giddens, 1993). In communication theory, such

a theoretical assumption is also known as "McLuhanism." McLuhan (1964) argued that the electronic media, unlike old technology that extended only some part of our bodies, had an organic character that "may be said to have outered the central nervous system itself, including the brain…" (p.218). In many countries, however, the broadcasting policy analysis requires more socio-economic consideration than the use of such a technological utopia.

Secondly, for the universal access model, the challenge comes from Digital to Home (DTH) service, which is mainly operated by global media companies. For the purpose of upholding intellectual property rights, global media companies consider a strategy, which will contract out the local cultural events. For instance, satellite broadcasters will distribute shows in an encrypted channel around the world. Thus, in spite of the development of digital broadcasting channels, local cultural events no longer be broadcast by domestic television stations (Boardman and Hargreaves-Heap, 1999).

Based upon the above survey of the literature, a relevant question that arises is: What is the content of the policy debate on digital broadcasting technology, and what is its impact on Taiwanese cultural identity? Furthermore, based upon the efforts to regulate broadcast media as cultural institutions, what benefits are to be gained from government regulation of digital broadcasting technology? This will be the second research question addressing the regulation of digital broadcasting technology.

## Neo-Liberalism and Broadcasting Policy

The goal in this section is to assess the impact of neo-liberalism policy discourses on state broadcasting policies. The literature review focuses on how nations manage to maintain cultural integrity in the face of economic liberalization. Neo-liberalism refers here to the Structural Adjustment Programs (SAPs) implemented by states, which lead to the introduction of market-driven principles that in turn affect the domestic cultural sector (Blackmore, 2000). Next, due to increased global competition in the media industry, the researcher proceeds to a consideration of policy issues confronting the country on both the domestic and the international fronts. At the national level, the policy issue concerns the improvement of domestic broadcasting production capacity; at the international level, it has to do with the country's attempts to promote its own unique cultural products in a culturally diverse world. Thus, due to the lifting of measures limiting foreign investment,

the researcher argues, cultural sovereignty and economic liberalization policies are in conflict with one another.

Defining Neo-Liberalism

Neo-liberalism, the new rationale for public policy, may be approached from two different angles. In Third World countries, it manifests itself in the form of Structural Adjustment Programs (SAPs), which emphasize global governance and the restructuring of the economic sectors of these countries. In Western countries, neo-liberalism refers to the reform of the welfare society. For the sake of reducing the state's financial burden, the public sector is being privatized, and social programs such as health and education are facing huge budgetary cuts. Another goal of neo-liberalism is to introduce new production modes into a national economic market. The policy issues to be considered here will concentrate on reforms that are taking place in the communication sector while new modes of productions are being introduced into the country.

Due to the fact that developing countries became heavily indebted to developed countries in the 1970s, the World Bank and the International Monetary Fund (IMF) sponsored restructuring programs in third world countries. This is the restructuring approach of Neo-liberalism. In brief, the growing debt crisis of the third world led to a decisive policy shift at the World Bank and IMF. This shift had characterized policy in the1980s and subsequently became an integral part of the shared vision for the third world.

The poorer nations took on heavy debts in the 1960s and 1970s in an attempt to build their industrial sectors to catch up with the rest of the world. However, some countries, starting in 1982 with Mexico and Brazil and soon followed by a growing list of nations, defaulted on their debts (Roberts and Hite, 2000). To get foreign exchange and future loans, these Third World countries had to accept the World Bank and IMF sponsored SAPs. The SAP package includes (Pannu, 1996,p.95):

- Liberalization of trade and elimination of protective tariff barriers to make domestic industry more competitive. For instance, deregulating the state PTT model (Post-Telephone and Telegraphs).
- Liberalization of the banking system and the privatization of state development banks in agriculture and industry.

- The streamlining of the state sector in view of eliminating unproductive expenditures, the introduction of cost recovery schemes in state programs and the reorganization of state enterprise.
- The neo-liberal project aims directly at discrediting and selectively dismantling the state in the third world.

For developing countries, neo-liberalism is driven by external actors, such as the World Bank and the International Monetary Fund, which intervene in their mode of capital accumulation. As Hoogvelt (2001) indicates, the neo-liberalism of the market-oriented model reflects the demise of the traditional boundaries of the nation-state. Since, as economists suggest, the nation-state is the basic unit of analysis in the international economic system, by of reflecting economic policies, neo-liberalism promotes and legitimizes increased globalization and the tighter integration of third world national political economies into the international political economy (Pannu, 1996).

Critical studies approach neo-liberalism from the perspective of the preservation of human values. Compared with the earlier national economic planning models, the neo-liberalist economic model relies on flexible production to increase capital in a given country. Under this new economic scheme, the state has been cutting its social welfare expenses. Furthermore, the bargaining power of traditional trade unions has been undermined due to imported migrant labor. This new economic policy actually tries to urge the ideology of personal interest as a substitute for the public interest (Kellner, 1999). The following section will discuss the definition of neo-liberalism emphasizing the introduction of a new mode of production.

Neo-liberalism promotes and legitimizes the replacement of public interests by individual interests. Minimizing state intervention is the best way to achieve creation of a market based totally on competition. As Pannu (1996) argues:

> To grasp fully the logic of a neo-liberal position and make an assessment of the free market as a mechanism for achieving the twin goals of equity and efficiency in the development process, it might be helpful to examine the key methodological assumptions of neo-liberalism and its implications for maximizing the social good. Individualism, rationality, and self-interest are the three principal building blocks—the a priori assumptions—of the neo-liberal paradigm (p.91).

Neo-liberalism emerged in the 1980s as a new mode of production intended to put an end to the economic depression of the time. This was during the administrations of British Prime Minister Thatcher and US President Reagan. The neo-liberalist camp emphasized the efficiency of free competitive markets in the belief that this efficiency would maximize benefits for the greatest number of people in the long run. One major goal of neo-liberalism is to reduce the burden of public expenditure and enable the government's fiscal load-shedding (King and Wood, 1999). Due to the transformation of the capitalist mode of production, shifting from Fordism to post-Fordism, neo-liberal policy emphasizes on education reform and retraining as recipes for the advanced capitalist states. (McKeon, 1999, p.20).

Compared to the Fordist notion that expansion of trade unions fuels growth through sustained class identities among workers, the purpose of Post Fordism discourse aims at critically discussing the impact of the new economic policies on the autonomy of middle classes. At the national level, neo-liberalism promotes the privatization of the public sector and the deregulation of the industrial sector. Due to the change of regulatory mode, Bob Jessop identifies the neo-liberal regimes as an emerging "workfare state", which promotes inter-nation competition, displaces welfare-ism (Jessop, 1990). Moreover, at the international level, due to the introduction of global migrant labor, the new production mode in the era of neo-liberalism tends to rely on flexibility of employment, and the flexibility of production (Webster, 1995,p.258-259). The labor force is hired as needed to satisfy the factory's production plan rather than on a long-term basis. Such Post-Fordism discourses and practices contribute to the demise of the welfare state.

Evaluation

The theoretical assumption of Post-Fordism is more suitable for studies concerning the impact of reforms on cultural institutions in nation-states than for analyzing a particular policy development in a given state. For instance, in a study of educational policy reform in Australia, Blackmore (2000) found that contractual work in companies is replacing traditional long-term hiring policies due to the introduction of flexible work patterns. Such tremendous change has shifted the curriculum of universities into a job-oriented design and has undermined the humanitarian values that used to prevail in the liberal society. On the other hand, in discussing the development of policy, the SAP

approach explains how the state has implemented liberal economic policies in the field of broadcasting.

In the process of dealing with the debt crisis, Portes (2000) indicates that neo-liberalism advocates public policy concepts in the field of social policy which are as follows: "(1) reevaluation of capitalist profit-making as desirable and congruent with national interests; (2) concomitant devaluation of organized labor and protected industry as rental havens inimical to economic efficiency; (3) support of foreign investment as necessary for sustained growth; (4) renewed faith in the market, via trickle-down effects, for the reduction of social inequality" (p.358). Based on the SAP's evaluation of market competition, the following section will discuss the changing relationship between state and market as it affects the role of the state in regulating the cultural sphere in the era of globalization.

Neo-Liberalism and Broadcasting Policies: Reconciling Economic Liberalization and the Protection of the Cultural Sphere

For the purpose of reconciling the neo-liberal economic policy and its regulation of the cultural sphere in the era of globalization, the state seeks to privatize the ownership of broadcast media, which were once dominated by the state (Kunh, 2000; Barnett, 1998). The main purpose in privatizing the ownership of domestic broadcasting is to include the private broadcasters into national cultural production units, which can strike a balance between cultural protectionism and openness to an increasingly culturally diverse world (McDowell, 2001). Such policy issues are a concern at the national level. At the international level, the issue concerns the role of foreign investment in the development of the satellite television industry.

In Japan, for instance, the Ministry of Post and Telecommunication mandated that the new satellite channels operate as commercial television channels in order to supplement the production capacity of state broadcaster NHK (Nippon Hoso Kaisha) (Krauss, 1996). Two major Japanese satellite broadcasters are *WoWoW* and JET (Japan Entertainment Television). Saito (2000) mentions that Japan Satellite Broadcasting (JSB) initiated the country's first commercial satellite television known as WOWOW in 1990. In Korea a new television channel was granted to Seoul Broadcasting System (SBS), the only private broadcasting channel, in 1990. Heo, Uhm and Chang (2000) note: "SBS

owned and operated by 31 private companies, it has one television and two radio channels" (p.624). The new private broadcasters eventually formed a new tier of the broadcasting market, which, when joined with the state broadcasting sector constituted the national television cultural production capacity.

Thus, the changing relationship between the state and the market due to the implementation of neo-liberal economic policies also raises the cultural concern about how the state cooperates with domestic private broadcasters in shaping the cultural sphere. In other words, economic liberalization is not synonymous with simple state withdrawal from the field of television policy. Kuhn (2000) suggests, "the state turned to regulatory levers to influence the operation of the market it had helped create. Regulatory authorities were established to oversee the functioning of the new system and tensions were frequently evident between the channels and the regulators as their different value systems came into conflict" (p.333).

Due to the greater global competition at the international level, the state's broadcasting initiatives make a compromise with global media groups. To trade its cultural products on the world market, the state usually engages in joint ventures with foreign media in order to acquire technological or programming support. For instance, in South Africa, Uplink Broadcasting (UBL) is the third satellite broadcaster in South Africa. It began broadcasting seven digital channels in 1997. The technological assistance is derived from Scientific Atlanta and programming support from BskyB (Fourie and De Jager, 1998).

Strategically, the nation-state turns to inviting Western companies to invest in its broadcast media in order to increase its competitive ability in the global market. Thanks to the deregulation of international satellite communication, for example, the United Arab Emirates (UAE) can join with a U.S. media technical consultant team and take in U.S. bank investments to develop the regional satellite television channel (Dubai 2), which broadcasts to most Arab countries (Boyd-Barrett, 1998). Also, Singapore has successfully invited ESPN and MTV channels to base their up-linking and post-production centers in this country (Yeap, 1994).

However, the investments of foreign companies provide both an opportunity and a challenge. Taiwanese scholar Feng (1998) argues that the increasing foreign investment

trends may present opportunities for Taiwanese media companies to expand abroad. However, the permeability of Taiwan's national borders by foreign media companies is a challenge and even a threat to the cultural sphere.

The literature reviewed above, raises the final research question of this dissertation: How does the nation-state reconcile the implementation of a liberal economic policy with protection of its cultural sphere? The study explores how the state deals with the increasing tensions between maintenance of cultural sovereignty and foreign investment in the broadcasting industry resulting from the implementation of liberal economic policies in Taiwan. At the national level, the research question is: How does the state seek to settle conflicts between the development of the cultural sphere and the commercial goal of private broadcasters?

## Summary of the Literature Review

This literature review began with a look at the theory of the cultural sphere and the state's regulation of the broadcast media. Culture in this study refers to systems of symbolic representation (Williams, 1975; Hamelink, 1983). Broadcasting is a vital cultural institution, which embodies such systems. According to Geertz, culture refers to the webs of significance through which people make sense of their worlds and those of others (Geertz, 1973). On the other hand, drawing from the definition of cultural sphere, culture also refers to social practices and institutions that create meanings (Hall, 1997; Winckler, 1994). The governance of the cultural sphere reflects the state's effort to manage cultural identities (Gooch, 1993).

Secondly, the literature review dealt with the relationship between the state and regulation of the cultural sphere. By defining broadcast media policy, the state is able to reach certain social objectives in terms of regulating the cultural sphere. There are many different approaches to the study of the state and its role in regulating the cultural sphere, but two approaches underscore the state' ability and intent to regulate the cultural sphere. The first is the development policy model, which emerge from the modernization theory of the 1970s. The goal of the regulation of the cultural sphere in this model is to attain national unity and create a space for national consciousness (Schudson, 1994; Kitley, 2000). On the other hand, a policy goal of communicative space policy is to build a national culture based on the existing cultural diversity of the society. Policy issues

dealing with state regulatory processes cover the role of the state in regulating broadcast media as cultural institutions.

Thirdly, this literature review addresses the internal and external factors that interact with the state to define broadcast media as cultural institutions. First of all, the internal factor, civil society, has influenced the state broadcasting policies by participating in the policy-making process and establishing local broadcasters. Such involvement of civil society in Third World countries is particularly characteristic of the broadcasting policy process in non-Western countries (Lee, 2000). In Western democratic countries, state policy making is conducted in parliamentary debates. For most third world countries, on the other hand, transnational broadcasters exert tremendous influence over broadcasting policy. The literature review shows that global networks linking transnational broadcasters and the local cable relay system collaborate to influence state broadcasting policies, which severely undermines the state's ability to regulate broadcast media (Tomlinson, 1991; Straubaar, 1997). Concomitantly, the state may facilitate the entry of digital broadcasting technologies into the territorial broadcasting system, thus providing an opportunity to create new national cultural production units, which may enhance the local television production capacity.

Market competition is influenced by the introduction of Structural Adjustment Programs (SAPs) policy discourses. At the national level, the state seeks to include private broadcasters to supplement supposedly inefficient state broadcasters. At the international level, for the purpose of promoting its cultural products in the global broadcasting market, the state may welcome foreign investments. However, dependence on foreign support provokes fear among cultural protectionists over the potential loss of state autonomy (Feng, 1998).

## Research Questions

The relationship between broadcasting policies and the preservation of cultural identities is a crucial one (McDowell, 2001; Barnett, 1998; Gooch, 1993). Research on this topic must be continuous, and according to Gooch (1993) it:

> must involve a holistic approach which considers the historical, political, economic and socio-cultural context and leads to examination of the process.. The actors and their interdependencies and interactions with communications systems both national and international (p.78).

The literature review above reveals that the analysis of the relationship between broadcasting policies and regulation of the cultural sphere introduces two major assumptions into the study. The first assumption concerns the internal policy formation process within the country; that is, the interaction between civil society groups and the state. Such an interrelationship plays a role in the field of broadcasting policy process. The outcomes of interaction further influence the constitution of the cultural sphere. As Park and Curran (2000) argue, "the key point to emphasize is that media systems are shaped not merely by national regulatory regimes, but by a complex ensemble of social relations that have taken shape in national contexts. It is precisely the historically grounded density of these relationships that tends to be excluded from simplified global accounts" (p.12).

Secondly, another assumption in this study concerns the relationship between the transnational broadcasters and the state in defining broadcast media policy. Transnational broadcasters influence the broadcast policies through the proliferation of local cable/satellite relay systems in third world countries. Such systems influence the state policy agenda for reasons of economic profit (Hamilton, 2002). On the other hand, the new broadcasting technologies provide opportunities for structuring the cultural sphere (Mayo, 1986; Gooch, 1993). These two factors, transnational broadcasters and technological innovation, exert influence on the state policy agenda as it pertains to the protection of the cultural sphere.

In accordance with the proposed research design of this study, these questions were refined at various stages as data were gathered and explanations for observed relationships and their policy implications developed. The first question is based on the assumption that there is an internal tension between the state and civil society. Specifically:

1. What role did civil society groups play in the reform of Taiwan's broadcasting industries and in the nation's cultural sphere?

The second set of questions is based on the assumption that foreign broadcasters have influenced state broadcasting policies and also that the state has sought to introduce digital broadcasting technologies, treated products as culture, in an attempt to protect the

national culture. The proposed questions are:

1. To what extent did transnational media interests influence the regulation of Taiwan's broadcasting industries and the nation's cultural sphere? How did the state's neo-liberal policies affect the reform of Taiwan's broadcasting industries?
2. What policies related to the introduction of digital technology were adopted by Taiwan's broadcasting industry?

# CHAPTER THREE

# METHODOLOGY

## Introduction

This study aims at a better understanding of the complex processes involving policy actors and other co-operating entities that lead to the development of broadcasting policies in Taiwan. An analysis of the confluence of factors, which impact this process, it is hoped, will provide greater insight into how broadcasting policies are shaped. The exploration of the relationship between broadcasting policies and the regulation of the cultural sphere was carried out through a research design that relied on qualitative data collection and analysis in order to investigate the research questions.

According to Majchrzak (1984), public policy is a course of action or method that guides present or future decisions to act, thus creating an environment, which is generally favorable to public welfare. Public policy analysis is a mechanism for making a time-bound investigation, and is a non-generalizable form of inquiry. Weimer and Vining (1989) define policy analysis as client-oriented advice relevant to public decision-making, i.e. the purpose of policy analysis is to provide information that helps governmental, institutional, or organizational authorities develop programs or make policy decisions. A related concept in the field of policy studies is policy research, which may be defined as research that uses social science methodology to generate theory aimed at a better understanding of societal processes (Wiemer and Vining, 1989).

A fine line, however, often separates policy research and policy analysis. Policy researchers are less concerned with public decision makers. While some decision makers may be interested in their work, policy researchers usually view themselves primarily as being members of an academic discipline. Because they place importance on gaining the respect of others in their discipline, policy researcher may be more concerned with the publication of their work than with its use by decision makers (Weimer and Vining, 1989). The strength of document oriented policy analysis distinguishes qualitative policy analysis from quantitative policy research. As Marshall and Rossman (1999) point out,

"in many cases, and especially in policy research, one can appeal to policymakers' frustration with previous research. The researcher should convince policy makers that qualitative research will lead to strong, detailed conclusions and recommendations"(p.14). Given the nature of this inquiry, qualitative policy analysis, which enables the researcher to look at subjects and documents from multiple perspectives, was adopted.

This chapter deals with the methodology employed in the conduct of the investigation of broadcasting policies in Taiwan. This qualitative policy analysis relies mainly on two major data collection methods commonly used in the field of policy studies. One of the methods is document research; the other is field research, which consists of interviewing knowledgeable persons (Bardach, 1974; Weimer and Vining, 1989). The chapter also provides an overview of the research design, sample and population, sources of data, and data collection procedures used in this study. Through the case study, the researcher ultimately seeks to delineate the development and restructuring of broadcasting policies in Taiwan; therefore, the data analysis focused on those policy statements in the field of broadcasting that have implications for the management of the cultural sphere. This was complemented by personal interviews with media policy scholars, broadcasting industry personnel, and socio-cultural experts in Taiwan.

## Overview of the Research Design

This is a phenomenologically oriented research design. Studies within this paradigm are generally inductive and researchers make few explicit assumptions about sets of relationships (Gooch, 1993; Marshall and Rossman, 1999). A theory underlying a socio-cultural system is developed as data are gathered and analyzed instead of searching out data to test a pre-established hypothesis.

A research project that lends itself to this type of design is called a case study. By definition, a case study is a detailed investigation of an individual setting, event or subject (Bogdan and Biklen, 1982). Case studies vary in focus and complexity and may also involve the investigation of a social process such as the role of the state in regulating the cultural sphere.

Case-study methodology is defined in contrast with other forms of research, such as the social survey, for example. While the latter is ideally suited to test hypotheses

developed by the researcher, the case study is used to explore complicated social phenomena (Marshall and Rossman, 1999). A definition that not only distinguishes case studies from other research strategies, but also helps to explain them was, formulated by Rossman and Rallis (1998). They state:

> Case studies are particularly useful for their rich description and heuristic value. Description illustrates the complexities of a situation, depicts how the passage of time has shaped events, provides vivid material, and presents differing perspectives or opinions. By providing detail and complexity, case studies illuminate the reader's understanding of the setting or events, thereby extending comprehension of some complex set of events or circumstances (p.71).

Document Research

This study, whose purpose is to develop a holistic understanding of the factors that have an impact on the role of the state in regulating the cultural sphere in Taiwan, is best approached through an examination of documentary sources and by interviewing knowledgeable persons. The research strategy used in the study which combines the methods of document research and interviews, was developed by policy researcher Bardach (1974). In Bardach's terminology, "document" refers to anything that has to be read—books, journals, articles, newspapers and magazines, governmental reports, inter-office memoranda, etc. Personal interviewing consists of talking to people, i.e. consulting individual sources. At first, the researcher gathers and analyzes policy documents produced in the course of the policy process or constructed specifically for the research at hand. As such, the review of policy documents is an unobtrusive method, rich in portraying the values and beliefs of participants in the broadcasting policy process. Records of meetings, announcements, formal policy statements, and so on, are all useful in developing an understanding of the policy under investigation (Weimer and Vining, 1989). The legal and procedural documents, for instance, reveal how the state intends to carry out its mandate in Taiwan. Legal and procedural documents also are central to understanding the formal structure of public policy programs (Putt and Springer, 1989).

The documentary data, in this project, come mainly from the following sources: government documents and publications, newspaper archives, and academic policy journals. In the first category of documents are policy records, such as government

legislation, business and legal papers, advisory reports, and minutes of meetings. Materials in this category are almost always dated, and identify the author of the document. They are often written from a position very close to the actual broadcasting policy process. The second category of document materials consists of academic broadcasting policy journals in Taiwan. As Mintrom (2003) suggests, " the establishment of policy activities will give policy analysts a sense of the policy context and the issues that have seen raised previously" (p.54). The role of academic reports is to develop theoretical perspectives that can help in the development of frameworks for policy activity. Majone (1989) suggests that the policy arguments of policy actors should be located in a broader policy framework in order to track the meaning of specific policy statements or policy choices. The final category of documents consists of newspaper and journalistic publications. For the purpose of understanding the statements made by state officials, civil society groups (CSOs), and private broadcasters, news archives are an important source for determining policy actors' intentions (Hall and Rist, 1999).

The policy analyst needs to be in constant interaction with all three categories of policy documents as they are being collected so as to formulate or reformulate categories and relationships. The benefit of document research is that documents may be part of the debate and other action the researcher is observing. They become items of analytic interest when they are seen as resources in the policy actors' speech performance. Second, documents can help the researcher to reconstruct past events or ongoing processes that are not observable by direct observation (Lindlof, 1995). However, the accuracy of data still is a major concern in document analysis because the content of documents is a recorded form of material. The data quality is a central concern when using available information sources. The reason for such concerns is that analysts have no control over information objectives and data collection procedures that produced the original findings, hence, no control over data quality (Putt and Springer, 1989).

For the purpose of verifying the accuracy of document materials, therefore, the policy analyst should include the expert opinion in the data analysis (Majone, 1989; Whitttington and MacRae, 1997). Consulting policy experts' opinions is a feasible method to enhance the internal reliability in qualitative research designs. As Weimer and Vining (1989) argue, "the document and field research are often related because it is

usually difficult to get such data without interviewing and impossible to judge its reliability, validity, and comprehensiveness without talking to those who actually gathered it" (p.234).

Communication scholar Gooch (1993) states that "the triangulation (the testing of one source of information against another to strip away alternative explanations) is central to establishing the internal reliability of the case study, that is, to the extent to which a pattern is supported by data from several sources it may be considered relatively reliable" (p.102). Moreover, Hall and Rist (1999) identify four types of triangulation: data triangulation, investigator triangulation, theory triangulation, and methodological triangulation. The researcher made use of data triangulation to increase the reliability of the policy documents in this study. The following section will discuss the relationship between document research and personal interviews in qualitative policy research.

Personal Interviews

The form of qualitative policy research best suited for the case study usually employs two data collection techniques: personal interviews and document analysis. While complicated, the qualitative document research used in this study helped to control the scope of the data collection and make this multi-time-point case study theoretically relevant. For the purpose of clarity and organization, the data collection methods comprise documents and interviews with knowledgeable persons. As Bardach (1974) indicates, "the combination of document research and field survey is desirable not only to consult both types of sources, but also to consult them in alternating order: a spate of interviewing followed by a retreat to the library followed by another round of interviews, etc" (p.121).

Therefore, developing ways to integrate personal interviewing and document analysis is the most important task for policy researchers when they conduct qualitative policy analysis. Some combination of document review and personal interview is typical for in-depth qualitative inquiry. In this study, the researcher employed a research design developed by policy researcher Bardach (1974), which ultimately puts document review and field research together. He suggests a basic way of expanding the scope of information gathering: policy documents lead to people. As the initial literature research progresses, it is likely to suggest specific people as potential interviewees or, at least, the

role or type of potentially desirable interviewees (that is, documents will lead to people). The objective of the initial survey of the policy literature is to provide enough background to conduct intelligent interviews. Mintrom (2003) advises the researcher that "once [you] begin to get a sense that interviews might be helpful for your work, start making a point of asking potentially knowledgeable people for suggestions about who you might begin with. The more accurately you can target the people you seek, the better"(p.75).

For the sake of guiding the personal interview, a set of open-ended interview questions was developed during the Fall of 2003 on the campus of Florida State University. Rossman and Rallis (1998) indicate that "policy studies are focused and instrumental; although all qualitative research is open-ended, this strategy [of open-ended questions] is more tightly controlled by the researcher from the outset" (p.120). Before conducting the field study, the interview questions were structured by the following data sources: (1) English language academic papers published by *Journal of Broadcasting and Electronic Media*, *Media, Society and Culture*, and *Asia Media*; and (2) Chinese language academic articles retrieved from Internet databases using the Computer Laboratory of the Department of Communication. The list of open-ended questions is provided in Appendix A.

In this study, the personal interviews and document analysis are treated as two major data sources. It should be noted that the phases overlapped and involved several follow-up contacts with most data sources, and concurrent analysis of the data gathered. The benefit of "moving from document to people" design is to make the field survey more precise. Once the researcher has a broad sense of the topic, moving to an initial phase of field research is often productive. The research is less costly (both in terms of time and money) when done this way, and one can usually be much more flexible in scheduling the interviewing (Weimer and Vining, 1989).

## Population and Sample

### Documents

The sample of this project consists of (1) state policy documents, (2) academic policy journals, and (3) newspaper articles.

(1) State broadcasting policies are expressed in the following set of documents: a)

broadcasting laws, b) minutes of policy panels, c) governmental initiatives or ordinances, d) advisory reports. These four groups of documents comprised the main data sources for this study. Broadcasting laws included the Public Television Law, the Cable Broadcasting Law, the Wireless Broadcasting Law, and the Satellite Broadcasting Law. These four broadcasting laws provided the legal framework for regulating broadcast media in Taiwan (Peng, 1992). The minutes of policy panels were retrieved from the period 1992 to 1993, when a major policy debate took place in Taiwan that led to the adoption of the Cable Broadcasting Law. Advisory reports are policy proposals dealing with broadcasting developed by academic scholars under the agency of the Government Information Office (GIO). These reports involve policy proposals dealing with the regulation of new broadcast media (digital television) in Taiwan. Also, the Broadcast Media Yearbook (BMY) published annually by the GIO provided a list and brief description of programs broadcast in Taiwan. A qualitative content analysis of broadcasting programs may be helpful in reviewing the outcomes of specific policies (Waterman and Grant, 1991). Policy initiatives or ordinances represent those policy issues tackled by the Shi Cheng Yuan (or Cabinet), which have led to measures regulating the broadcasting industry in Taiwan. The White Paper on the Asian Media Center Plan proposed by the Economic Development Commission on behalf of the Cabinet in 2000 was qualitatively analyzed for the purpose of reviewing the development of broadcasting policies. Also, the sample of Broadcast Media Yearbooks for four years, 1997-2000, was analyzed. (2) The second category of document is academic policy journals. The sampling of relevant policy journals was conducted by means of a topic-oriented search procedure. The sampling unit was the policy journal article. The keywords for obtaining the journal were “cultural identity and broadcasting policy”. The sample period ranges from 1992 to 2000.

(3) The final category of document sample consisted of newspaper records. In qualitative policy analysis, the analysis of policy statements made by policy actors should be linked to specific events (Putt and Springer, 1989). For instance, while exploring the role of civil society groups in influencing the state broadcasting policy agenda, the research should indicate whether major social movements or public announcements were launched or issued by CSOs in Taiwan. Then, the analyst decides upon the period from which to obtain a sample of documents in order to carry out such an exploration.

Due to the movement in favor of media democratization launched in 1990, broadcasting policy reforms were initiated in Taiwan. The study period for policy statements made by civil society organizations and transnational broadcasters was concentrated between 1990- 2000. A chronological chart showing the major social and political reforms that have taken place in Taiwan is included in Appendix B.

People

The interview respondents were selected from three categories of communication professionals. The first group included media policy respondents. They are governmental officials and university professors who have participated in seminars that are relevant to policy-making in broadcasting. The second group was composed of key respondents from the economic sector, including executive directors of television program production companies, and managers of satellite/cable relay systems. Respondents of the third group came from the social and cultural sector and included representatives of civil society, independent producers, scholars specializing in the study of culture, and senior columnists of the major journals. The respondents are listed in the appendix C.

During the spring of 2004, an initial list of respondents was selected from Taiwanese databases accessible through the Internet. The most frequently cited scholars in discussions relating to cultural identity and broadcasting policy in Taiwan were identified by analyzing policy papers. The researcher further consulted with Taiwanese policy experts about other potential interviewees before deciding on a final list of respondents.

Respondents were selected by means of a purposive sample. Such sampling frequently involves “snowballing.” Employing this method, initial individuals interviewed who fit the criteria, are asked to refer the researcher to other qualified people, who are then asked for the names of others; the list of respondents grows, or “snowballs”, as the research progresses (Lindlof, 1995). The purposive sample may reduce the external validity of the research findings due to the bias in the sampling process (Frey et al, 2000). The researcher must make adjustments for the potential threats to the external validity of the findings by sampling the positions and backgrounds of interviewees so as to evenly represent the population of policy analysts under survey. Lindlof (1995) suggests that “the researcher can avoid this problem [of bias] to some extent by asking informants for lists of further persons to be interviewed and comparing the patterns of nominees.

Depending on what the problem demands, he or she can then select either the most frequently nominated persons or those who appear less often on the lists" (p.127).

## Access and Entry

The researcher's professional contacts facilitated access to different groups in the field. Some professional and informal contacts with members of each of the target groups were established through telephone conversations and written correspondence before the study formally began. Information concerning the requirements for admittance to the Taiwanese libraries was obtained by accessing it from their websites. Introduction by key informants proved to be the researcher's best method for gaining access to the target groups. Intermediaries helped to open doors, which might otherwise have been difficult to open by an outsider. Having been introduced by the right persons, the researcher and the study were given the benefit of the doubt. Such introductions and recommendations strengthened the researcher's capacity to work in the community and thus improved the quality of the data.

The researcher's previous professional experience in communication as a reporter and university instructor enabled him to grasp many facets of Taiwan's broadcasting policies, especially issues concerning the regulation of trans-national broadcasters and civil society organizations. Previous knowledge also helped to establish a reciprocal relationship with contacts among communication professionals familiar with the broadcasting policies of Taiwan. It should be noted that the researcher took great pains to gain entry the field of study. The process of gaining entry included an introductory letter to potential interviewees, providing a brief description of the study and a definition of key terms of the interview. A follow-up telephone conversation customarily led to meetings with the informants (Marshall and Rossman, 1999).

Gaining access to the National Central Library (NCL) required a temporary, one-day, reading permit issued by the library staff upon presentation of a valid personal identification document (NCL, 2003). For the purpose of document research, the Cheng-chi National University Library (CCNUL) was the best site for surveying the relevant academic journals and books published by Taiwanese policy scholars. Accessing the CCNUL also requires a personal identification document. The librarian had the researcher's I.D. until he left the library (CCNUL, 2003). Both the document research

and personal interviews were conducted in Taiwan during the summer of 2004.

## Reliability and Validity (Trustworthiness)

Reliability refers to the consistency and dependability of measurements over time (Frey, Botan, and Kreps, 2000). The more reliable a measurement is, the more dependable it is because it leads to similar outcomes when applied to different people/texts, contexts, and/or time periods. In quantitative research, the general expectation of reliability is that there should be consistency in results of observations made over time. However, media policy research is not always concerned with this same level of expectation. Qualitative researchers are more interested in the accuracy and comprehensiveness of their data, and tend to view reliability as a fit between what they record as data and what actually occurs in the study setting, rather than an empirical consistency across different observations (Bogdan and Biklen, 1982). This study involved inductive inferences and explanatory statements about broadcasting policy and its influence on the cultural sphere in Taiwan. To ensure the reliability of results, multiple methods of evidence gathering were employed throughout the study.

Because of the uniqueness or complexity of phenomena and the individualistic nature of the ethnographic process, qualitative policy research may approach rather than attain external reliability (Strauss and Corbin, 1998). One way to enhance external reliability is the careful identification of respondents and delineation of the physical, social, and interpersonal contexts within which data were gathered (Viggiano, 1998). Replication of research is impossible without precise identification and clear description of the strategies used to collect data.

Two types of validity are involved in quantitative analysis: internal and external. Internal validity concerns the accuracy of the conclusions drawn from a particular research study whereas external validity deals with the generalizability of the findings from a research study (Frey, Botan, and Kreps, 2000,p.109). In qualitative analysis, internal validity refers to the extent to which observations and measurements are authentic representations of some reality. External validity addresses the degree to which such representative-ness may be compared legitimately to other situations or groups (Gooch, 1993, p.118).

For the purpose of achieving internal validity, the proposed research crosschecked

the accuracy of documents. For instance, the broadcasting policies were examined by relying on multiple procedures and data sources. The Taiwanese communication scholars' review of broadcasting policies is also a tool for understanding the historical background of policies. One way to enhance the internal validity in policy analysis is to include the experts' opinions about the socio-economic environment before conducting the field survey.

A potential threat to internal validity in policy analysis emerges from those factors that may confound the researcher's interpretation (Weimer and Vining, 1989, p.317). For instance, the regulation of the cultural sphere may be shaped mainly by the state's initiatives rather than the intervention of civil society organizations (CSOs). A misleading evaluation, emphasizing the role of civil society in shaping the cultural sphere, may come by the over-estimating the influence of CSOs. As Majchrzak (1989) suggests, "a way to design a methodology that responds to its environment is to discuss the design with the study advisory panel and informal interviewing policy experts. Criticism of the design by such individuals provides valuable insight into how it will be received by study stakeholders, and can then help in making design improvements [of validity]" (p.67).

Data authenticity also affects data accuracy. Due to exaggerations in policy statements and social actors' declarations, which may bias the representation of social policies, Startt and Sloan (1989) argue that scholars of communication history should establish both the authenticity and the meaning of data in order to overcome the problems presented by historical data. In the proposed study, the standard of authenticity relied on two data sources. The first source consisted of autobiographies written by Taiwanese broadcasting professionals, which provided the researcher with an inside view of the policy-making process. The second source was comprised of government yearbooks published annually that were used to trace the development of broadcast media in Taiwan.

## Data Collection

A number of data collection techniques were used throughout the study to supplement and cross-validate the findings. All of the techniques coincided with the study's research questions. The three primary techniques involved personal interviewing, policy document analysis and literature review.

The study design incorporated multiple sources of data, which allowed the

researcher to address a broad range of historical, social and economic issues while following a corroboratory mode. The most important advantage in using different sources of information was the development of converging lines of inquiry (Gooch, 1993, p.109), a process of triangulation incorporated in a comparative method.

Policy Documents

The collection of policy documents was conducted mainly at the Central National Library (CNL) in Taipei, Taiwan. Also, because of the explicit role documents play in data collection, specific times were allotted for using the private reference center. The researcher collected data in the summer of 2004. Government policy documents are archived in the National Central Library at Taipei. The documents collected were classified according to categories such as broadcast media, local radio, digital television, etc. During the process of document collection, the researcher also contacted Sammy Books, a private bookstore in Taipei, where several volumes of governmental publications are kept.

News clippings play an important role in uncovering important policy statements. Informal studies and evaluations of broadcasting policy issues appearing in newspapers were consulted. Because policy advocates, civil society organizations, transnational broadcasters, and governmental officials, have extensively addressed broadcasting policy issues over the past decade, public statements made by these policy actors were qualitatively content-analyzed for recurring themes.

National newspapers are also preserved in Taiwan's National Central Library. One major national newspaper, United Daily News, was the main data source from which the policy statements were coded. Policy statements uncovered in newspaper clippings were recorded according to the following categories: who made the statement, when, what broadcasting policy was involved, and the theme of policy actor's statement. All document materials collected were assigned a serial number in order to manage the data files.

Interviewing

Interviews were conducted to enable the researcher to be as close as possible to the setting and opinions of communication professionals under investigation. The interviewing involved several conservations with key respondents at various levels in

three broad categories: communication policy analyst sector, economic sector, and socio-cultural sector. Wiemer and Vining (1989) list a number of considerations relating to interviewing: (1) what kind of information does interviewing elicit most effectively? (2) how can you judge the efficacy of the information you get? (3) how do you get interviewees to talk? (4) whom should you interview when?" (p.234).

All interview notes were coded in chronological order. An open-ended question was asked of each respondent before the researcher conducted that interview. The most important advantage of the open-ended question was that they encouraged respondents to use their own reasoning and thinking patterns.. Another advantage was that open-ended questions do not pre-determine respondents' answers, which may be a problem with closed-choice questions. Finally, this type of question provided a chance for subjects to warm up to the interviewer at the beginning of their encounters (Coplin and O'Leary, 1988). The personal interview data collection method included a respondent interview and a telephone interview.

The respondent interview elicits open-ended responses to a series of directive questions. In contrast to the kind of interviews discussed above, the respondent interview resembles the traditional survey in its standardized protocol and high content comparability. Respondents are rarely encouraged to expound their own notions of what is important for the researcher to know. Instead, a strong conceptual framework guides both question design and sample selection. In this study the respondents answered different sets of question depending on their policy experience. As Weimer and Vining (1989) state, "interviews need not be in person. Use the telephone to check whether someone who appears to be an appropriate source is likely to be helpful" (p.234). Therefore, telephone interviewing was conducted in this study as a supplemental interviewing technique during data collection. If the telephone interviewing is properly exercised, the resulting data can be of the highest possible quality (Weimer and Vining, 1989). The process of telephone interview was carried out by taking the following steps: (1) obtaining the permission of the interviewees; (2) submitting a written protocol definition of key terms and interview questions before the formal interviewing; (3) limiting the telephone interview to 30 minutes; and (4) conducting a follow-up interview if appropriate.

Policy Journals

While analyzing policy documents, the researcher continued to review the relevant literature, including academic studies, articles in periodicals, and industry reports. The researcher constantly looked for publications on important issues in the broadcasting and the identity of those persons who were contributing to the broadcasting policy process in Taiwan. A review of the substantive literature guided the selection of policy documents. .

The process of collecting policy journal articles was conducted through a topic-oriented approach. The keyword for locating and searching journals or periodicals relevant to this study is "the cultural identity and broadcasting policy". The sources of academic policy articles are comprised of three major academic policy journals in Taiwan, including: the *Journal of Broadcasting and Television* (Cheng-chi National University), the *Journal of Mass Communication and Journalism* (Cheng-chi National University), and the *Journal of Communications Management* (Ming Chuan University).

Data Analysis

The essential relationship of this study was that between Taiwan's cultural sphere and government's broadcasting policies. The law conceptualizes the underlying pattern of a set of policy indicators within the Taiwanese broadcasting policy discussions —the analysis unit. Policy discussions derive from the content of government policy, policy statements made by policy actors, and the opinions of knowledgeable persons. For instance, policy statements by civil society organizations concerning the regulation of broadcast media make it possible to explore the role of civil society in the development of broadcasting policy. This generates a valid explanation by developing the relationships between regulation of the cultural sphere, civil society and broadcasting policies (Glaser, 1978). The policy concept, categories and their properties, also include the content of government policies and notes from interviews of policy experts.

In terms of analytical technique, the qualitative document analysis consisted of extensive reading, sorting, and searching through document materials; comparing within categories and adding key words and concepts; and then writing mini-summaries of categories. The units of document analysis in this study were the policy themes represented in the documents. Policy themes were extracted from the document materials: concerning what the State produces and how it certifies certain kinds of licensed activities

(e.g. licensing a local radio to a civil society group); programming policies (e.g. rules for producing a television program); advisory reports and minutes of meetings. Policy themes were compared with the analysis of field notes collected from personal interviews. Data analyses were conducted in August and September of 2004.

Interview notes containing information relating to policy perspectives and outcomes were useful in determining the nature of the relationship between broadcasting policies and the formation of cultural identity. Altheide (1996) suggests that notes should serve as a chronicle of what was done, seen, heard, and even felt. The field notes of personal interviews were cross-referenced throughout the study. Working outlines were developed and re-adjusted according to the historical background of broadcasting policies in Taiwan. The final result of data analysis and discussion of findings were written up at the end of October 2004.

# CHAPTER FOUR
# THE KUOMINTANG AND THE REGULATION OF TAIWAN'S CULTURAL SPHERE

## Introduction

The goal of this chapter is to present the socio-cultural context of broadcasting policy process in Taiwan. As indicated in the previous chapter, the researcher, using the policy analysis approach, investigated the internal dynamics that shape the broadcasting policy process in Taiwan. This type of institutional approach, as Galperin (2000) pointed out, emphasizes the dynamic aspects of the policymaking process, focusing on the interactions among social actors, the state, and relevant historical events. The profile of the social environment and policy development should be presented in a way that is beneficial to the researcher analyzing evidence collected from the field. First, the researcher presents, in their historical context, the main elements that have constituted Taiwan's socio-cultural background since the advent of the Kuomintang (KMT) regime: its special relationship with the United States, the diversity of the population, and its authoritarian nature. Then, the researcher identifies the major policy milestones, events and technological developments that have led to changes in the broadcasting industry since 1990.

One of the major issues raised in this chapter concerns the policies adopted by the KMT government to control the cultural sphere so as to secure the military government's hold on power. First, in the 1970s, the state educational and communication policy aimed at enhancing social coherence in order to facilitate military mobilization, given Taiwan's unique international situation, which required it to cooperate with the United States as a strategic partner against China (Winckler, 1994; Chu, 2000). Second, through its control over political and cultural resources, the KMT government attempted to protect the interests of the Mainland minority which could be counted on to be loyal to the regime. Mainlanders constitute only 15% of the population but dominate the military, the police, the civil service and leadership positions, all of which provide them with stable salaries (Chen, 1991). The majority of the population consists of Taiwanese (84%) and

Aborigines (1%).

How the KMT's cultural and communication policies have been used to exclude two ethnic groups that make up the majority of the population is an important socio-cultural issue that defines the relationship between the émigré regime and the native peoples of the island. An analysis of school curricula and media language policies indicates that the cultural heritages of the Taiwanese and the Aborigines have not been given their fair share of attention during the past 40 years.

The government's policy aimed at controlling the cultural sphere has, however, since 1990, been confronting challenges originating from new developments in broadcasting technology. As was indicated in the previous chapter, technological developments tend to enhance broadcasting reforms. How the state defines the application of new broadcasting technology will be the second subject to consider in examining its role in the regulation of the cultural sphere (Napoli, 2003). The second issue discussed in this chapter focuses on the advent of Direct Broadcasting Satellite (DBS). Since 1990, DBS services have challenged the state's media control policy. Additional developments in broadcasting technology have included the installation of local cable/satellite systems by private satellite broadcasters in the late 1980s. These represented a major milestone in the development of the broadcasting industry in Taiwan. In this section, a systematic presentation, following a chronological order, will attempt to show the potential impact of these developments on the cultural sphere. The state's heretofore unchallenged governance of the cultural sphere was challenged at that time, not only by the availability of uncontrollable new technology, but also by the ability of civil society groups to influence policy-making in broadcasting. Thanks to a series of democratic reforms that were launched in the late 1980s in Taiwan, independent television producers and academic scholars were able to play an active role in challenging the state's broadcasting policies (Laio, 1994; Chin, 1997). The historical background of media reform groups, which constitute the third factor contributing to the restructuring of the broadcast media, also will be reviewed. The researcher shows that, by voicing their opinions, civil society groups have been important players in framing Taiwan's broadcasting policy agenda.

The following is a description of the socio-cultural context set against its historical background that will serve as a framework for the subsequent data analysis. A unique

social situation exists in Taiwan, a one-party state benefiting from U.S. economic aid since the end of World War II (Chang, 1999). The history of Taiwan shows that the Chiang Kai-sek regime, which dominated the island for forty years, attempted to create a Chinese identity for the country by implementing a policy that promoted Confucian culture and the Mandarin language. Backed by military might, the Chiang regime excluded native Taiwanese from social and cultural resources and promoted Mainlanders into a cultural elite. The political system established by the Chiang Kai-sek-led Nationalist Government, which developed this social discrimination policy, will be presented in the following section.

## The Nationalist Government

As part of the settlement of the First Sino-Japanese War, which ended in 1895 in Japan's favor, the Chinese Empire, ruled by the Qing Dynasty, ceded some territory to the victor, including its province of Taiwan. It became a Japanese colony from 1895 to 1945. Meanwhile, in Mainland China, as a result of the 1911 Xinhai Revolution, the Empire itself gave way to the Republic of China (ROC). It was governed by the Nationalist Party, or KMT, first under Sun Yat-sen and, subsequently, under General Chiang Kai-sek, whose defeat of the seceding Warlord States, thanks to the support of the Communists, reunified Mainland China (Chiang later turned against his allies, causing the Chinese Civil War of 1926-1949). Following the termination of the Japanese colonial occupation in 1945, Taiwan reverted to being administered by China, now under KMT rule.

Seizing upon the opportunity of massive social unrest among native Taiwanese caused by a repressive and corrupt KMT administration of the province, the Nationalist Government enacted, in 1947, an Emergency Decree putting the Island under martial law. It remained in effect for the next forty years. Thus, a political confrontation between Chinese mainlanders and Taiwanese islanders originating some 55 years ago set the stage for a prolonged struggle between native Taiwanese and the Nationalist Government.[5] The events of February 28, 1947, in which an estimated 10,000 Taiwanese, mostly from the

[5] Wu Cho-liu (1968), wu hua gou [flowerless fruit] in *tai wan de e e bau se gian* [ the event of February 28 in Taiwan], Wei Ming (ed), pp.69—92, Hong Kong: The Seventy Publisher. Wu was an independent author in Taiwan's colonial era.. His works were considered spiritual symbols during both the periods of Japanese occupation and Chiang Kai-sek's oppression. This article describes the incident of February 28, 1947, which was instrumental in defining Taiwanese identity.

elite social class, were massacred, is considered a catastrophe by most Taiwanese.[6] On the eve of February 27, five police officers from the Monopoly Bureau attempted to arrest a woman named Lin Jiang-mai for illegally selling cigarettes in Taipei. One of the policemen struck the woman, which caused her daughter to cry so loudly that it attracted the attention of people on the street. An angry crowd gathered, and when an officer fired into it, a riot broke out. The uprising soon spread to many of the island's urban centers, as Taiwanese and government forces battled for control of public infrastructure such as buildings, railroad stations, and police stations. The Taiwan Garrison Command (TGC) declared Martial Law and began to arrest the protesters.[7] On March 3, Taiwanese leaders in Taipei formed a negotiating Committee (tsu-wei hei) that set the conditions under which they would end the uprising, including demands for fundamental political reforms such as equal representation of Taiwanese in the provincial government, immediate municipal elections, freedom of speech, and protection of private property. However, the Committee became a pawn in a political trick played by the Taiwanese Governor, Chen Yi. Chen, who used the Committee for a temporary settlement to calm down the uprising but failed to satisfy its demands. Meanwhile, the 21st Division of the Nationalist Army was brought to Taipei on March 11, causing a massive social confrontation.[8] As Wang (2001) argues, "when the KMT took over Taiwan in 1945, the regime did not prevent the members of the traditional local elite from participating in local politics, but after the February 28 confrontation, most of them abstained from politics. The rate of withdrawal was near 70 percent" (p.183).

The Central Standing Committee (CSC), the KMT's political power house, implemented the Emergency Decree in 1949. As the Emergency Decree restricted the formation of new political parties, the ruling Kuomintang (KMT) maintained its majority under a "one-dominant-party system". The only legal opposition parties were the Young China Party and the China Democratic Socialist Party. Both of these parties were weak, however, and neither exercised much influence (Government Information Office, 1999).

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[6] According to the Feb. 28 Violence Report published by the Taiwan Provincial Government, 33 civil servants were killed by the rioters. There is no record of the number of civilian deaths, however. An estimated death toll of 10,000 was suggested by historians. These data were provided by Wu (1968) and by Chu (2000).

[7] Wu, op. cit., p. 75

[8] Wu, op. cit. p. 83

Under the Decree, the native Taiwanese and Aborigines were not allowed to form any kind of political organization to mobilize their supporters, thus enabling the Mainlanders to be in control of the Taiwanese Congress. The making of social policy in the Legislative Yuan was therefore controlled by the KMT and its affiliated congressmen. Under such a "rubber-stamp" legislative system, social and political resources were accumulated in the hands of the Mainlanders. For instance, most Mainlanders who served as public officials or policemen lived in rent-free official houses in Taipei. Also, businesses established by the Japanese, including the cinema industry, newspapers, and theaters were acquired by the KMT and its affiliated enterprises (Chen, 1991). It was not until 1989 that the political rights of the native Taiwanese to participate in public affairs were restored. With the passage that year of the Civilian Organization Law, which legalized the Democratic Progressive Party (DPP), an opposition party formed by native Taiwanese, a bi-partisan political system was formally established.

In addition to the Nationalist Government's system of political oppression, the United States' actions limited the cultural autonomy of Taiwan. The following section discusses the relationship between Taiwan and the United States. In this particular social context the United States, as a source of economic development and national security, has also played a role in shaping Taiwan's cultural sphere.

## The Influence of the United States

The role played by the United States in Taiwanese political and economic development is crucial to any understanding of the historical context of Taiwan's broadcasting policy process. Not only is the United States Taiwan's main trading partner, it is also its military ally in dealing with threats from China. This historical relationship has had a profound effect on Taiwan's broadcasting policy-making process. This section will first discuss the influence of the United States on the revision of Taiwan's Copyright Law and then consider how, because of its dependency on Washington, the Taipei government has to take US interest into account when it formulates broadcasting policy.

Thanks to the economic aid provided by the United States to Taiwan after the Second World War, the Taiwanese economy was able to reach the "take-off" stage. According to official reports, from 1949 to 1967 the U.S. provided Taiwan with U.S.$ 2.4 billion in military aid and U.S.$ 1.8 billion in economic aid under the guise of the "U.S.

Aid Mission to Taiwan"(Amsden, 1985). This aid allowed Taiwan to save on defense spending and to invest in the restructuring of its economic infrastructure. The volume of US aid to Taiwan at the time was considerable. For example, from 1949 to 1967 the per capita aid received by Taiwan was US$ 425 (US$ 187 when military aid is excluded). The per capita income of the population rose from less than US$ 100 in 1949 to US$ 186 in 1952 and reached US$1193 by 1977 (Government Information Office, 1999). The close relationship between Taiwan and the United States during the Cold War period contributed to the integration of Taiwan into the world capitalist system. The Nationalist Government's role in allocating aid among local manufacturers strengthened its hand in Taiwanese society (New York Times, 21 November, 2002).

During this period of 1970s to 1980s, Taiwan served as a base for the production of cheap electronic products, most of which were exported to the United States. On the cultural front, watching videotapes of American movies became the favorite pastime of Taiwanese factory workers (Chu, 2000). For instance, the series of Rambo movies was very popular among native Taiwanese. However, as a result of the passage of the Revision of the Copyright Law in 1992 under the influence of the U.S. film industry, working-class Taiwanese were compelled to purchase higher-priced theater tickets to watch American movies. Previously, they were able to view these movies through satellite television at a lower price (Dang and Chang, 1993). The 1992 Revision extended copyright protection of text to video and audio products (Lee, 1999). Despite the high price of movie theater tickets (US$ 8.00), the American pop culture conveyed through films became salient in Taiwan. The loss of cultural autonomy by native Taiwanese also became an essential policy issue in the effort to restore the integrity of the cultural sphere (Yen, 2000).

The number of countries having official relations with Taiwan nowadays is low. According to the official statistics disclosed in the *Yearbook of Taiwan*, Taiwan has full diplomatic relations with only 29 countries. Currently, its 29 embassies and three consulates general promote bilateral cooperation (Republic of China, 2000). Most of the industrialized countries, including the United States, Japan and Western European countries, have formally rejected Taipei's claim that the Republic of China (ROC), based in Taiwan, was the only legitimate representative of China. As a result, Taiwan's

membership in the United Nations was withdrawn following the recognition of the People's Republic of China (PRC) as the representative of China in 1971. Despite its international isolation, however, Taiwan's relation with a number of countries is backed by the support of the U.S. government. In April 1979, the U.S. Congress passed the Taiwan Relations Act (TRA) which restored relations between the two countries to nearly an official level. Moreover, it included a defense provision that provided U.S. security guarantees to Taiwan (Copper, 2003,p.51).

The policy analyst should be aware of the United States as a source of potential influence on the making of broadcasting policy in Taiwan because of the special relationship that exists between the two countries. This issue will be extensively discussed in the chapter on external factors, which deals with evidence concerning the protection of cultural autonomy in Taiwan. In the following section, the researcher will present a brief profile of the Taiwanese population, which is composed of three ethnic groups: Mainlanders, Taiwanese and Aborigines, and their economic status in the period of KMT rule.

## Taiwan's Three Ethnic Groups

Taiwan's population is made up of three ethnic or sub-ethnic groups: the Aborigines, the "Taiwanese" Chinese (Fujian and Kakka), and the Mainlander Chinese. Though a minority, the Mainlander Chinese have dominated the political and socio-economic landscape of Taiwan for the four and a half decades since 1949. Most of the Mainlanders live in Taipei, the political and cultural hub of Taiwan, where they maintain a life of affluence thanks to their jobs as high government officials or managers of KMT-owned businesses. The native Taiwanese (i.e., the "Taiwanese" Chinese and the Aborigines) tend to be blue-collar workers or farmers earning relatively low incomes. The distinction between native Taiwanese and Mainlander Chinese will be discussed.

The native Taiwanese are categorized as *pendo jen* or islanders. The origin of native Taiwanese is different from that of the Mainland Chinese. The mainlanders are identified as Han Chinese. The native Taiwanese have mixed the blood of Pingpu or plain aborigines. The mainlander Chinese in Taiwan are called *Han jen* or Han Chinese. They descended from people who settled in the region of the Mountain Hua in China's western mountain range five thousand years ago. Together with the Hsia people, they established

themselves near the Hsia River (the upper course of the Han River, a tributary of the Yangtze River). Both areas are located in the central southern region of Shaanxi Province. The Han Chinese consider themselves to be the people of Chinese Dynasties (Chun, 1999).

The native Taiwanese are descendants of inter-marriages between Fujianese and Pengpu. Due to the forbiddance of Qing Dynasty, the group of Fujianese immigrants arrived at Taiwan by themselves. For many decades Qing policies did impede the settlement of families in Taiwan and skewed the distribution of population by gender, giving rise to a frontier society populated by footloose and frequently unruly single men. Not a few Fujianese men ultimately sought mates among the aborigines (Davison, 2003, p.28). This is reflected in an old Taiwanese adage which states: "there are mainland male ancestors, but no mainland women ancestors." After the inter-marriage of Chinese immigrants and the Pingpu, the major of Pingpu assimilated into the Chinese groups.

During the reign of Emperors Taokuang (1821-1850) and Kuanghsu (1875-1908) in the Qing Dynasty, the majority of the Pingpu were assimilated by the Fujianese. The rest were exiled to the mountains and hills, where they were able to preserve their culture and traditions. Today, finding the waning Pingpu culture becomes an important issue that bears the preservation of Taiwanese identities (Yang, 2000). The following section briefly describes the geographical distribution of the three ethnic groups and their economic status.

The Aborigines

The Aborigines are usually considered to be ethnically distinct from the Chinese. However, they may or may not belong to a single ethnic group, as they are divided into different tribes. It is generally believed that they migrated from Southeast Asia several millennia ago. The languages of the Aborigines resemble Bahasa (the language spoken in Indonesia and Malaysia) in structure and vocabulary (Copper, 2003). The government lists nine major Aboriginal tribes: Atayal, Saisiyat, Bunun, Tsou, Rukai, Paiwan, Puyama, Ami, and Yami. Other tribes can be identified, but all are either small or are being rapidly assimilated. There are currently 240,000 Aborigines out of a population of 23 million, which constitutes one percent of the total. One-third of Taiwan's Aboriginal people belong to the Ami tribe. The smallest of the ten major tribes, the Yami, number less than

4,000. All Aboriginal tribes are less urbanized than the three Chinese groups mentioned above. Except for the Yami tribe, which lives on the Orchid Island off Taiwan's southeast coast, most reside in the central Mountain Range area and on the east coast plains, the least developed areas of the country (Republic of China, 2000).

Most Aboriginal people are identifiable, not only by their physical appearance, which differs from that of the Chinese (their facial features tend to be broader), but also by the tattoos they wear. They tend to migrate to urban areas where they find work as temporary wage earners. Their sources of income are insecure (Chen, 1987).

The Taiwanese

Early Chinese migrants to Taiwan hailed mainly from Fujian and Canton provinces. As noted above, these early arrivals are now collectively referred to as "Taiwanese" (or sometimes "Native Taiwanese") even though they constitute two separate groups. The migrants from Fujian Province came mainly from the area near the city of Amoy and are referred to as Holo or Fujians. Those of the second group are referred to as Hakka and come mostly from Canton, even though they include some members originating from southern Fujian. The migration of both groups was concentrated during specific spans of time; one might say they came in waves. There were likely some Hakkas in Taiwan before the first Fujians arrived, though this is not a certainty and their numbers were certainly small. The Hakkas were a persecuted minority in China, having been driven from their home area in northern China about 1,500 years ago. They became itinerants who took up residence in various parts of China. Some scholars liken them to the Jews in Europe (Copper, 2003).

"Taiwanese" people, i.e. the Fujians and Hakkas, are the farmers of Taiwan. They plant rice, tobacco and fruit in the mountain and plain areas of the island. There were nearly 850,000 hectares of farmland worked by more than 780,000 farming households in Taiwan in 1985. Most of these farming households earned low incomes and had a low social status (Republic of China, 1986). Fujian and Hakka incomes were limited as a result of the government's agricultural policies, which restricted the price of the crops produced by these farmers, such as rice, fruit and tobacco. The KMT government exerted its influence over the farmers' associations, which it controlled. Local credit cooperatives manipulated credit to reward loyal farmers. The end result was to make the prices of

agricultural goods affordable to the KMT's supporters in the urban areas (Chu, 1989). The following section will present the third ethnic group, the Mainlanders, and their economic status in Taiwan.

The Mainlanders

When the Communists defeated the Nationalist armies on the mainland and assumed the political control of China at the end of the Chinese Civil War, a wave of more than 1.5 million Chinese refugees arrived in Taiwan in 1949. Because they hailed from various parts of China, they were known simply as Mainlanders, or *wai sheng jen* (people from outside of the province). Compared to the average Taiwanese, the newcomers came from rather affluent socio-economic backgrounds.

After World War II, the KMT took over all the public and monopolistic enterprises left behind by the Japanese colonial government. Thus, today, the industrial structure of Taiwan differs from that of most capitalist countries in that the proportion of public-owned, semipublic-owned, KMT-owned, and veteran-owned enterprises is very high, accounting for over 30 percent of the gross assets of all enterprises (Chen, 1991). The Taiwanese scholar Wang (2000) explains: "the KMT in Taiwan has imposed regulations on various economic activities and controls the licensing for these activities. The degree of government and party control of productive enterprise, combined with extensive economic regulation, helps the regime control important resources" (p.185). Most of Chiang's followers, who had retreated from China with him, worked for such oligopolistic party-controlled enterprises, dependent on support from the Ministry of Defense (MOD), which assured them stable salaries. As Wang (2000) indicates, "the military has vast resources, including over thirty veteran-owned enterprises, business units, and an enormous budget. In addition, the ability of the KMT military branch to mobilize votes is much greater than that of other party branches, partly because of the discipline and nature of the military" (p. 188).

To conclude this section, the profile of the three ethnic groups that was just drawn indicates that the majority of the population, which is made up of "Taiwanese" and Aborigines, was excluded from the center stage of the socio-economic arena for several decades (Weng and Chen, 2000). These two groups were ignored by the KMT government because their ethnic identity was viewed as a potential threat to the KMT

government in its attempt to challenge Communist China's claims to legitimacy (Chu, 2000). The Mainlander ruling class's control over economic enterprises kept resources out of the hands of the Taiwanese and Aborigines. The KMT's cultural and communication policies legitimized this oppressive structure.

In the next section, the researcher will examine the policy goal of the KMT's culture and communication policy, which was aimed at supporting the KMT's political objectives, by presenting a brief history of broadcast media in Taiwan.

## History of the Broadcast Media

Radio broadcasting became common during the Japanese colonial occupation of Taiwan. The first radio station began operating in 1931, and there were nearly 97,823 receivers by the mid-1940s. This Japanese radio station broadcast mainly administrative orders issued by the Tokyo government. For instance, the Imperialist Army and Taiwanese people heard the address by the Emperor of Japan announcing the termination of the Pacific war in 1945 through a radio broadcast (Chu, 2000).

When the KMT took control of Taiwan, it put all radio stations under the control of Ministry of Defense (MOD). The main concern of the government was to counter the communist propaganda emanating from the PRC. In 1947, the Government Information Office (GIO) implemented the "Project to Combat Communist Radio Propaganda," which effectively established a state-controlled radio broadcast system. The three major national radio networks: Han Broadcasting Corporation, Recovery Radio, and Air Force Radio were put under the direct control of MOD. The state also controlled the Broadcasting Corporation of China (BCC), which operated a number of local radio stations throughout Taiwan (GIO, 2004).

Radio stations have proliferated in the last decade. Before 1993, there were only 33 stations; in 1999, due to the implementation of the liberalization policy, there were 118 stations and more under construction. These new radio stations focus on news, traffic, market reports and financial analysis, music and talk show programs. Broadcasts are in Mandarin Chinese, Taiwanese, and English. Taiwan has private and government-owned broadcasting services and stations. The most well-known government-owned service is the Broadcasting Corporation of China (BCC) (Chang, 1997).

The BCC, which was founded in 1938, is the largest network in Taiwan. The BCC

head office was moved to Taipei in 1949. Its staff of 1,000 employees operates 72 transmitters with a total output of 2,194.25 kw, including 44 medium wave transmitters with a total capacity of 1,558 kw, 3 medium-short wave dual-purpose transmitters with 57 kw, and 25 short-wave transmitters with 579.25 kw. The BCC has established FM stations in Taipei, Taichung, Kaoshiung and Hualien. The other radio stations, such as Cheng Sheng Broadcasting Corporation, Feng Ming Radio Network, etc., are operated on a commercial basis (Lee, 1973).

Television broadcasting began in 1962 with the launching of the National Educational Television (NETV) station, operated and regulated by the Ministry of Education (MOE). Taiwan Television Enterprise (TTV) followed that same year, and, in 1969, China Television Company (CTC), a KMT-affiliated broadcaster made its appearance. Owing to financial difficulties, NETV was reorganized in 1970 and started rebroadcasting on Oct. 10, 1971 as the China Television System (CTS), now mainly owned by MOD (Lee, 1973).

The types of programs broadcast on the three state-owned stations include “news reporting,” “culture and education”, “entertainment” and “public service.” The total broadcast time on a single station is 77 hours per week. The daily program begins at 12:00 PM and ends at 11:00 PM. The greatest amount of airtime is allocated to “entertainment” (56 hours) and the least amount to “culture and education” (4 hours). The available evidence indicates that state-owned television provides mostly entertainment programs broadcast 8 hours every week, instead of public education programs (Lee, 1973). The genres of entertainment programs include Chinese opera, historical drama and American entertainment programs.

The major sources of Taiwan’s television content in the 1960s were imported or co-produced television programs. For instance, one of the first television stations in the country, TTV, which operated as an educational medium, broadcast mostly programs supplied by the American government. One of its programs entitled “ Letter from the White House” was a news magazine provided by the U.S. Department of State. It provided information dealing with technological innovations and new developments in scientific knowledge in the United States. Another program bearing the title of “The Modern Village” was the product of the Joint Commission on Rural Reconstruction

(JCRR), a cooperative endeavor started in 1953 by Taiwanese and American agricultural officials to help implement a plan for rural development. Its production team consulted with an American agricultural expert in order to produce a program that would not only entertain, but also inform farmers about modern agricultural techniques and the use of fertilizers. Besides these American programs, there were Japanese professional wrestling programs, which were quite popular among Taiwanese. The programming manager of TTV bought these wrestling match programs from Japan and post-produced them with Chinese subtitles for TTV in order to raise TTV's profits (Shen, 1995). In short, due to the shortage of production professionals, the earliest stage of television production in Taiwan depended on American and Japanese television programs.

In 1972, following Taiwan's withdrawal from the United Nations, the regulation of broadcast media became stricter. The state took direct control of policy for educational broadcast media. The Government Information Office (GIO) replaced the Ministry of Education, which turned the educational media into governmental media (Winckler, 1994). For instance, a former general manager, Shen (1995), reveals that television entertainment programs were suspended for one month during Chiang Kai-sek's funeral in 1975. The program was broadcast in black and white as a symbol of national mourning. For the sake of enhancing national integrity, furthermore, military marching songs became the major television content on the three state-controlled television stations (ibid, p.190). Hence, the imported program decreased sharply from 1972 on. According to Straubhaar's survey (2001), the U.S.-produced programming in the total broadcast day of Taiwan has been reduced from 21 % in 1972 to 9 % in 1982 (ibid, p.147).

The following section will be devoted to a discussion of the KMT's cultural and communication policies aimed at controlling the cultural sphere, and the cultural institutions that are charged with its implementation. The challenges to the KMT's cultural authority originating from technological developments in the broadcast industry and the rise of civil society groups will treated in a later section.

### The Goal of the Nationalist Government's Culture and Communication Policy

In 1949, the defeated Nationalist Party (KMT) government of the Republic of China abandoned its capital in Nanjing and moved to Taiwan. This was followed by an influx of immigrants which did not abate until the early 1950s. Estimates of the total number of

immigrants from mainland China to Taiwan vary from one million to two million due to lack of reliable censuses and household registration records during the earliest part of the period. However, as the Taiwanese scholar, Sun (1994), pertinently observes, the exact number of immigrants is perhaps not so important for the purpose of analysis. What is important is that this was not a group of average people. Rather, they were a select group, highly educated and well experienced, and they provided a basis for the development of human resources, which compared favorably to any of the other underdeveloped economies of the time (p.92). They played the role of pioneers in the post-war development of Taiwan.

Generally speaking, the KMT government's cultural and communication policy in Taiwan was aimed at demonstrating that the Nationalist Government remained the sole legitimate government of China in spite of its overthrow by the Communist forces of Mao tse-tung in 1949 and its retreat to the Island. From 1949 until the late 1980s, its education and broadcasting policies were geared toward promoting a Chinese identity and obtaining the acquiescence of the "Taiwanese" and Aborigines to the leadership of the military government, while enforcing its social discrimination against them. By mandating the "Standard Curriculum for Primary and Junior High Schools," Taiwan's KMT government tried to enforce a Chinese identity. For instance, the Standard Curriculum for Junior High Schools of 1982 allocated 36 hours to the study of Mandarin and less than 10 hours to English. The expectation was that learning Mandarin would reinforce the legitimacy of the KMT, the ruling party. As Taiwan scholar Ku (2000) puts it,

> Finally, Chinese Mandarin has replaced the Japanese language at the core elementary education. Although Taiwanese people are used to speaking the Fukien dialect, which is one of China's local languages, this situation was not respected by the KMT. As with the Japanese colonial government, state power was applied to repress the Fukien dialect, whose use was prohibited in learning and in formal settings. Mandarin was regarded as a weapon to foster the national identity of the audience, to shape their minds as Chinese, not Taiwanese, and to make them pursue the highest national policy of the KMT: defeating the communist rebellion and reinstating KMT power over all of China (p.178).

Not surprisingly, no time was devoted in primary school to either the Taiwanese

language or the languages of the Aborigines. Schooling served as an ideology-producing machine for General Chiang Kai-sek's government. The Standard Curriculum of 1968 quotes him saying that " the purpose of primary school education is to teach pupils to be Chinese" (Wu and Huang, 1994). The clear intent of the Mandarin language policy was to promote a Chinese identity and to make it prevail among the Taiwanese majority.

This policy, however, was bound to create conflict between native Taiwanese and Mainlanders. The government placed great importance on promoting the official language, Mandarin, and discouraging the Taiwanese dialect. Teachers punished children who spoke Taiwanese at school by fining them or forcing them to wear humiliating placards. According to Rigger (1999), " the regime promoted the view that Taiwanese was a second-rate dialect, primitive, ugly and low class. The campaign to promote Mandarin succeeded, but the effort to wipe out Taiwanese failed; what the regime created was a bilingual nation in which more than three quarters of the population speaks both Mandarin and native Taiwanese languages" (pp.72-73). Ironically, since 1988, when Lee Teng Huie, a native Taiwanese, became President of Taiwan, it is the popular version of Mandarin, a mixed language called Taiwanese Mandarin or Aboriginal Mandarin that now sustains the new Taiwanese identity. President Lee spoke Taiwanese Mandarin when he addressed the Taiwanese people over broadcast media, and he was such a popular politician that this gave the language the status of a cultural symbol of Taiwan.

It was not only the Mandarin language that the government tried to inculcate in Taiwanese students, but also the Chinese Confucian philosophy. Chinese language education actually combined Mandarin and Chinese philosophy. In elementary school social science textbooks, for instance, the greatest emphasis was placed on group and overall societal achievement rather than on individual achievement. Wilson (1970) elaborates further on this point: "this concept is widespread in education and finds expression in Chiang's statement that all virtues are based on loyalty and filial piety. To fulfill the principle of complete loyalty to the state and of filial piety toward the nation; to be altruistic and not seek personal advantage; to place the interests of the state ahead of those of the family; such is the highest standard of loyalty and filial piety" (p.45). Encouraging student conformity may also have contributed to instilling discipline among the Taiwanese and Aborigines. The next section will discuss the cultural institutions that

the KMT set up to implement its broadcasting policy over 40 years. Such institutions were meant to control the broadcast media as well as the nation's cultural sphere.

## Regulating the Cultural Sphere by Controlling Broadcast Media

Taiwanese people are free, to some extent, to perform in television dramas. However, one has to be a Mainlander to pursue a career in the business. Television production is subject to party control. The KMT's Cultural Affairs Department (CAD) and the Ministry of Defense are in charge of broadcasting policy. The two agencies intervene in the assignment of general managers of television stations and allocate spectrum. They also rely on a training system for broadcasting professionals that is congruent with their goal of using broadcast media to control the cultural sphere.

### The Training of Broadcasting Professionals

According to Wu (1986), "professional television workers tend to be pro-KMT. They are recruited from community colleges (35%), universities (31%) and graduate schools (4%), and most of them belong to the social group of Mainlanders. Even some of television actors hold Bachelor's Degrees" (p.217). Shen Ju Zoo (1995), a former TTV General Manager, reports that the GMs of three state-owned TV stations were appointed by the KMT's Cultural Affairs Department (CAD), which oversees professional training.

Generally speaking, it can be said that television professionals were recruited by the KMT government. Control also was exercised by the appointment of general managers. In the area of television drama production, there was only a limited freedom in the creation of entertainment programs. Employing a training system for production professionals operated by three state television stations, the KMT government managed for decades to instill in its trainees an ideology based on the promotion of a Chinese identity (China Television System, 1976). For instance, in 1973 CTS (China Television System) established the Training Center for Television Production (TCTP) to train television producers, actors, and broadcasting engineers who were then qualified to apply for positions at CTS (CTS, 1976). Similarly, TTV tended to train singers and performers for the purpose of national development. TTV's programs generally concentrated on rural development in Taiwan. Singers or actors contracted by TTV were assigned to perform programs relevant to the goals of national development. A former TTV general manager, Ho (2002), reports that "159 television professionals signed contracts with TTV in 1969.

They included Chinese opera actors, nationalism-praising singers, and rural drama players" (p.89). There were thus plenty of performers and producers trained by television stations that helped to articulate the KMT's cultural policies throughout broadcast media.

Radio announcers and playwrights were trained by the production house operated by the Broadcasting Cooperation of China (BCC). Most of them belonged to the Mainlander group due to their fluency in Mandarin (Wu, 1986). The BCC broadcast mostly government propaganda and anti-communist drama.

Institutional Configuration

Control over broadcast media is under the authority of the CAD and the Ministry of Defense. Before democratic reforms were implemented, government regulation of broadcast media in Taiwan involved two domains: content control and the allocation of radio magnetic spectrum.

Policies involving the censorship of program content were the domain of the Cultural Affairs Department (CAD), the Taiwan Garrison Command (TGC), and the Government Information Office (GIO), all arms of the KMT. First, the CAD established programming policies and selected general managers for three television stations. Manager selection was based on party affiliation rather than professional competence. The TGC, an organ of the Ministry of Defense, reviewed programming policies (Weng and Chen, 2000). Under Martial Law, it was primarily the TGC that suppressed the mass media content from 1949 to 1987. It did so without consulting the judiciary (Chen, 1998). The GIO, the administrative agency in charge of regulating the broadcast media, implemented the policies mandated by the KMT. One of the salient policies was the reduction of the amount of time allotted to Taiwanese or Aboriginal language programming on TV and radio. According to Chen (1998), "As the ruling party, the Nationalist (KMT) government controlled three domestic television stations: the Taiwan Television Company (TTV), China Television Cooperation (CTV) and China Television System (CTS). All these television stations were mandated to broadcast in Mandarin"(p.123).

Government regulation of the electronic spectrum is the domain of the Broadcasting Corporation of China (BCC), which is under the control of the Ministry of Defense (MOD). During the Cold War era, the radio spectrum was considered to be an instrument

for international propaganda. Western governments used it to spread a message of liberation to the people trapped behind the Iron Curtain (Cheng, 1999; Wu, 1986). To counter the propaganda emanating from Communist China, decision-making authority concerning the allocation of the wireless spectrum in Taiwan was held by MOD. Today the MOD controls most of the radio stations in the country, which include the Armed Forces Radio Network, Air Force Broadcasting Stations, Police Broadcasting Stations and the Fu Hsing Radio Network. Also, two divisions of BCC, the overseas service known as the Voice of Free China and the Mainland service known as Central Broadcasting Station (CBS), are under the control of MOD.

It is evident that the KMT government dominated the cultural sphere in Taiwan until the late 1980s through its control of the broadcast media. Its regulation of the cultural sphere was intended to promote a Chinese identity and to establish the legitimacy of the KMT government (Winckler, 1994). However, this cultural hegemony imposed over broadcast media was ended by new development of broadcasting technology and the rise of civil society groups (CSGs).

## Broadcasting Policy Reforms

Technological innovations and the rise of a democratic reform movement pressured the Taiwan government into launching a series of political and social reforms in the late 1980s. These reforms resulted in a liberalized cultural and communication policy (see Appendix B). The influence of internal and external factors originating from the non-state sector needs to be identified and its implications for the broadcasting policy process drawn out. The following section will explore the role of civil society groups and cable broadcasting in influencing broadcasting policy in Taiwan.

### Civil Society and the Reforms of Broadcasting Policy

The broadcasting reforms launched by civil society groups constitute one of the salient social movements to occur in Taiwan over the past two decades (Lin, 2003). This section presents the development of the media reform movement in Taiwan that was initiated by professional television producers and academic scholars.

When the social reform movement began in the early 1980s, the three state television stations were ordered to provide an unfavorable portrayal of the social protesters and environmental and human rights activists by presenting them as unruly

mobs. However, thanks to the prevalence of portable video recorders (V8) in Taiwan, independent video producers were able to document events and present an alternative view, thereby becoming the first group to lead the media reform movement by challenging the KMT's broadcasting control policy (People, 1987).

Toward the middle of the 1980s, a group of independent television producers initiated reforms promoting activities aimed at putting an end to the KMT monopoly on the three television stations. They presented an alternative reality in their videotapes. The media reform during this initial phase could be viewed as a cultural empowerment movement. Media professionals, employing portable video machines, recorded the scenes of social protests, including social confrontations for the promotion of environmental and human rights.

The second phase of the movement, which could be called the Establishment of Public Television (EPT) movement, was a middle-class oriented social movement that was organized by a group of university professors, who then succeeded in forming an alliance with social reform groups such as the independent journalists' union and educational reform groups who sought to reduce the urban-rural educational resource gap. The journalists' union is the main institution that provides training to Aboriginal media professionals in Taiwan. The middle class oriented media reform groups contribute to raising the awareness of the Taiwanese people by challenging KMT dominance over cultural and communication resources as mentioned in an earlier section (Wang, 2000).

The Media Reform Society (MRS) represents the third generation of Taiwanese TV reform movements. According to its website (http:// www.tvmedia.org/), the purpose of the MRS is to promote the idea of public ownership of communication resources. In order to resist the commercialization of the broadcasting infrastructure in Taiwan, the members of MRS advocate public interest and challenge the prevailing interest in economic deregulation (Lin, 2003). The core members of the association are Taiwanese policy scholars and university students majoring in communication.

In the next chapter, the researcher will discuss the relationship between the state's attempts at rebuilding the cultural sphere with a changed attitude toward civil society, and Taiwanese civil society's efforts to achieve more ethnically representative form and content in cultural production. In the following section, the author will review the

development of private broadcasting, which resulted from the loosening of state regulation of the television industry.

Broadcasting Technology and the Breaking of State Monopoly over Television

Two new major cable/satellite relay systems, United Media and Eastern Media Group (EMG), have been introduced on the island since the early 1990s, when the State acknowledged this new development in television technology. Passage of the Cable Broadcasting Law (CBL) by the Legislative Yuan in 1993 created a new environment for television. In 2004, about 60 television channels broadcast domestic and foreign television content through the satellite/cable relay system, which complicates the regulation of the cultural sphere once dominated by the authoritarian KMT regime. The ways in which the government dealt with the influence of foreign television content on domestic cultural production, will be one of the major concerns in Chapter Six. In this section, the author briefly presents the development of private broadcasting in Taiwan.

The private television industry in Taiwan is comprised of two major television program production blocs, domestic satellite broadcasters and terrestrial broadcasters. The private satellite broadcasters, which are the major broadcasters in Taiwan, distribute their foreign television content to homes through the affiliated cable/satellite relay system. The GIO has also mandated that three terrestrial television stations be capable of broadcasting digital television by the year 2006. The terrestrial television stations will remain major content providers in the era of digital communication.

## Conclusion

The main elements of Taiwan's broadcasting policy from 1949 to 1989 can be summarized as follows. First of all, to establish the legitimacy of the regime, the KMT government implemented a broadcasting policy emphasizing on media control. In this highly regulated cultural sphere, the training of producers and announcers by the state-owned television companies was geared toward creating a Chinese identity. The amount of time allocated to programs that reflected the cultural identity of Taiwanese and Aborigines was reduced by the Wireless Broadcasting Law (WBL), which excluded local dialect programs from the airwaves. This type of policy, as shown by Kitely in his study of Indonesian television policy (Kitely, 2000), is characteristic of authoritarian regimes dominated by single parties. In the case of Taiwan, two major ethnic groups, the

Taiwanese and the Aborigines, constitute 84% of population, and yet both were excluded from accessing the cultural and communication resources of the country. The KMT's cultural authority controlled the appointment of general managers of all three state-owned televisions. The CAD and MOD were major regulatory bodies in the period of Chiang's military control.

Recently, however, the broadcasting policies of most states have changed course and many are now attempting to rebuild native and regional identities (Morley, 1998). In the case of Taiwan, Taiwanese and Aborigines identities are being restored.

Taiwan's international situation is characterized by its unique relationship to the United States, which must be viewed against a Cold War background. From this perspective, the concern the KMT in regulating the broadcast media was to maintain a stable social and political environment in order to produce cheap export commodities. At the same time, the door to American cultural penetration was opened. The KMT government ignored the American entertainment content broadcast through the CATV during the 1980s. The cultural dependency of the Taiwanese has its origins in the American movie content viewed by the workers in Taiwan.

Occasionally, civil society groups in authoritarian countries have become reformers, participating actively in the state broadcasting policy process (Kitley, 2000; Kraidy, 1998). Satellite television channels began to broadcast foreign television programs through Direct Broadcasting Satellite (DBS) to third world countries in the early 1990s. The spillover of satellite television signals forced some Asian countries to adjust their broadcasting policies to allow foreign audio-video content into domestic TV markets (Chan, 1997). These two factors, the challenge of civil society and the influence exerted by foreign television channels, have been the main forces in the restructuring of the broadcasting industry in recently-democratic Taiwan. In other words, the rise of civil society and the development of broadcasting technology have transformed the environment in which the broadcasting industry operated in Taiwan in the late 1980s. The following two chapters will explore extensively the relevant findings concerning the influence of these two factors on the nation's cultural sphere.

To date, few comprehensive analyses of Taiwanese broadcasting policy have been undertaken to explore the imbalance of foreign and domestic television content or how to

enhance the development of domestic television production. This study provides much needed insight into the complexities of broadcasting production and the policy process in Taiwan. In the next chapter, the researcher will discuss the relationship between the development of the cultural sphere and the participation of civil society groups in the broadcasting policy process. Also, an analysis of the programming policies of regional and national public television has been conducted in order to understand the development of the cultural sphere. It sheds some light on the role of civil society groups in promoting domestic television production. Policy issues concerning the management of broadcasting technology and the imbalance of foreign and local television content will be addressed in Chapter Six.

# CHAPTER FIVE
# CIVIL SOCIETY GROUPS AND THE REFORM OF BROADCASTING POLICY

## Introduction

*On April 6, 1988, a group of farmers from Chia-I and Yu-lin counties, both located in south-central Taiwan, gathered before the main building of TTV to protest a news report portraying a popular commissioner as an illiterate political joker. The protesters threw eggs at the building and displayed posters stating "No to discrimination against southerners!" The police dispersed the crowd and detained some of the protesters. Ironically, the commissioner portrayed in TTV's news was a German educated Ph D.* (United Daily News, 7 April 1988).

Historically, developing countries have used the broadcast media to strengthen national unity and promote socio-economic progress, and broadcasting in these countries has generally been the domain of government. The role of broadcast media in fostering national cohesion was especially significant in countries recovering from conflict in the post World War II period (Kitley, 2000; Lerner, 1958). Taiwan's experience has been different from that of other developing countries. Community Antenna Television (CATV) flourished there to such an extent that, by the late 1980s, more than 100 CATV systems operated in complete anarchy. The military government, however, soon shut down all CATV systems in order to reassert the state's cultural authority and affirm the regime's legitimacy (Lin, 2003; Dai, 2000). Not until the rise of opposition political parties, which put up a challenge to the KMT regime, were civil society groups able become important actors in redrawing the regulatory scheme of broadcast media.

This chapter examines the role played by civil society groups in reforming broadcasting policies and enhancing domestic television program production. First, it reviews the reform process activated by the New Social Movement (NSM), which was organized to protest against repression and to challenge the hegemony of the ruling party (Castells, 1997). Second, it examines the provisions of the Public Television Law (PTL) and the Cable Broadcasting Law (CBL), which are the result of the state's establishment

of a national public television and a regional television system in 1997 at the urging of civil society groups. The elements of programming policy are further articulated by surveying how local cultural institutions and professional television producers were included in television production. In 2004, a full-scale Public Television Group (PTVG) was established thanks to the efforts of academic scholars. Third, the role of PTVG, as the new agent of the state, in coordinating the activities of television professionals and overseeing domestic television production is investigated.

The relationship between the state and civil society groups provides the organizing framework for this chapter. It is divided into three sections corresponding to three successive stages: an adversarial stage, an adjustment stage, and a co-existence stage. In the first section, the researcher reviews the relationship between policy reforms and civil society groups, emphasizing the role of CSGs in launching broadcasting policy reforms. In the second section, for the sake of deliberating the consequence of policy reforms dealing with the construction of a Taiwanese identity, the role of the independent producer in local TV and public televisions is investigated. In the analysis of this section, focus is on the provisions of the CBL and PTL that regulate the new television production system. The final section discusses the role of the new public television group (PTVG) in coordinating the activities of television professionals within the Taiwanese cultural sphere. This section emphasizes the policy arguments made by State officials, communication scholars and media reformers to create a television system with central-regional linkage.

The chapter argues that the constitution of the Taiwanese cultural sphere marks a rearrangement of the relationship between the state and civil society groups (CSGs) in Taiwan. The reform of broadcasting policies began at the urging of groups involved in a social movement seeking to intervene in the sphere of public broadcast media, which had been the preserve of the KMT's cultural authority until then. In the first stage of this movement to constitute a Taiwanese-centered cultural sphere, the relationship between state and civil society groups was an adversarial one, and the nature of the Taiwanese cultural sphere was close to that of a bourgeois public sphere. The granting of the reforms produced a more moderate relationship during the second stage. The new television system resulting from the policy reforms acknowledged regional identity for the first time.

The third stage, that of co-existence between the state and civil society groups, was reached when President Chen's administration announced the establishment of the Public Television Group in 2004. It enabled the development of a Taiwanese cultural sphere composed of ethnic television channels.

It should be noted that the data reported in this chapter were collected during the field study the researcher conducted in Taipei from April through July of 2004. The research evidence is comprised of two major types of material: policy documents and personal interviews. The documents analyzed include broadcasting laws, academic journals, news clippings and government ordinances. The records of respondents' interviews contain the notes of informants from the government, academic and the television production sectors.

## Civil Society and Reforms of Broadcasting Policy in Taiwan

The KMT's broadcasting regulatory system was constituted by a triangular structure comprising the Ministry of Defense (MOD), the Party's Cultural Affairs Department (CAD) and State-owned television stations. By this arrangement the KMT regime controlled major elements of Taiwan's cultural sphere. The explanation of the demise of this regulatory system will begin with a discussion of the cultural empowerment movement's efforts to reform broadcasting policies. Thanks to the democratic political reforms initiated during the mid-1980s in Taiwan, Taiwanese people began to voice their discontent about the KMT's manipulation of the news media (Dung, 1992). An adversarial relationship between the KMT's regulatory bodies and civil society organizations attempting to liberate the cultural sphere developed during this period.

The ruling KMT party did not allow the Taiwanese to participate in legislative elections until 1980. The legislative avenue to reform was thus closed to the Taiwanese. Also, MOD denied any applications for new television or radio stations proposed by members of the legislature belonging to minority parties on grounds of national security. For thirty years, KMT appointed and controlled general managers of television stations broadcast program content conveying a Chinese identity for all of Taiwan, especially after the country was forced to withdraw from the membership of the United Nations in 1971 (Chu, 2000; Shen, 1995). The ultimate goal was to cultivate a military nationalism among the Taiwanese and to achieve social integration.

As one of the so-called "Four Dragons" of East Asia, Taiwan, along with South Korea, Hong Kong, and Singapore, experienced great economic growth in the 1980s. Its wealthy middle class began to voice its criticism of KMT's monopolistic policies that maintained a monopoly over the media. Lacking representatives in the legislature, the Taiwanese people resorted to a social movement strategy and sought reforms of the policies regulating broadcasting and the production of programs**.**

The Cultural Empowerment Movement

The reform of broadcasting policies began with a group of independent video producers making video recordings of scenes of social protests. These videotapes were widely disseminated through community antenna television (CATV). This cultural empowerment movement, started by independent video producers and CATV, succeeded in carving an autonomous video space for itself and challenging the KMT's monopoly on information (People, 1987; Liao, 1994).

The leading production house among the television production teams was Green Action, whose prominent members were Chiang Kuanming, Lee Sanchung, and Fu dao. Taiwan's independent video production activity led by Green Action is considered to be the first act by a civil society group pushing for the reform of broadcasting policies (Weng, 1993; Feng, 1999). The independent video activities occurred in 1986, when the KMT government mobilized the three state-owned television stations to misrepresent an event that occurred at Taipei International Airport. KMT intelligence officers had tried to arrest dissidents entering the country without official permission. The welcoming party held in the parking lot of the airport by their supporters was portrayed as a disorderly gathering. This manipulation of the news was, however, contradicted by the independent producers' version of the event (Chiang, 2001). The KMT's manipulation of the news provoked criticism by prominent members of the middle-class who issued calls for the reform of broadcast media. After Martial Law was lifted in 1987, other social forces, including groups fighting for the protection of the environment and human rights, added their voices, further paving the way for the independent video workers to shoot a variety of scenes offering an alternative viewpoint to the one presented by state-owned television stations (Liao, 1994). The post-Martial Law period can be viewed as the time of the advent of independent video production.

According to one informant, an independent producer, “Some policy scholars consider the independent video production activities of the late 1980s as a veto imposed on the state-controlled television stations. For four decades, the broadcast media had been turned into a means of social control relying on biased news production. The native Taiwanese right to access media was denied by the state-controlled television stations. I think the independent video activities conveyed a new reality to the people. The voice of the people should be heard” (Personal interview of an independent producer, 23 May 2004).

Until 1991, only local elections were allowed in Taiwan. Setting its goal as the recovery of China and using it to justify its authoritarian rule over Taiwan, the KMT regime maintained the same legislators who sat in the Legislative Yuan in Nanjing before the Nationalist Government was driven out of mainland China by the Communists in 1949 (Su, 1993). In the 1970s, the Taiwanese were granted the right to elect a partial membership of the Legislative Yuan—the only members to be elected by popular vote. In October 1986, however, the KMT’s Central Standing Committee (CSC) proposed lifting the Emergency Decree and the ban on new political parties, thereby signaling the takeoff of democracy in Taiwan (The Republic of China, 2000). A political watershed was crossed in 1989 when the Legislative Yuan passed, on third reading, the amendments to the Election and Recall law and the Law on the Voluntary Retirement of Senior Parliamentarians. This action paved the way for the popular election of most of the members of the Legislature and set Taiwan on the road to democracy. The first major electoral contest to fill the seats of the Legislative Yuan took place in 1991. The period following the lifting of the Emergency Decree and leading to the electoral campaign for the legislature was marked by anti-KMT demonstrations at both state and local levels (Liao, 1994).

Beginning in 1986, a series of political reforms were granted under pressure from the middle-class. They inspired independent video producers to engage in social protest by providing information countering that offered by government-controlled television stations, thus challenging the KMT’s monopoly over broadcast media (The South, 1987). The protests, not only provided independent producers with topics to record, but also created a space for them to circulate their video products. According to a survey

conducted by the independent Taiwanese journalist, Kwang (1987), some 500,000 videotapes were circulated at various political rallies held to support in favor of environmental protection, human rights and freedom of speech. More importantly, such "people festivals" made it possible for independent TV production people from different fields of social reform to connect with each other and to share their experience (Kwang, 1987).

The independent video producers succeeded in transforming their activities into a media reform movement by finding ways to overcome their lack of access to KMT-controlled production facilities. For example, the studios of rural wedding photography and video production companies provided them with video- and sound-editing equipment. It is customary in rural Taiwan for couples to hire professional video producers to record their wedding ceremonies. This service sector became a booming industry in the 1980s, when Taiwan's economy experienced high growth rates. Some local community antenna companies (CATV) also made their facilities available for the production of programs of local news and folk songs. The news bulletins were issued in the Taiwanese dialect and dealt mainly with local affairs. According to Lin Fuyueh, a communication scholar, the independent video production activities undertaken by amateur television producers in the late 1980s amounted to cultural empowerment, which made people aware of the unfair treatment inflicted on them by the KMT regime. In his words, "In the past thirty years, the voice of the people had been controlled by the KMT's strict broadcasting policy. Not only did the independent video movement record what was really happening, it also represented the power of the people confronting the KMT government's disregard of local identities. To enhance democracy, people should be allowed to communicate their thoughts and opinions without any political censorship" (Personal interview of Lin Fuyueh, 25 May 2004)

Independent television production teams paid much attention to campaigns to promote Taiwanese culture and identity launched by the operators of the community antenna television system in Taipei. Cultural empowerment activities became an island-wide movement in the late 1980s. Some of the CATVs supporting Taiwanese culture had also made efforts to increase their audience's awareness of its Taiwanese identity by carrying programs dealing with local culture, such as folk arts, Taiwanese opera and rural

scenery (Weng, 1993). Those CATVs supporting Taiwanese culture were affiliated with the Democratic Progressive Party (DPP). Independent video producers, however, did not consider themselves as members of the DPP despite maintaining a close relationship with the party (Feng, 1995). This is confirmed by Wang (1987), a TV producer: "The DPP did recommend me and help me win my election to the legislature [in 1989], but, I have to make this revelation: I am not a DPP member at all" (cited in Kwang, 1987, p.50). In fact, it was the civil society groups promoting Taiwanese identity and cultural empowerment that had taken the initiative to reform the broadcasting policies of Taiwan rather than the political parties.

As Feng Chiansan, a broadcasting policy scholar observed, "It is a misconception to consider the anti-KMT political parties as the main force in promoting broadcasting policy reforms in Taiwan. For instance, the legislation dealing with private broadcasters was considered to be the result of a political compromise on the part of the KMT, brought about by pressure from DPP members of the legislature. In fact, the confrontational debates that took place during the public hearings that were held were part of an agreed upon political scenario rehearsed by both the DPP and the KMT. The real force responsible for the policy reforms was the independent video producer" (Personal interview of Feng Chiansan, 23 June 2004).

The political empowerment movement was more about laying the groundwork for the reform of broadcasting policies than undertaking a political struggle (Liao, 1994). The independent television producers' attempt to loosen the grip of the state over broadcast media by creating a space for their own audio and video productions was backed by community antenna operators who also defied the KMT's control. However, the cultural empowerment movement's strength began to decrease due to a circulation problem that appeared at a later stage. First, the piracy problem had driven the production houses to produce videotapes without earning any profit (Chiang, 1988). Second, the autonomous video space that had been created lost its power when the state began to reform its broadcasting policies. The Taiwanese media policy analyst Hon (1993) indicates that the fervor of the independent videotape movement had cooled by 1992. The cultural empowerment movement that had been reduced to isolated events since Green Action was not allowed to make its products available to the public. In other words, despite

successfully circulating these videotapes amid Taiwanese people, Green Action and its collaborators did not earn sufficient financial support.

An independent producer, recalls: “Because of the financial problem, a new video workshop—Taiwan Culture— led by Cheng Wentang was set up to cooperate with Green Action in order to film social events in the late 1980s. More importantly, Taiwan Culture employs the long-term strategy to produce documentary programs about Taiwanese culture, environmental and aboriginal issues, which avoids relying on the sale of videotapes to social protesters. Also, the formal documentary video series can be protected by copyright and sold through the legal distribution system. If we did not get any donations from the public, the independent video activities would terminate soon, despite our joining a new workshop” (Personal interview of independent producer, 30 May 2004).

The draft of the cable television law of 1992 sought to institutionalize local program production in the Taiwanese broadcasting industry. The policy concept of regional media is, to some extent, similar in aim to cultural empowerment (Feng, 1999). For instance, the Taipei based CATV “unlawfully” broadcast the local cultural programs produced by an independent video workshop, as was mentioned earlier. Feng observed that “ in terms of the policy reforms, the concept of a local media system has been assumed in the provisions of the Cable Broadcasting Act. The amendments regarding the role of local government in cultural activities can be considered as progressive legislation because the independent video movement now includes the local cultural production in the system of broadcast media” (p.207).

In a later section, the researcher will explore the relationship between media localism and the relevant mandates in the Cable Broadcasting Law (CBL) of 1993, which is the foundation of the regional television system of Taiwan. In the next section, the discussion of the relationship between civil society group and the development of policy reforms in Taiwan will be discussed.

The Social Movement in Support of Public Television

In the second phase of policy reform, the site of the political struggle was moved to the legislature. In 1996, a civic association was formed by a group of social reformers to protect Public Television (PTV) from political interference by the KMT. In 1997, the

KMT government decided to abolish PTV because it could not control the appointment of PTV's Commissioner. The KMT's decision drove the intellectual community to launch a movement to get PTV re-established.

In Taiwan, one of the important outcomes of the numerous attempts to change the media environment has been the establishment of the Broadcasting Development Fund (BDF) for Chinese Public Television. Before 1997, public television was just a television production house supported by BDF funds that produced television programs for the government, which were broadcast on the three state-owned television stations. Feng, observed that "The BDF originated in an attempt to deal with the complicated situation of the mid 1970s. At the international level, South Vietnam was conquered by the Communists; at the national level, the death of Chiang Kai-sek caused social tension on the island. To maintain social stability, the BDF was mandated to produce public television programs that spread anti-Communist ideas. These programs were broadcast on state-owned television stations at 9:00 PM, when most Taiwanese families were watching television" (Feng, 1998, p.144).

The policy goal in establishing PTV was, initially, to serve as a government-owned educational medium for the citizenry. As James Soong, a former director of the GIO, stated, "the purpose of public television is to cultivate a high cultural taste in the audience. The programs of PTV should upgrade the cultural taste of Taiwanese people in order to strengthen the people's will at a time when our country is facing a crisis of national security. Moreover, educational content in public television should take precedence over the presentation of local cultural content" (Hua, 1997, p. 31). In 1991, members of the Public Television Commission (PTC) were selected by the GIO. Wang Hsiaohsian, the former representative to Singapore, was appointed Secretary General of the Commission, and a draft Public Television Law was submitted to the Executive Yuan (Taiwan's cabinet) (Weng, 1993).

The idea of public television was proposed in 1980 by the former Premier, Sun Yuan-Hsuan, as a mean of producing and distributing programs of educational and social value (Hsu, 1997, p7). In 1982, the Minister of Education and the director of the GIO were invited by the Executive Yuan to discuss the basic framework for a public television project. At first, it was proposed that the three state-owned television stations would

provide a half hour of public television programming during the day and again at night as a first step on the way to a full scale public television operation. The first public television program was broadcast on May 20, 1984. The title of the first PTV program was "Learning the Chinese Character." The KMT government considered the public television to be both governmental news and public educational services (Feng, 1999). KMT expected to extend its control over this cultural institution if it could manipulate the new television professionals. According to Feng, " the KMT government seeks to set up the Public Television station in order to achieve the following purposes. 1) maintaining its monopoly over broadcast media; 2) keeping the broadcasting structure under KMT control but deriving commercial benefits from it; and 3) tempting the television producers into joining the pro-KMT camp. The final factor is the most important of all" (Feng, 1999).

The number of professional television producers increased in the 1980s thanks to the booming economy and the increased availability of education in broadcasting. The KMT was able to recruit television producers that could assist it in controlling the cultural sphere by offering them a chance to have access to state-owned television production facilities. The co-opting process of exchanging political benefits between the KMT and television producers could be described as "media elitism" (Personal interview of Feng, 23 June, 2004). As Feng indicated, "If there were a public television station with non-commercial programs and enjoying a good cultural reputation, the KMT government was looking forward to controlling it. The point is that such a new cultural institution might become the extension of KMT elitism, which would further prevent the Taiwanese and aborigines from participating in cultural production" (Personal interview of Feng, 23 June 2004).

The conflict between the intellectual community and the KMT government was caused by the KMT's decision to abolish PTV when it lost control over the appointment of the PTV Commissioner. In April 1997, the Central Policy Committee (CPC) of the KMT formally abolished PTV and auctioned off its facilities to private broadcasters. Public pressure began to mount to have the Commissioner appointed by the Legislative Yuan rather than by the Executive Yuan as the government insisted. In its early stages, PTV had neither its own stations nor a budget. This allowed the government to exercise

an enormous amount of influence through its control of the purse. For instance, in the1989 fiscal year, the public television budget was 210.9 million NT dollars, 84.44% of which came from the government, 12.9% from the BDF, and the rest from various sources of revenues or donations (Shin, 1997, p.86). Such financial arrangements made it very clear that PTV was just another form of governmental television, networking with the KMT government and centers of administrative power as would a state-controlled television station.

Realizing that the government held veto power over legislation and might exercise it to make its decision final, a number of academic scholars, the journalists' union and civil rights groups organized the Public Media Association (PMA) in October 1996 to voice their opposition. Their mobilization succeeded in persuading enough legislators to override the Executive veto in the Legislative Yuan, thus saving PTV (Personal interview of Sun Daijuan, 28 May 2004).

If PTV is the product of the intellectual communities' actions, the establishment of aboriginal television—to be presented in the next section—owes its existence to the Taiwanese and aboriginal media professionals.

The Struggle for the Establishment of Aboriginal Television

The principal actors in the third phase of broadcast policy reforms were a group of media professionals. The struggle for autonomous cultural production occurred in the production department of PTV. In 1992, the KMT government began preparations for the establishment of PTV. A team of aboriginal producers was set up to help in the cultivation of the aboriginal people. They had little autonomy since their work was supervised by a KMT appointed official. However, these aboriginal media professionals linked up with Taiwanese colleagues, and together attempted to challenge the KMT's media domination. Taiwanese media professionals concerned about the communication rights of minority groups began to train the aboriginal people. In 1994, an aborigine produced a television program from his own perspective for PTV. *Face the Nations*, a public forum program intended to generate an inter-ethnic dialogue among Taiwan's ethnic groups, became one of the most popular television programs in the country.

On May 30, 2004, the Legislative Yuan passed a law, the WBL, establishing an Aboriginal Television (ATV), whose goals include "the training of aboriginal television

production professionals" and "the building of aboriginal audio-video archive" (China Times, 1 June 2004). The budget for its first year of operation was 6 million U.S. dollars. The establishment of aboriginal oriented television in recognition of the communication rights of minority groups has great relevance in the Taiwan. It tacitly acknowledged that state-owned television stations had discriminated against aborigines for quite some time (Sun, 2000). The Taiwanese anthropologist Hu (1993), whose application for funding to film a tribe's sacred ceremonies for an academic study was rejected, complains that the GIO and the three state-owned television stations welcome only the filming of programs that have a Chinese orientation. Historically, images of aborigines projected in the news reports broadcast over national television channels associated them with "crime" (Interview of Djanav Zengror, 4 June 2004). Djanav Zengror, an aboriginal TV producer, says that aboriginal males were stereotyped as unemployed, while females were portrayed as living indecently. This prejudice was one of the motivations that led some of the independent producers to record indigenous people and their culture in the late 1980s. For instance, Doming Lee, an American-educated film director, volunteered his services as an assistant director for a series of documentary films on aborigines (Hu, 1993,p.60). And Gichang Wang, the founder of the Green Action, filmed the social protest events held by the Taiwanese Association of Indigenous People (TAIP), a major civic association for the promotion of the civil rights of aboriginal people.

To underline the oppression exercised by the KMT regime over aboriginal television program producers, Zengror, the producer of *Face the Nations*, had this to say:

"A top PTV official appointed by the KMT's cultural authority, told me that I should concern myself only with professionalism and not pay attention to any other consideration than Chinese identity. In other words, the official just asked aboriginal television workers to do what they were appointed to do. The aboriginal identity is not allowed to prevail in the PTV programs" (Personal interview of Zengror, 22 May 2004).

When asked how he confronted the KMT's cultural authority, his response was: "I used to be a social protest movement member. I joined the TAIP when I was an assistant to a legislator. I knew that the internal struggle within PTV needed to make headlines. I persuaded my legislator to hold public hearings on the issue. Later, the mass media began to criticize the KMT's monopoly over all cultural activity and its exercise over aboriginal

television. Under such social pressure, the KMT compromised and allowed the production of aboriginal TV programs. I won the chance to produce our own television programs" (Personal interview of Zengror, 22 May 2004).

Commenting on the establishment of ATV in 2005, Dr. Tung Chunfa, the Dean of the Indigenous People and Communication Department at Dong Hwa University, stated: "It is a hopeful development that will help to promote cultural diversity. The 10 aboriginal tribes, the earliest people to settle the island, are a real treasure for Taiwan. We should expect the media professionals to use it to promote Taiwanese cultural identity in the cultural arena of southern Taiwan" (Personal interview of Tung Chunfa, 27 May 2004).

It appears that the main barrier preventing the establishment of a Taiwanese cultural sphere was the authoritarianism of the KMT regime. With the rise of a middle class, political interference in the news media became increasingly intolerable. Civil society groups mounted a challenge against KMT manipulation of the news through CAD. Thus, the reform of existing state policies in order to establish a bourgeois public sphere, became an imperative policy goal.

The reforms of broadcasting policies were an outcome of the cultural empowerment movement, which was launched by a group of cultural activists in the 1980s. The reformers were actually common people who were upset with business as usual. They included local electronic technicians, amateur television producers, and employees of wedding party companies. The movement concentrated its initial efforts on challenging the news manipulation of the three state-controlled TV stations. Later, by applying pressure on the KMT's CAD, angry academic scholars and aboriginal media professionals succeeded in establishing PTV and ATV.

## The Program Production of Regional and Public Television

As indicated in the first section, during the period in which state-controlled television was undergoing reform, one of the goals that the reformers sought to reach was to develop programs that would raise people's awareness. This section discusses the consequences of broadcast policy reforms in Taiwan. Public television and regional television are two new cultural institutions making their appearance as part of the television system in 1997 that resulted from the state's restructuring of the environment.

In spite of their marginal status, the regional television system marks the introduction of independent media professionals into the television system and the legitimization of regional identity in the Taiwanese cultural sphere.

First of all, the establishment of regional television is the most salient evidence of broadcast policy reform in Taiwan. Such a policy can be viewed as a major reform in Taiwan's broadcasting industry. The regional television system is made up of private cable television systems. Some metropolitan areas such as Keelung, Taipei, Taichung and Kaoshiung possess local cable systems with competent program production teams. The Cable Broadcasting Law mandates that local television stations must carry local news and cultural programs that raise the community's awareness of their own identity.

In this regional television system, each station hires an average staff of ten people, consisting of news reporters, an anchorperson, a news editor and live-program hosts to meet the requirements of carrying local television programs mandated by the Law. In addition to the local cable television, a national public television was launched in 1998. It also contributes its share of television programs relevant to bolster Taiwanese identity. Its limited budget, however, has constrained it and so far prevented it from becoming a large-scale quality public television system.

The establishment of these new cultural institutions marks a new relationship between state and civil society groups. This relationship, however, is not stable as far as local television production is concerned. There are indications that the combination of a local cable system and the fostering of a regional identity has imposed a great financial burden on the local cable systems and facilitated political corruption.

Regional Television: Procedures and Consequences

Local television production is provided by private local cable television systems. The CBL has established a Public Access Channels (PAC) doctrine, which requires that local cable television systems carry local news and cultural programs. What does the PAC seek to achieve and how does it accomplish it is the focus of in this section.

During the drafting of the CBL, Chung Weiwen, a broadcasting policy scholar, argued that cable television should be defined as a new medium and a regional medium as well, and that the task of regional media was to improve the information flow in local areas. The legal framework that was finally adopted was largely based on Chung's ideas.

He summarized his views as follows: “So far, a local media system does not exist in the broadcasting industry. In terms of the principle of the free flow of information, the lack of local media leads to an unbalanced information flow situation between metropolitan and rural areas since major broadcast media are concentrated in Taipei. This imbalance is harmful to a democratic society. To remedy the problem facing under-urbanized regions, cable TV should be defined as local media. The situation in these underdeveloped areas might improve if cable television could function as community media” (Chung, 1993, p.419).

On August 3, 1993, the Legislative Yuan, Taiwan’s legislative body, passed the Cable Broadcasting Act. Under the mandate of the Act, cable television is basically viewed as providing regional service (Wu, 1998; Chiang, 1997). For example, Article 27 of CBL orders that the zoning and adjustment of any given region shall be conducted and announced by the central competent authority in conjunction with the Ministry of Transportation and Communication (MOTC), after a review of the following items: 1) existing administrative units; 2) the geographical environment and, 3) the ethnic origin of the population (Kou, 1998,p.42). The provisions of the law that regulate CATVs as regional media are as follows:

- Each cable system is allowed to operate only in a single region, which is assigned to it by the central government. Any cross-regional operation is prohibited (Act 11).
- A 1% tax is assessed on the annual revenue of every cable system in order to fund local cultural development (Act 53).
- The cable system operator must provide public access channels devoted to community affairs (Act 25).
- Subscription rates for cable television service are determined by the regulatory commissions of municipalities or counties (Act 34).

The rules pertaining to public access channels are intended to increase the participation of local people in community affairs. They are specified by the GIO as follows: “The cable system operator may decide what content to introduce on a public access channel (PAC). PAC programs may be produced by the system’s own studios or be leased to community non-profit organizations without charge. The PAC’s purpose and its

rules must be written down in the proposal of application white paper. No discriminatory clauses against Taiwanese citizens may be allowed in the proposal. The operator cannot deny any applicant's request based on her or his religious, ethnic or gender background" (GIO, 2003).

Regional television began to broadcast Taiwanese-oriented television programs in 1997. Most local television programs were produced by the cable television stations in cooperation with regional non-profit organizations (Yen, 1998). Interviews of local informants indicated that there were two main types of programs: 1) reports of local religious activities, including especially the processions that are held by temple members according to the lunar calendar; and 2) presentations of the local historical heritage produced with the help of local historical societies.

As Grace Hsu, the secretary of the Southern Cultural Society, indicated: "Most of the time, our organization cooperates with cable companies on the production of cultural programs. We provide old pictures or make available our historical archives. The producer of a local tour guide program, for instance, may consult with one of the society's historians to get detailed information" (Personal interview of Grace Hsu, 23 July 2004).

The combination of private regional television with state-supported television is indicative of the adjusted relationship that developed between the state and independent media professionals during the second stage.

Characteristics of the Reborn PTV

Until 2004, PTV was a small system focusing on narrow topics of special interest with limited means. It was able to produce programs only with the help of independent producers. This was the result of a political struggle between KMT supporters, who were opposed to PTV, and anti-KMT forces who supported PTV. The struggle ended in a compromise in the legislature. Private broadcasters opposed to the proposed public television act legislation being considered by the Legislative Yuan lobbied against granting a broadcasting license to public television. They wished to have it downsized to a simple production company. The "minimize public television" policy that was adopted was the outcome of a political compromise that was reached by anti-PTV and pro-PTV legislators.

As Hong Chongjan, the GIO vice director, recalled, “While the public television act was being debated in the legislature, legislators favoring the private broadcasters tried to block the proposal. They threatened to cut the GIO’s budget and sell out the rest of public television stations and production facilities. A political compromise was reached by reducing the annual budget of PTV by 3 million U.S. dollars for the first year. It was an unfair deal, but we had to endure it so that public television in Taiwan might survive ” (Personal interview of Hong Chongjan, 23 May, 2004).

As a result, public television was set up in 1998 as a small special interest television instead of a large-scale public television system serving all of Taiwan, thus underscoring the marginalized status of civil society in the construction of Taiwan’s cultural sphere during this stage. Chao Yali, a Taiwanese communication scholar, observed that public television was established as a commercial-free educational television. She explained: “According to the mandate of the Public Television Act, the goal of public television is to serve those audiences whose communication needs are not met by commercial television. Children’s programs, programs for the disabled, and international affairs are the main sources of programming on public television. Taiwanese public television follows a different model than that of the Japanese NHK or the BBC. Public television in Taiwan is special interest television, which is similar in function to the national educational television broadcasts of 1962” (Personal interview of Chao Yali, 5July, 2004).

With a limited budget, PTV depends on contractual media professionals as its main source of programs. PTV General Manager Lee Yundan explains the modalities of this process: “PTV has a set of rules for recruiting independent television producers for the purpose of producing cultural programs. This process is conducted in two stages. First, a review panel is appointed by the PTV Commission to evaluate the quality of the applicants. Once the production team is selected, the two parties are set to sign the contract. Usually, the production fee for each episode or documentary work is 23 thousands U.S. dollars” (Personal interview of Lee Yundan, 18 June 2004).

Further, documentary television director Cheng Wentnag indicated that, “PTV has provided the Taiwanese video producer with many opportunities to produce and present her or his work to the public. We had little chance to become television producers when the television stations were controlled by the KMT” (Personal interview of Cheng

Wentang, 27 May 2004). By providing work to independent producers despite facing a tight budget situation, PTV has enabled them to acquire valuable training and experience and become competitive with foreign producers. Thus, director Cheng's work, *Ever,* was nominated for an award at the 37th international film festival held in Tokyo (Central News Agency, 26 October 2004).

To summarize, during the second stage of broadcasting reform, progress in the constitution of a Taiwanese cultural sphere was accomplished, not through a large-scale public television operation, but through a mixed model that depended on a public television initiative with modest financial means and the self-reliance of local organizations. A workable relationship between state and civil society groups was attained by state and local groups in the mid-1990s (Lin, 2002). The independent producer was the main actor in the production of regional television programs, when the post-KMT government began to support the cultural sphere. The cooperative relationship between the local non-profit organizations and the cable television stations, however, was an unstable one.

The improved relationship between state and civil society at the level of local cultural production was undermined however, by local political corruption. This phenomenon will be examined in the following section.

## Regional Television Problems

Cultural production in the local cultural sphere is dominated by the relationship between local government officials and politicians on one hand, and cable system owners on the other. The ties between members of the two groups make such a relationship susceptible to corruption and may undermine the integrity of local cultural production. First, local cable stations sought financial aid from municipal and county governments. Huang Ginyi, a GIO official, said: "The local cable television system is facing a financial problem. There is a deficiency of revenue caused by subscription fees that are at cut rates. In some areas, the subscription fee has been cut to 10 U.S. dollars per month. Besides, the system operator has to donate presents to local subscribers when they hold community sports activities. Taiwanese cable television subscribers do not care about the quality of television. What they want is a low subscription fee " (Personal interview of Huang Ginyi, 20 May 2004). According to a survey conducted by China Times, the revenue of the local

cable system in Taipei County is on the verge of losing money. As a result, the local system is eager to attract subscribers by promoting the educational or cartoon channel (China Times, 7 May 2004)

Secondly, the vagueness of PAC rules also blurs the distinction between a genuine public affairs news report, which is part of local TV's cultural responsibility, and reports of activities undertaken under false pretenses. According to Professor Chao," The local governmental affairs report broadcast on PAC channels is, in fact, an evident case of pork-barreling. Local government officials gain political influence by donating money for the production of community programs. The cultural obligation is clearly mandated by PAC rules in CBL. Thus, local government should not pay for such a local production. The PAC program is the obligation of public interest indicated by the CBL" (Personal interview of Chao, 5 July 2004). To some local cable system operators, the PAC doctrine is a "self-defining" rule, which depends on the system operator's interpretation for its implementation. Taiwanese scholar Kou (1998) points out that "The term 'promoting local identity' is vague. A party in which a politician makes a donation can be viewed as an important event that promotes local identity. In reality, the party is employed as a PR activity to connect the politician with voters" (p.44).

Thirdly, the turnover rate for local media professionals working in television broadcasting is rather high due to lack of job satisfaction, stemming from local government officials' control over news reporting.

Another informant, who works as an anchorwoman at a local television station, said: "I don't want to work here too long even though I strongly identify with my hometown. Local politicians are tricky people. They just want to use the media. For instance, they hold a charity dinner party allegedly to show their concern for the health of local senior citizens. In fact, this is a political rally to increase their national reputation. The senior people use it as a stepping-stone in a political game. The [television station] manager has to follow their interpretation of the rules because they pay money to the company" (Personal interview of Chua Shaichi, 19 May 2004).

Professor Lo Shihhong, who teaches telecommunication, has suggested that the state impose a tax on broadband telecommunication operators as a solution to the local cable system's financial shortcomings: "When the government begins the implementation of

the broadband telecommunication policy next year, the regulatory authority should consider imposing a tax on the national telecommunication operator. The telecommunication operator who leases the local circuits that belong to the local cable system should pay a cultural tax for the purpose of supporting local television production" (Personal interview of Lo Shihhong, 19 May 2004).

Despite all the difficulties facing the development of a local television system, a state-supported public television system has managed to survive, though on a smaller scale. Under the new scale of public television, independent television producers are expected to receive more resources to sustain the cultural sphere.

The Public Television Group (PTVG) and Domestic Cultural Production

The Taiwan government decided in 2004 to bring together Public Television (PTV), Aboriginal Television (ATV), and China Television System (CTS) to form a Public Television Group (PTVG) that would support the development of the cultural sphere and enhance the quality of television programming by coordinating the work of media professionals. A fully funded PTVG would be able to remedy the scarcity of regional cultural programming by underwriting the work of independent media professionals. This section will be devoted to a consideration of the state's coordinating role in television production.

On 4 Oct 2001, the Legislative Yuan lifted the ban on investment imposed on the PTV Commission. PTV was initially forbidden by law to re-invest any of the funds it receives from the state. Any leftover funding had to be turned over to the PTV Foundation (Act 31). The lifting of the ban on re-investment of PTV funds has enabled the State to use a flexible strategy to regroup the public television channels.

An informant who works for PTV comments: "The lifting of the ban marks a new age for PTV in Taiwan. A potential benefit of the new initiative is that PTV may now be able to generate additional revenue by reinvesting some of its funds, which makes it more likely that non-profit organizations would support the establishment of a PTVG (Personal interview of PTV staff, 3 July 2004).

On 8 December 2003, the Legislative Yuan adopted a revised version of the provisions of the Wireless Broadcasting Law (WBL) regarding the recall of private shares held by the stockholders of CTS. The government was now prepared to redeem 25% of

privately held shares in CTS with 40 Million U.S. dollars. CTS will serve as the main component in the future PTVG in terms of its integrated production and broadcasting facilities (China Times, 22 June 2004).

Policy suggestions for the coordination of the contributions of PTVG and media professionals follow two basic models: the "two-channels model" and the "socio-educational model". Informants who support the first model suggested that the original PTV could be extended to include two public television channels, one of which would be a specific interest channel, while the other would be an entertainment channel. One informant, a TV program producer, justified his view as follows: "Once CTS becomes a member of the public television group, it can offer entertainment programs, including sports, pop music, and historical drama, which is currently a shortcoming of PTV. Because the much-publicized CTS will be allowed to carry advertising, its revenue is expected to be turned over to the PTV foundation. The enlarged budget of the PTVG should then make it possible to pay more adequate fees to independent television producers" (Personal interview of Tsao Heijen, 23 June 2004).

The special-interest channel is expected to facilitate the integration of public and independent media professionals. According to Feng, " The important policy issue is how to integrate the public media producers currently working in the public media sector after the establishment of PTVG. For instance, the Overseas Chinese Television (OCTV) should be included in the PTVG. The benefit of integrating OCTV's media professionals is that they would not become a financial burden on PTVG because OCTV is already a state-funded media. The PTVG will serve as broadcasting platform which provides the media channels with TV programs produced by public or independent media professionals" (Personal Interview of Feng, 23 June 2004).

The Media Reform Society (MRS) issued a statement endorsing the policy suggested above. Kuang and Wei (2004), two leading members of MRS, stated that "The GIO should integrate PTV, ATV and OCTV in order to upgrade the production ability of the future PTVG. More importantly, the PTVG is expected to appeal to the segment of the audience that is tired of commercial television" (Kuang and Wei, 2004).

Proponents of the socio-educational model suggest an alternative policy that would turn PTV into an educational medium. As Lu (2004), the president of teacher's union

stated, “The weakest side of our TV system is the lack of programs for children and youth. They are subjected to the violence prevailing in commercial television channels. The new PTVG is supposed to be an educational television (including civic education). The goal of such an educational TV is to protect our youth from the pollution of commercial television” (China Times, 9 June 2004).

Similarly, Lin, a community communication professor who manages an aboriginal TV studio at Dong Hua University argues, “From the perspective of enhancing cultural development, the PTVG should include local university studios into the domestic cultural production. Some university media in Taiwan have produced local-identity-oriented programs. For instance, the Tainan National Institute of Arts has preserved many documentary audio and video works, which can constitute a rich source of programs for the future PTVG” (Personal interview of Lin, 25 May 2004). China Times, the leading newspaper in Taiwan, endorses the same idea in one of its editorials, which reflects the public television model of the United States. It argues that, “Because the PTVG is a state-sponsored TV system, socio-cultural affairs ought to be its main focus. Such a programming policy would be adequate to put PTVG on a sound financial basis. Given that promoting the educational and social development of the nation is one of the government’s duties, the state-funded PTVG could be used to that effect. Although the British Broadcasting Corporation (BBC) is a good model of public media, the Taiwanese people are not yet ready to pay license fees when they turn on their television sets, ” (China Times, 8 June 2004). In Zengror’s opinion, no matter which model is finally adopted for the PTVG, “ethnic channels serving the needs of Taiwan’s ethnic groups will play a significant role in it” (Personal interview of Zengror, 22 May 2004).

In sum, the PTVG is the most important actor in the development of television in Taiwan. How the PTVG integrates independent media professionals into the field of domestic television production in order to makeup for the loss of regional identity is a policy issue to be explored in future research.

## Conclusion

This chapter has traced the policy reforms that broadcasting has undergone in Taiwan as part of the democratic reforms that the country began implementing in the late 1980s. Academic scholars and independent television professionals were the main

contributors to the changes that transformed the production of domestic television. Due to the social and linguistic diversity of the country, Taiwan's broadcasting regulatory framework was transformed from a developmental model to a communicative space model (Morely, 1998). The transformation of the cultural sphere followed a dual track system: the first track relied on civic involvement to press for policy reforms; the second track made use of regional media and independent television professionals to construct a Taiwanese identity.

As this case study has revealed, the transformation of the cultural sphere has followed a trajectory leading from a Chinese identity to a Taiwanese identity. It coincided with the progressive loss of power by the KMT. The beginning of the reform movement in Taiwan was marked by the reforms leading to the establishment of a public television and the loosening-up of state control over its television stations. The need to set up a bourgeois public sphere was the common motivation that led many developing countries, including Taiwan, to reform their broadcasting policies (Sreberny-Mohammadi and Mohammadi, 1997).

The broadcast media reforms were a direct assault on the hegemonic power that the KMT government held over Taiwanese culture. As Kitley points out in a study of Indonesian television policy, "Language performs a hegemonic function in television series, functioning as a prime strategy of building and strengthening audience acceptance of the national language and the national subject" (Kitley, 2000, p.135). Because it promoted ethnic programming, the KMT tried to prevent the establishment of both PTV and ATV. The attempt to veto the creation of new channels revealed the KMT's ideology operating in the field of broadcasting. To KMT leaders, the promotion of local dialects was viewed as the dangerous step and one that could lead to revolt against the government (Chang, 2001).

The movement advocating public television, launched by academic scholars and independent media professionals, can be considered a form of civic involvement in the reform process (Barnett, 1998). The common element connecting cultural empowerment and the public television movements was the independent media professionals' discontent with the KMT's control over the news media. The convergence of the intellectual community and the independent media professionals became the main force in pushing

for policy reforms in Taiwan. The relationship between the state and civil society groups was adversarial at the beginning of the democratic reforms of the late 1980s, but it became cooperative over time.

The construction of an indigenous identity by local communities and media professionals acquires more relevance during the second stage, in which the cultural sphere was established. The expression of this new identity was made possible by the PAC requirements that cable television produces local programs (Krady, 1998). Unfortunately for Taiwan, regional television was undermined by local political corruption, which contributed to the loss of its self-reliance during the second stage of the relationship.

The connection between academic scholars and media professionals actually paved the way for the construction of a Taiwanese cultural sphere in the third stage of its development, which coincided with the establishment of PTVG. Barnett's remark is pertinent to the situation in Taiwan: "The process of broadcasting reforms [in South Africa] reflects the more general waning of the influence of civil society organizations which came to the fore in the struggle against apartheid in the 1980s and maintained a considerable influence, especially in the period from 1990 to 1994. The period since 1994 has seen a decline in the influence of civil society groups. Their independence has been diminished and compromised by their inevitable incorporation into state apparatuses"(p.15). In the case of Taiwan, however, the broadcasting reforms also demonstrated the need for the participation of media professionals in television production when new public television services, CTS and ATV, were launched.

The state-funded public television group (PTVG) is expected to provide television producers with more grants. It also is expected to expand non-profit media studios in the effort to increase Taiwanese capacity in television production. In the next chapter, the researcher will explore how external factors, principally foreign television channels and technological innovations, influenced the constitution of the cultural sphere. In so doing, the focus will be on how the state's cultural and communication policies have been constrained by transnational and private broadcasters.

# CHAPTER SIX
# EXTERNAL FACTORS INFLUENCING BROADCASTING POLICIES

## Introduction

Since the late 1980s, the government of Taiwan has adopted an open sky policy that effectively put an end to the state's monopoly over broadcast media. As a result, television channels have been flooded with foreign canned and low quality domestic programs, thus contributing to the fragmentation of the nation's cultural sphere (Feng, 1999; Yen, 2000; Wei, 2003).

The establishment of the cultural sphere in Taiwan was the subject of the preceding chapter. The current chapter will be devoted to a discussion of how the interaction between the state and foreign broadcasters as well as new technologies has affected the policy process. Rather than investigating the relative proportions of domestic and foreign television contents to assess cultural dependency as other studies of third world countries have done (Straubhaar, 2001; Kitley, 2000), the researcher employed a policy analysis approach to review the role of the state in dealing with transnational broadcasters and technological innovation, both of which are external factors that contributed to the broadcasting policy-making process (Crane, 2002; Kuhn, 2000). Cultural globalization theorists have argued convincingly that the cultural autonomy of third world countries is undermined by a global network of private broadcasters (Miller, 1999). It is therefore important to assess the influence exerted by foreign broadcasters over domestic broadcasting policies in Taiwan as well as the role of technological innovation (Napoli, 2003).

The Cable Broadcasting Law (CBL) of 1993, the Satellite Broadcasting Law (SBL) of 1999, and the Directive on Reform of Broadcast Media (DRBM) of 2000 represent three major broadcasting reform initiatives that have been undertaken in Taiwan (GIO, 2000; GIO, 2001). The legislative process leading to the adoption of the CBL was heavily influenced by the American movie industry and resulted in the introduction of foreign channels. SBL was adopted in preparation for Taiwan's admission to the World Trade

Organization. It led to the privatization of the domestic broadcasting industry. The DRBM was a proposal introduced by President Chen's administration to provide a regulatory framework for digital television. In this chapter, the legislative process leading to the adoption of CBL, which marks the advent of the liberalization era in Taiwan, is reviewed first. Then the Asian Pacific Media Center Project (APMCP) whose aim is to restructure the broadcasting industry is examined. Finally, a case study of the implementation of digital television policy is considered.

This chapter is devoted to an exploration of the influence exerted by external factors such as transnational broadcasters and technological innovation over the state's broadcasting policy process. It makes observation concerning this process. From the perspective of Taiwan's unique international status, the chapter argues that its relationship with the United States has influenced reform policies affecting broadcast media. The case study shows, for instance, that the illegal local cable/satellite relay system was forced into legalization under the threat of U.S. trade sanctions.

The researcher examined the state's policies regulating transnational broadcasters and digital television technology during the era of liberalization. The sources of documentation on policy include an autobiography of a former TTV programming manager, personal interviews, news archives, and a magazine of communication history[9]. Documentation on the legislative process involving major broadcasting policies was also revisited when the researcher conducted his field study in Taipei during the summer of 2004.

## Transnational Broadcasters in Taiwan

The liberalization of broadcast media in Taiwan began in the late 1980s with the lifting of the ban on foreign satellite television receivers by the Ministry of Transportation and Communications (MOTC). This inaugurated Taiwan's open-sky policy. This decision was deemed necessary so to as put an end to Taiwan's isolation from the international community in telecommunications.

Initially, the Taiwan government did not consider the introduction of American entertainment programs to a Taiwanese audience a matter of its concern since they were

[9] Shen, J.Z. (1995). A memoir of a television anchorman Taipei: the New Journalism (in Chinese). The magazine is titled the News Mirror Weekly (in Chinese).

provided by a foreign source (United Daily News, 23 May 1989). However, following the establishment of local cable/satellite relay systems in Taiwan, which engaged in massive pirating of American films to the alarm of the Hollywood film industry, the government had to step in to reshape the broadcasting environment. STAR TV, a Taiwan cable relay system that illegally re-distributed American channels in Taiwan, lies outside the Motion Picture Export Association of America's (MPEAA) authorized region (Dang and Chang, 1993). Under pressure from the U.S. Trade Representative and the MPEAA agent in Taiwan to provide copyright protection for American film and television products (United Daily News, 27 June, 1990), the government of Taiwan drafted the law, which was adopted in 1993 as the Cable Broadcasting Law.

The Introduction of Foreign Satellite Television

Although the Taiwan government did not formulate a policy regarding satellite television until 1998, transnational broadcasters have permeated Taiwan's cultural sphere since the 1980s. It started with the introduction of foreign satellite television (FSTV) into the country, first, the Japanese entertainment television, followed by Star TV.

After successfully launching its Broadcasting Satellite Experiment (BSE) in 1978, Japan became the first country in the world to apply Direct Broadcasting Satellite (DBS) technology in its regular television broadcasts. This occurred when its Public Broadcasting Service (NHK) began a regular two-channel experimental television program in 1986, using its broadcast satellite BS-2b, also known as Yuri-2b (Dang and Chang, 1993). For geographical reasons, the Japanese DBS satellite requires greater strength of output power in order to cover its territory spread over several islands. And since Taiwan falls within the coverage area of BS-2b, it is easy for anyone in Taiwan with a DBS receiving equipment to receive NHK's television programs.

This was the first time that the integrity and authority of the communication governing power in Taiwan had been challenged and defied. After careful consideration and consultation with scholars and experts in all areas, the MOTC decided to legalize the installation of foreign satellite television receiving equipment in 1989 (Penn, 1992).

According to Huang Yigon, "The KMT government was not concerned about the influence of foreign entertainment television programs such as Japanese professional baseball games. The Cultural Affairs Department (CAD)—an arm of the KMT— was

focused on controlling the news media and censuring television content relating to political events. Furthermore, in the earlier stages, community antenna television (CATV) subscriptions were limited to isolated audiences in the rich suburban areas of Taipei and Kaoshiung. This did not draw the attention of the CAD (Personal Interview of Huang Yigon, 20 May 2004). As a former television director of TTV and one of the nominees for program manager of PTV in 2003, Huang was an important informant on matters pertaining to television production during the time the KMT controlled television stations.

From 1989, the trend of legalizing cable television took its own course with strong momentum. The most significant increase in the number of satellite television subscribers occurred in 1992 when Taiwan was able to receive spillover signals from Hong Kong based Star TV whose American entertainment channels attracted huge audiences in Taiwan. In the initial stages during the 1980s, four satellite footprints covered Taiwan: the Japanese BS-3a and BS-3b, the AsiaSat 1, and the Indonesian Palpa-B2P Satellite. The Japanese BS-3a provided the Nippon Hoso Kaisha (NHK) public channels while BS-3b transmitted Hi-vision to the urban and educated audiences in Taiwan. But it was the Hong Kong-based Star TV that gave Taiwan's illegal cable television industry the most important push (Dung, 1992).

The first pan-Asian satellite was launched in April 1990 with multinational capital from Hong Kong and Rupert Murdoch's News Corporation. Its footprint covered 2.7 million households. Star TV leased 12 transponders from AsiaSat 1 and began to broadcast in 1991. Star TV offered five channels around the clock including a western movie channel with Chinese subtitles, MTV, a sports channel, the BBC, and Japanese entertainment television (Chan, 1997). After the introduction of STAR TV, the cable/satellite relay systems became an island-wide industry because their access to FSTV was free of charge. However, the new cable industry caused a serious concern in Washington.

The inclusion of foreign satellite television (FSTV) into the Taiwanese television industry was one of the policy goals of the government of Taiwan. According to policy consultant Tsai's understanding, "The development of satellite television stems from Taiwan's unique status as a country with an ambiguous relationship with the PRC. Because of this unique situation, most Western countries consider very carefully the

reaction of the People Republic of China (PRC) before entering into any technology transfer agreement with Taiwan. Without recognition by the U.N., it is impossible for Taiwan to develop a fully independent satellite TV. It is for this reason that Taiwan has had no way of excluding any foreign satellite TV from its television market when it decided to develop this industry" (Personal interview of Tsai Yaming, 4 July 2004). Tsai Yaming is a policy analyst of the cable television industry. She has been an expert in media management since Taiwan adopted a liberal policy in 1990s. Policy consultants are key informants on cable and satellite television policy in Taiwan. Local cable relay systems usually hire them to draw the operation plans needed to win a franchise and an operating license.

The introduction of FSTV resulted in the establishment of the cable/satellite relay system, which enabled foreign satellite broadcasters, especially Star TV, to become major providers of entertainment content—mainly American and Japanese programs— in the early 1990s. It was reported that 43% of households in Taiwan could access Star TV through cable; in the early 1990s Star TV had a higher rate of household penetration in Taiwan than elsewhere in Asia, including Thailand and India. Thus, close to half of Taiwanese households were receiving televisions programs that were not broadcast by state-controlled television stations. The government was therefore compelled to adjust its media policy.

The next section explores how pressure exerted by the United States toward the development of legislation regulating the cable television industry played a crucial role in inducing the government of Taiwan to enact the CBL, which liberalized its broadcasting industry.

The Establishment of Cable/Satellite Relay Systems in Taiwan

Taiwan became a receiving area for hundreds of unregulated television channels originating from satellites orbiting over the Pacific Ocean. Because trade agreements with the United States were being violated, Taiwan came under increasing pressure from possible trade sanctions to regulate this industry, which it eventually did with the adoption of the CBL in 1993.

The Taiwanese cable industry was born when the first local cable system operators made their appearance in 1980. Local cable/satellite relay systems re-transmitted foreign

television programs, including Japanese wrestling, American movies, and pornographic videos to urban areas or wired them to local subscribers who were able to use videocassette recorders. It was estimated that there were 350 local cable system operators and 300,000 households with receivers in 1990 (Weng, 1993). The premature character of these cable systems at this stage did not invite any government repression. Currently, 75% of households are subscribers of CATV.

The sprouting of the cable television industry is a result of Taiwan's economic development. Greater economic development, however, did not translate into increased domestic cultural production, but instead exposed viewers to the influence of the international capitalist system (Dai, 2000).

As Hamilton Cheng observes, "Like Taiwan, Korea liberalized its television system in 1993. Korea, however, did not become a colony of transnational broadcasters (TNB). On the contrary, Korea's successful satellite television, *Aliran TV*, became quite popular throughout East Asia. Concern for the maintenance of cultural identity played an essential role in encouraging the development of local cultural production. The mid 1980s movement seeking Korean-hood provided an important background in the establishment of cultural autonomy in broadcasting in Korea. Taiwan missed the chance to rebuild its television system when the government adopted the open sky policy in 1990" (Personal interview of Hamilton Cheng, 20 June 2004). Hamilton Cheng, a member of the Media Reform Society and an expert on digital television policy in Taiwan, holds a Ph.D. from Chengchi National University in Taiwan. He works as a marketing analyst for PTV and is a part-time professor at Fu Jen Catholic University in Taipei.

Taiwan's newly found affluence, in fact, paved the way for the growth of TNB's influence over Taiwanese society. Dai (2000), an expert on the history of cable television policy in Taiwan, offers three major explanations for the introduction of cable television in Taiwan. First, with economic development came the need for new types of entertainment not available on state-controlled television. Secondly, the growth of the stock market in Taiwan made it imperative for stockholders to follow stock news that was available only on cable channels. Thirdly, potential cable television operators faced a low market entry barrier thanks to low operating costs due to the fact that laws protecting intellectual property rights being still in an infant stage. In fact, most of them did not pay

copyright fees and illegally re-broadcast foreign television programs through their cable systems. The cultural observer Chang Ginhong provided one further explanation: " the cable television boom in Taiwan is related to the low quality of programs provided by state-controlled television. In the Asia region, cable television is more popular amid Taiwanese audiences than Japanese or Korean. In Korea or Japan, state television, Korea Broadcasting System (KBS) or NHK is able to provide good quality programs to its audience. The penetration rate of cable television in these two countries is lower than the Taiwanese one"(Personal interview of Chang Ginhong, 19 June 2004). Chang is a novelist and an expert on Asian popular culture who has been observing trends in Japanese, Korean and Taiwanese youth culture for a long time.

Despite its adoption of an open-sky policy in the late 1980s, the KMT government was still maintaining its control over the three state television stations in the early 1990s. More importantly, however, the government was indifferent to the infant cable industry and failed to bring it under legal and institutional control. This led to a crisis of legitimacy for the KMT government that compelled it to change its attitude toward this industry.

What finally forced the government to act promptly was an unexpected source of political pressure: the United States. Having labored for years to redress its trade imbalance with its major partners, Washington decided in 1992 to include copyright issues in bilateral negotiations with Taiwan. Since American movies were broadcast through STAR TV, Taiwan cable operators were guilty of pirating U.S. film (Dang and Chang, 1993). Domestic motion picture distributors urged the government to punish the cable industry, but in vain. But now the United States threatened to apply Trade Sanction 301 against Taiwan, which would disqualify Taiwan's export goods from favorable tariff treatment at U.S. customs (Weng, 1993). In addition, Taiwanese private video factories supplied Japanese and American movies and new leases to cable television operators at a cheap price that allowed the cable television system to promote its market at a low cost. This not only challenged the authority of the KMT government, but also angered the Motion Picture Export Association of America (MPEAA)—a consortium of nine U.S. film distributors that markets and distributes films for the Hollywood movie companies (Weng, 1993, p.467). According to official records, since 1990 the GIO has cracked down

on 160 cable stations and confiscated 480,000 kilograms of cable lines (GIO, 1991). The MPEAA condemned the illegal cable/satellite relay system for broadcasting pirated videotapes and damaging their commercial interests. Under the pressure of the film industry, U.S. Trade Representatives strongly lobbied for a legal framework, including a new governmental crackdown policy for regulating cable television. These issues rose to the top of the agenda during the Taiwan-American Copyright and Patent Protection Negotiations in March 1991 (United Daily News, 8 July, 1993, p.2). The result was the passage of the Cable Broadcasting Law of 1993 by Taiwan's Legislative Yuan.

In the following section, the broadcast policies adopted by Taiwan in response to the challenge presented by the legalization of foreign satellite television are discussed.

## Regulating the Cable/Satellite Relay System

One of the theoretical questions being investigated in this research pertains to how Taiwan reacted to the influence exerted by TNBs over local cultural production. To conduct this policy analysis, the CBL provisions as well as studies conducted by policy scholars were reviewed, consulting with opinions of GIO officials and media consultants. The evidence suggests that decision-making was over-centralized in the Cable Television Review Commission (CTRC). This preempted the right of local competent authorities, and led to a situation in which the local sphere was left undeveloped (Chiang, 1999; Feng, 1999).

Given that 70% of households in Taiwan subscribe to cable television, the mandate that cable television carry public affairs channels is very important in securing Taiwan's local cultural sphere. The reality, however, is that the public television channel, PTV, is hard to find on cable television due to the over-centralized decision-making at CTRC.

According to the provisions of CBL, the regulatory body of the local cable/satellite relay system is the CTRC appointed by the Prime Minister. The CBL mandates that "the central competent authority shall form a Cable Television Review Committee (referred to hereafter as the Review Committee) to review the following items (referred to hereafter as review items):

1) Approval or revocation of the permit for the operation of cable television.
2) Issuance or renewal of the licenses for system operators.
3) Evaluation of the execution of operation plans" (Act 8).

Further, the Law states that "the Review Committee shall be formed by thirteen to fifteen members who shall include:

a). Eleven to thirteen scholars and experts.

b). Representatives of the competent authorities, one appointed by the MOTC and one appointed by the Government Information Office.

The Review Committee shall invite a representative of the municipal, county, or city government to be present during the review of applications from the area of jurisdiction concerned. The duties and rights of such representative shall be identical to those of the members of the Review Committee" (Act 9).

The mechanism for reviewing the operation of the local cable/satellite system constituted by the CTRC is highly centralized (Cheng, 1999). As cable television policy consultant Tsai points out, " the CTRC does not represent the right of local government appropriately. The majority of CTRC members are university professors from the school of communication who concentrate their attention on Taipei or Kaoshiung, the two major metropolitan areas. They do not really know the communication needs of local people. Communication scholars tend to be more concerned about the promise of developing the cable communication infrastructure revealed in the operation plan" (Personal interview of Y. Tsai, 23 June 2004).

A GIO official admitted: " The CTRC shall pay more attention in the future to the opinion of local officials since the cable relay system's applications for the laying of cable networks shall be filed with the municipal, county, or city government concerned" (Personal interview of GIO official, 23 May 2004). Thus, the local/satellite relay system is not at the present time accountable to the local government even if the local government tends to announce the public affairs or decision of local congress through the cable system.

Telecommunication policy scholar Shih Shihow indicated that, " as a matter of fact, the Government tends to use vague directives to regulate the broadcast media. The CTRC case provides evidence of that. The government intends to develop the capacity of digital cable communication in the future, so it finds it preferable that policy-making power in the CTRC is kept at the central government level. If local government secures too much power, local officials might interfere with foreign investments in local circuits of the

cable television system"(Personal interview of Shih Shihow, 23 July 2004). Professor Shih, a telecommunication scholar holding a Ph. D. degree from a German university, is a member of the GIO advisory committee that proposed a plan for legal convergence in the field of satellite, cable television, and telecommunication policy since 1999.

Furthermore, the local government did not control assignment of television channels. According to the rules mandated by the Government, all alterations of non-profit television channels should be reported to GIO instead of the local competent authority (GIO, 2004). This rule is similar to the "must carry doctrine" in the U.S. Local cable relay systems tend to replace the public television channel with the Buddhism channel. Even when PTV news programs are still available, the local subscribers are not aware of their existence.

As one communication scholar, Kuang Choshaing reported, "One of my friends is an excellent news anchorwoman at PTV. During a lunch break, she went to buy a lunch box at a road stand. The vendor did not know who she was, in spite of the fact that she appeared on national television on a regular basis. I think the problem is caused by the system operator who assigned PTV a channel location that the audience cannot find " (Personal interview of Kuang Choshaing, 12 May, 2004). Kuang is a broadcasting professor at Shi Sin University, a member of the Media Reform Society, and writes a column on television and civic education for China Times.

The state's failure to implement a regulatory policy for the cable relay system that would shield the local cultural sphere from the invasion of foreign television can be attributed mostly to the over-centralization of the regulatory authority established by the CBL of 1993. Unfortunately, no new policy for redressing the unbalanced contributions of foreign and local television programs has been proposed so far.

In the next section, I examined the Asian Pacific Media Center Project (APMCP or the Project, for short) launched by the government in 1997. It seeks to reconcile economic liberalization and the maintenance of Taiwan's cultural sphere.

## Economic Liberalization and the Maintenance of the Cultural Sphere

The state's attempts to strengthen domestic broadcasting and protect the local cultural sphere in the face of global competition over audio-visual products brought about by transnational broadcasters is the policy issue under consideration here. In 1993, the

government started to restructure Taiwan's television industry in preparation for its membership in the World Trade Organization. In 1997, with the adoption of the APMCP, it introduced a market-driven mechanism to revitalize the industry and enhance the competitiveness of its products (Lee, 1998). Thanks to the passage of SBL in 1999 as a component of APMCP, domestic satellite television has been substituted for the three state-run television stations as the main entertainment provider in Taiwan.

The Project faces many challenges, including the low quality of domestic satellite television, regional market competition, and the hostility of the People's Republic of China toward foreign broadcasters (Chu, 2000 and Chao, 1999).

The Creation of a Domestic Private Broadcasting Sector

Taiwan undertook structural adjustments of its service sectors, including education, commerce, and mass media in order to meet the criteria for entering the WTO. The privatization of domestic television was at the top of the policy agenda in the mid-1990s (Lin, 2003). The first phase of the APMCP plan stressed the privatization of the motion picture and television industry, while the second phase, which began in 1998, focused on the creation of an environment favorable to the production of Chinese-language media, including domestic satellite broadcasters (GIO, 2000). The SBL of 1999 signaled the privatization of the state-controlled television system.

The idea of a satellite television policy for Taiwan originated with George Hu, a graduate of Cambridge University (Ph.D.) and a former ambassador to Washington and director of the GIO. He was concerned about the fate of the domestic television market following the country's admission into the WTO. As he put it, "The programs currently produced by state-controlled television are not profitable. Taiwan must develop its own satellite television in order to be able to compete in the global television market. Television channels provided by privately-owned satellites orbiting over the Pacific Ocean could be used for that purpose" (United Daily News, 3 June 1993).

To date, a number of satellite television-broadcasting stations whose signal is received through the relay of the local cable system have been launched, including Sanlih Entertainment Television (SET), Videoland Television (VTV), and Central Television Network (CTN). SET is famous for broadcasting Korean drama; VTV specializes in sports and Japanese entertainment programs; and CTN, owned by China Times Group, a

local media conglomerate, is a 24-hour news channel,

The impact of the new competitive market situation on the quality of television programming has not been as predicted, however. According to Huang, a former TTV director, "The quality of state-controlled television programs has not been upgraded despite the introduction of the mechanism of competition because of political interference. Neo-liberal ideology leads to the expectation that competition between private and state television would raise the quality of television production. The liberalization of the television market has failed to force state-controlled television stations to enhance their productive capacity" (Personal interview of Huang, 10 May 2004).

Another respondent remarked that Taiwan's satellite television broadcasters showed lack of creativity by copying foreign television genres. G. Chang, a cultural observer, explained: "the new domestic satellite television has not produced programs of good quality. The main reason is that good programming requires a lot of money" (Personal Interview of G. Chang, 19 June 2004). When asked to comment on the influence of television on the cultural sphere, he responded that: "the opening of a domestic television market has created a hybrid cultural identity in today's Taiwan. The mixing of American, Japanese, and Taiwanese culture is reflected in the names of pop culture groups. For instance, the lead actor in a romantic drama bears a Japanese name, and a popular talk show on CTN imitates CNN's *Larry King Show*" (Personal interview of Chang, 5 July 2004).

Thus, the introduction of the competitive market mechanism has resulted in the importation of more foreign content into domestic television production. Even when there are new programs, their cultural identification is still quite vague. The next section is devoted to the discussion of the international aspects of the APMCP plan.

<u>The Preparation for Entry into the Regional Television Market</u>

In addition to the privatization of satellite television that was discussed in the previous section, the Taiwan government's plan for the restructuring of the broadcasting industry also included an attempt to extend Taiwan's cultural products and influence into surrounding regional markets, especially China and the Chinese diaspora of South East Asia. The policies promoted by the State at the international level indicate a change in favor of reestablishing a new partnership between domestic broadcasters and their

customers in the foreign audio-video market. This policy, however, faces the major hurdle of Chinese opposition.

It should be noted that this new policy was developed during the tenure of former Prime Minister Vincent Shawn who no longer occupies the post. There are indications that the current government does not embrace all of the policy suggestions set forth under his predecessor. This section will briefly describe the content of the Asia Pacific Media Center Project (APMCP) and discuss its implementation problems.

In 1995, Taiwan's Economic Development Committee (EDC) formulated the APMCP plan. Its strategy for dealing with the competition in the global television market was to enhance the national capacity for the production of television programs. Its proposals included the lifting of the ban on foreign investments in Taiwan's television industry, and the establishment of Mandarin language audio-video production facilities (United Daily, 1 November 1995). The policy was drafted by a group of policy scholars favorable to private broadcasting (Shin, 1997). *The Journal of Communication Management* (JCM) published by Ming Chuan University in Taipei is the official voice of this policy group. In its debut issue, the major points in the policy promoting the penetration of the regional television market were listed as follows:

1. deculturalization of the television content: the audio-visual product should employ the "de-Taiwanese" strategy to lower the political sensitivity of exported television products.
2. liberalization: liberalization involved the opening up of monopoly or oligopoly markets in both the television and radio sector to increased competition.
3. globalization: globalization in the Taiwanese context involved the opening up of one of the closed media environments to international trade and foreign investments. Mainly, trade policies were revamped to eliminate restrictions, quotas, and tariffs on imported goods while providing significant incentives for exports. (Journal of Communication Management, 1999).

In general, the APMCP espouses a neo-liberal ideology that promotes the privatization of domestic media and access to the Chinese market for its products (Wang, 2000). In reference to this latter aspect of the Project, Professor Lee, the major formulator of the APMCP plan said: "The four separate political systems of China, Hong Kong,

Maccau, and Taiwan seek to penetrate the same big market of Greater China with their television products. China is skillful at producing historical drama; Hong Kong at producing Kung Fu films; and Taiwan at producing entertainment programs that are popular in China and Singapore. Should China and Taiwan develop a friendly relationship in the near future, this could secure a Mandarin language audio-visual market "(Lee, 2003, p.178).

However, the implementation of this part of the APMCP plan encountered a problem in the adversarial attitude of China government toward foreign broadcasters. Although China is a WTO member, it has so far allowed only Time-Warner-AOL communications to broadcast to its Canton region (Shen, 2003). As Simon Ho remarks, "Despite undergoing a series of economic reforms, the Chinese market remains hard to penetrate. However, emulating the example of Star TV, the News Corporation managed to launch another channel, Phoenix TV, in the Chinese market where it is available in Canton and the coastal areas of South-eastern China. Phoenix TV's successful penetration of the Chinese market is due the fact that this venture was co-sponsored by a veteran Chinese general and entertains a close relationship with the Chinese military"(Personal Interview of Simon Ho, 17 May 2004). Ho is an expert on the television markets of South East Asia and, as the general manager of MTV's Taiwan branch, is a frequent flyer between New York, Beijing and Taipei.

Language may not be an advantage for made-in-Taiwan television products in their penetration of the Chinese market. In an advisory report published by the GIO, Professor Wang of Yuan Chih University observes that "Taiwan and China differ so much socio-culturally that language is not sufficient to attract the interest of the target audience. An attempt must be made to localize Taiwanese television programs and adjust them to the taste of the Chinese middle-class"(Wang, 2000, p.80). Further, Ho indicates that the local station of China is going to televise Taiwanese entertainment programs instead of importing Taiwanese television products. He pointed out that "In recent years, some regional and local stations in mainland China televised some of Taiwan's entertainment programs such as the "Bachelor Show". A few television series without political implications were also shown on Mainland television and got a high degree of attention. And a couple of stations have contacted the producers and television networks in Taiwan

regarding future cooperation" (Personal interview of Ho, 17 May 2004).

Ho also worked as GIO's policy consultant in 1993-95 when the government was developing its APMCP proposal. Despite cooperation between private stations, the worsening relationship between President Chen of Taiwan and China overshadowed the implementation of APMCP.

Tsai Anlon, a Shanghai-born television production manger and a policy consultant stated that: "The Taiwan government bans any direct connections between the local stations and those in Mainland China. Many professionals in the television and movie industries as well as scholars in Taiwan oppose this kind of restriction. It is believed that the restriction on program exchange will be lifted after China implements a more liberal policy toward the broadcasting sector" (Personal interview of Tsai Anlon, 23 July 2004).

To recapitulate, under the scheme of entering the WTO, the government of Taiwan envisioned that liberalizing the television industry by privatizing the ownership of state television would be an effective way for it to become competitive in the global television market. During the implementation of this policy, however, a different approach was adopted with the creation of a private sector made up of satellite television stations. Furthermore, an attempt was made to penetrate the Mainland Chinese market. This aspect of the plan was adversely affected by the difficult relationship between Taiwan and the People's Republic of China. Also, as it turned out, a common language does not necessarily signify common interests or taste among different national audiences.

In the previous section it was shown that the over-centralization of the CTRC had deterred the autonomous growth of the local public sphere. In the next section, the state's digital television policy and its implications for the maintenance of the domestic cultural sphere will be explored.

## The Debates over Terrestrial Digital Television (DTV)

The two state-controlled television stations, China TV (CTV) and Taiwan TV (TTV), began experimenting with wireless digital television (DTV) in 2004 and eventually became DTV content providers, thus marking the television industry's entry into the era of digital communication. In this section, the policy debates concerning alternative approaches to achieving the goal of digitalizing the television industry of Taiwan are examined. It is apparent that the state's regulatory authority had a vague understanding of

the new technology that enabled policy actors representing the private sector to frame the policy rationale for digital television in Taiwan (Cheng, 2003; Lo, 2004). The resignation of GIO director Su Chenpin in May 2002 marked the state's formal concession to supporters of the private sector. The departure of Su was the resolution of the political controversy. The resulting policy adopted by the state was a low-regulation model that minimizes the cultural obligation of private broadcasters and failed to enhance regional and rural access to digital television.

DTV Policy in Taiwan

Taiwan's policies toward the adoption of digital television followed the footsteps of the United States and its 1996 Telecommunication Act. The goal of these policies was to develop a broadcasting infrastructure with a high communication capacity, leading the country to an information-based society (Wang, 2000). In November 1997, the MOTC announced its proposal for a digital television policy and the Executive Yuan began preparations for the testing of digital television signals by state-owned terrestrial television stations (United Daily News, November 12, 1997). The first digital signal tower was built on Bamboo Mountain in Northern Taiwan in June 2000. After two years of planning, experimental programs were broadcast to certain areas of Taiwan. The MOTC mandates that the government will recall the entire analogical electronic spectrum used by the current terrestrial television channels by the end of 2006 (Lee and Chen, 2002). The reason for recalling these frequencies is to increase the communication capacity of the broadcast media in the information age.

Digital television in Taiwan is regulated by three agencies of the central government: the Directorate of Telecommunications (DGT), the Government Information Office (GIO), and the National Communication Commission (NCC). DGT, a division of MOTC, is the principal regulatory body of the telecommunications industry according to Taiwan's Telecommunications Act of 1958 and its related by-laws. One of its responsibilities is the allocation of digital spectrum. It decided in 2001 to adopt the European digital video broadcasting system as its standard (Cheng, 2001, p.1) The GIO, a superior division under the Executive Yuan (the Cabinet), is the primary policy-making body for broadcasting, according to the Broadcasting Law of 1976 and the Cable Broadcasting Law of 1993. Concerning digital television, the GIO proposed regulatory platforms for

the three terrestrial commercial broadcasting stations. One of these requires the stations to complete the digitalization of their equipment and facilities by 2006. This does not present any compliance difficulties since the GIO holds the power to grant or revoke licenses for commercial stations.

The role of the third agency, the NCC, is explained by Professor Shih as follows: " The Task Force on the National Infrastructure of Communication and Information (NICI) in the Executive Yuan was the top office in planning the digital communication project. The NICI has been reframed as the NCC in 2003. The NCC is a coordinating unit for the implementation of digital communication policy in the governmental branches" (Personal interview of Shih, 23 July 2004).

The main policy goal of the state's tripartite policy-making and regulatory authority in dealing with digital television is to digitalize terrestrial television and transform Taiwan into an information society. Commenting on this policy, Cheng said:

"The government's digital television policy does not distinguish the content provider from the broadcasting system. The NCC was established in 2002 as a unit that coordinates policy proposals concerning the allocation of the digital spectrum of Taiwan. And the introduction of DGT into the regulatory framework demonstrates the state's intention to upgrade the television industry and turn it into an information infrastructure" (Personal interview of Cheng, 20 June 2004).

Taiwan's digital television policy is unclear concerning the policy options to be adopted to meet its goal of enhancing the production of digital content. Because of this vagueness, the allocation of the digital channels was the subject of public debates in 2000. This topic is discussed in following section.

Technological Innovation and the Cultural Regulation

Proposals for the allocation of digital television channels provide an opportunity to examine how the state's twin goals of implementing digital television and regulating the cultural sphere relate to one another. Two major camps emerged among policy planners in the debates, one—the pro-information camp— held that increasing the number of information outlets was the way to achieve digital television policy goals. The other—the pro-culture camp— suggested that these goals could be best achieved by a redrawing of the state's telecommunication infrastructure. Through nationalizing three private wireless

broadcasters, the digital spectrum would be reallocated within the framework of state owned telecommunication industry. Such a policy was introduced to enhance rural access to communication resources.

The debates began in 2000 with the assumption of power by President Chen Shui-bian, a Taiwanese, and ended in 2002 with the resignation of the GIO director and leader of the pro-culture camp. Soon after being elected President, Chen who was sympathetic to the cause of a Taiwanese identity for Taiwan, appointed a committee to formulate reform proposals for the broadcast media. The report issued by this committee in August 2000 and entitled "Directive on Reform of the Broadcast Media" (DRBM) proposed to nationalize all terrestrial television stations and convert them to digital (Cheng, 2003). The controversy generated by the DRBM reform proposal prevented the government from accomplishing its goal and led to the resignation of the director of the GIO (Lin, 2003). The main opponent of the reform proposal was the Television Society-Electronic Research and Service Organization (TS-ERSO), a pro-information group representing the para-statal sector and seeking the re-allocation of digital broadcasting channels. The proposals and counter-proposals of the two groups are discussed in greater detail below.

In 2000 a pro-culture civil society group, the Television Democracy Union, dedicated to safeguarding of the information rights of citizens, declared that digital television licenses should be "publicized as public television channels"(FACCS, 2000). The same year, a committee of scholars appointed by the DPP administration of newly-elected President Chen, issued the DRBM report, which proposed to impose public obligations on any future digital system. According to Cheng (2001), the following three proposals dealing with digital television were at the center of its concern:

1. The allocation of broadcasting spectrum should be reasonable and efficient
2. The Government should recall the additional digital spectrum, which would be preserved for public interest channels.
3. The GIO should retain the authority to grant licenses for disability, aboriginal and other special interest channels (Cheng, 2001).

Digital policy analyst Cheng stated that: "the DRBM was in fact attempting to reform the improper policy that regulated commercial broadcasting at an earlier stage by setting up a dual structure of commercial and public television stations in the digital era"

(Personal interview of Cheng, 20 June 2004).

The pro-information camp represented by the Television Society (TS) offered alternative ideas for a digital television policy that included the following proposals:

1. The revenue tax imposed on private digital broadcasters should be rejected;
2. The existing terrestrial television station should be granted the digital television license without having to submit a new application;
3. The purpose of the digital television policy should be to transform the terrestrial television stations into digital content providers; the public interest obligation should be kept at a minimum level (Lang, 2002).

Research and Development organizations such as the Industrial Technology Research Institute (ITRI), which plays an important role in the testing and integration of digital television signals, took a stance similar to that of the TS. The reason is that it shared a common interest with private television broadcasters in opposing the new government's reform proposals that would have a negative impact on their activities. According to Shih and Lin (1994), " the Electronic Research and Service Organization (ERSO) of the ITRI which specializes in electronics has helped build up the domestic industry and made important contributions to the development of integrated circuits and high definition television " (p. 342).

The main policy concern of electronics manufacturers in the age of digital communication is the promotion of information outlets. As Francis Lee put it: "The integration of digital television with information outlets is good for our economy and the audience's convenience as well. The wireless digital television installed on buses or taxis will satisfy the information rights of the audience in the era of the information society. In the age of digital communication, we should use a broader perspective in considering the public interest obligation of digital broadcasters. Increasing the number of outlets of digital content would stimulate economic growth and serve the public interest better" (Personal interview of Francis Lee, 3 June, 2004). Lee is the general manager of a digital communication company. His opinion is representative of the majority of electronics manufacturers in Taiwan.

Digital television policy analyst Cheng concluded that: " The State's digital television authority gives more consideration to the interest of electronic producers than

to the promotion of cultural production. That is why the TS-ERSO linkage's policy proposal took precedence over the alternative offered by cultural policy planners. The theme of digitalized television content became associated with promoting the manufacturing of hardware instead of enhancing cultural production" (Personal interview of Cheng, 20 June 2004).

Emphasis on the benefits to be derived from the development of the infrastructure of digital communication became a stumbling block to groups advocating cultural development objective. The alternative policy proposed by the cultural camp to allocate digital television channels to public television stations operated by an independent television authority and to establish a distribution connection between regional television production and nationwide broadcasting channels failed.

Information policy scholar Shih observed: "From the viewpoint of pro-culture news, the establishment of a quality television system is the first priority in adopting digital television technology. This policy option was rejected thanks to the efforts of the policy actor representing the interests of commercial television operators. It successfully lobbied the Legislature to extend the existing policy regulating commercial television into the digital era. Despite the proposal of DRBM by pro-culture scholars under the DPP government, the need for the State to manage an effective economic space in a period of high unemployment reduced the legitimacy of the DRBM " (Personal interview of Shih, 24 July 2004).

In summary, the state minimized the cultural obligation of digital television broadcasters and failed to enhance local access to digital television. As suggested in the literature review conducted in Chapter Two, two policy models have been proposed for the regulation of digital technology. The difference between the two is the extent to which a doctrine of public interest can be imposed on private broadcasters. In the traditional broadcasting policy model, terrestrial television stations were required to meet the communication needs of people in the country (Collins and Murroni, 1996). In order to sustain profitability of the local electronics industry in a competitive global market, the state of Taiwan adopted the de-regulation model in the implementation of its digital television policy. In other words, it did not mandate private broadcasters to promote rural access to communications resource. The private sector thus successfully framed the

policy agenda of digital television in Taiwan by persuading the state to grant the digital spectrum to private terrestrial television stations.

## Conclusion

The evidence presented in this case study suggests that external factors played a major role in shaping Taiwan's broadcasting policy-making process. Since the government initiated democratic reforms in 1990, Taiwan's broadcasting industry has experienced a series of changes. The prevailing media control policy of the government was replaced by a market-oriented deregulatory policy with regard to both transnational broadcasters and domestic private digital broadcasters. This has put the national cultural sphere at the mercy of private broadcasters.

There are three major findings of this chapter. First, the state undertook the legalized cable television in order to circumvent trade sanctions by the United States. The open sky policy that resulted from this action brought national culture under the influence of canned American programs. The state also promoted Taiwan's domestically produced television programs within the regional Chinese market as part of its Asian Pacific Media Center Project. Such policies underscored the relationship between the flow of television content and geo-political power structures.

Such evidence indicates that the cultural globalization school may be overly optimistic in its claim regarding "glo-location" (Robertson, 1995). Due to the asymmetrical power relationship between center and periphery countries, "de-culturalized" television programs produced by third world countries don't sell as well as those produced by countries in the North (Iwabuchi, 2002). In other words, the exportability of television programs does not depend on their "hybridized" nature, but on the geo-political power relationships that underpin the "free" flow of television products. Thus, it was pressure exercised by the United States that led to the legalization of cable television in Taiwan, which had nothing to do with the content of its television programs. Likewise, the feasibility of the APMCP depended on a friendly relationship between Taiwan and China, which seemed to preempt the appropriateness or quality of programming.

Second, from the domestic perspective, the fact that local broadcasters were culturally unproductive is indicative of the failure of the state's policy in managing

private broadcasting. Such failure also contributed to the fragmentation of the cultural sphere. In the period of liberalized broadcast media, the emergence of private satellite broadcasters and regional television system also weakened culturally oriented production throughout the country.

The over-reliance of a newly established satellite television on imported programs of the canned or pirated varieties also reinforced a culture of consumption. As Miller (1999) observed, “We have seen first a slow and now quick dissolution of cultural protectionism in television. That hardly seems an effective place to make a fight. We know that globalization of the industry involves a reconfiguration of the labor force, so perhaps that might give a solid material backing to our discussions [of the cultural sphere]” (p.290). The replication of foreign content in satellite television channels drove the domestic television industry into the assembly line of foreign television companies. Linkage of local and global entertainment providers reduced cultural experiences at both regional and local levels.

Third, technological innovation put a strain on the state’s ability to govern the cultural sphere. The introduction of wireless digital broadcasting technology understood as a series of outlets of digital communication products resulted from the vagueness of state policies regarding new technologies. The government failed to grasp the implications of technical innovation (Aufderheide, 1999). As a result, the doctrine of public interest was redefined to suit the interests of electronics manufacturers.

# CHAPTER SEVEN

# CONCLUSIONS

## Introduction

The objective of this chapter is to summarize the study's major findings and to relate them to the development of Taiwan's cultural sphere. The cultural sphere is the meaning production system of a society. It includes broadcasting as well as other sectors, such as education, publishing, museums, the arts, etc. The focus here is on broadcasting as a mean of cultural expression. Discussions of the cultural sphere draw from three major academic traditions: media studies, sociology, and policy analysis. It is affected in important ways by the ways in which broadcast media are organized and regulated

This chapter argues that the Government of Taiwan failed to nurture or protect the nation's cultural sphere during the 1989-2004 period. The government's stated goal for broadcasting policy reforms was to promote cultural diversity and political liberalism as the country became increasingly democratic. However, the attempt to increase cultural diversity was compromised by the private broadcasters' intervention in the policy process. Also, the goal of achieving political liberalism was constrained by a highly centralized regulatory framework in which local government was allowed only a limited role.

The chapter contains three sections. First, the chapter summarizes the characteristics of broadcasting policy reforms in Taiwan, and relates them to the globalization of media structures and programs. In the second section, the chapter reviews the relationship among civil society groups, transnational broadcasters and the state. Based on the evidence found in the study, proposals for future studies and the limitations of the current research investigation are presented in the third section.

The study argues that the state's broadcasting reform policies were constrained by challenges presented by private broadcasters. The characteristics of broadcast policy reforms in Taiwan can be summarized as follows:

1. A limited role for local government;
2. A decline in the regulation of broadcast media;

3. The disappearance of local television production;
4. The up-rooting of the regional cultural sphere; and
5. The commodification of digital technology.

Policy scholars agree that broadcasting reform policies are increasingly linked to broad cultural aspects of globalization. The theoretical concept of globalization is best understood as an interlocked economic, cultural and political process. In this vein, broadcast reforms in Taiwan were neither the result of an intra-state reaction to global capitalism nor the consequence of inter-state competition, but part of a global-local nexus. Within the context of global culture, the production and distribution of local media programs are under the influence of transnational broadcasters. As a result, the role of the state in planning the reform of broadcasting policies decreased. Under such a policy environment, the state collaborated with the civil society groups to reform the broadcast media. Civil society groups, such as the Public Media Association (PMA), took part in the policy-making process by resisting the institutions of private broadcasters. The private broadcasters facilitated the entry of western entertainment content into Taiwanese television. Transnational broadcasters networked with domestic private broadcasters to shape the reform process to their own ends. They co-opted the process of media reform.

In terms of defining the cultural responsibilities necessitated by the introduction of new broadcasting technology, the state minimized its investment. The decrease in the regulation of the cultural sector was based on neo-liberal principles. Guided by such principles, the traditional role of the state in nurturing the cultural sphere is replaced by the private sector. The state also reduced the cultural obligations of private broadcasters, along with requirements to serve under-privileged groups.

Employing institutional analysis, the cultural sphere here also refers to the institutions and other means for preserving Taiwan's identity. The cultural products produced by local institutions are relevant to the development of Taiwanese identity. The broadcasting sector of the cultural sphere consists mainly of the television industry. The idealized goal of the policy reforms adopted by the state in 1989 was to advance cultural diversity and political liberalism. However, the study argues that due to the spread of global cultural influences, the goal was not achieved.

The study employed an institutional approach to explore how reforms of Taiwan's

broadcast media affected the national cultural sphere. Instead of measuring the proportion of domestic and foreign television content, the institutional analysis of the broadcasting policy reform illustrated a complex policy process which is increasingly embedded in a global-local nexus.

## Characteristics of Taiwan's Broadcasting Policy Reforms

In considering policy activities that impact the cultural sphere, the study began by analyzing the characteristics of select broadcast reform policies. This section summarizes the findings reported in Chapters Four, Five and Six. In those chapters, the policy reform process, which occurred in a context typified by the interaction among state, transnational broadcasters, and civil society groups, is traced from its beginning in 1989. The dynamics influencing the state policy activities come from international, national and local actors, which comprise a unique policy environment.

### A Limited Role for Local Government

The concept of media localism was introduced in Chapter One. Using this concept, the study examined the role of local organizations in the policy-making process. From the perspective of sustaining an autonomous national cultural sphere, the promotion of media localism should be a policy priority for broadcast media (Stavitsky, 1994). One of the theoretical concerns of this study, therefore, was the role that local cultural organizations played in the policy process. The civil society organizations that participated in the broadcasting policy-making process in Taiwan cooperated with the government in resisting the advance of commercial television (Feng, 1999).

The reason for considering the role of local government in the policy-making process was based on theoretical considerations concerning the relationship between local media and the development of democratic citizenship. One of the research questions, it may by recalled, was: "What role did civil society groups play in the reform of Taiwan's broadcasting industries?" In Habermas's theoretical scheme, the local public sphere constitutes the basis of democratic liberalism. Originally, Habermas (1989) identified the local public sphere as a public space, a library or a municipal park, where people expressed their opinions without prior censorship. In today's policy research, however, the local public sphere has been redefined to include the virtual communicative space created by electronic broadcast media. A truly democratic regime may use this

communicative space to enable local people to express themselves (Schlesinger, 2001; Spitunlink, 2002).

According to the findings of this study, there is evidence to show that local governments in Taiwan have not played an important role in the preservation of local public spheres. The lack of a decentralized policy-making mechanism has affected the development of the cultural sphere. Thus, alterations of the programming and coverage of non-profit television channels within local cable systems are reported to the central government instead of the local government. Local governments have not been granted the right to monitor changes in non-profit television channels. Furthermore, the lack of local funding to PTV contributed to the limited amount of reporting of local affairs on national television channels. The review committee of PTV did not consult with local officials, thereby ignoring communication needs at the local level. The review committee emphasized political affairs occurring in large metropolitan areas. As a result, the programs shown on Taiwanese public television channels lack local coverage and depth.

In sum, the lack of a mechanism for including local government in programming and funding allocation decisions, which might have helped to protect small and rural people from the influence of global television, weakened the public sphere.

A Decline in the Regulation of the Broadcast Media

Another research question addressed in Chapter One, was: "To what extent did transnational media interests influence the regulation of Taiwan's broadcasting industries and the nation's cultural sphere?" There is evidence to show that liberalization policies resulted in a decline in the state's regulation of the broadcast media. This trend also occurred in the broader socio-economic context of Taiwan.

In Chapter One, it was stated that General Chiang Kai-sek, leader of the KMT, led an aristocratic military government in Taiwan after he was expelled from mainland China by the Communists. Chiang used the broadcast media primarily as a propaganda machine to promote a Confucian identity among Taiwan's citizen. This policy lasted until the late 1980s when, due to Taiwan's increasing trade surplus vis-à-vis the United States, it became necessary to legalize the use of American television channels in exchange for the maintenance of friendly trading ties between the two countries. It was also necessary to reconsider the developmental communication policy rationale adopted by the

Kuomintang (KMT) government. Other researchers argue that states that follow a developmental communication model tend to nationalize and direct the broadcast media in order to facilitate national integration. In the case of Taiwan, control of the nationalized broadcast media was centralized in a triangular policy-making structure composed of the Government Information Office (GIO), the Cultural Affairs Department (CAD) and the Ministry of Defense (MOD). Nationalization and control of television and radio networks, however, came with political costs and declining public support. This cost grew larger and threatened the existence of the KMT regime. Beginning in 1989, some element of Taiwanese society began pressing for democratic reforms of the broadcast media.

The evidence in Chapter Four indicates that a developmental communication model had been adopted by the KMT regime in order to foster national integration in the wake of Taiwan's expulsion from the United Nations in 1972. This model was largely abandoned in the early 1980s as Taiwan entered a period of economic prosperity stimulated by a large dose of American economic aid. National identification with China coexisted with the "Taiwanese economic miracle" at this time. The KMT regime was more enthusiastic about managing growth in the economic sphere than in making a political investment in the establishment of a more regulated broadcasting system.

The complicated process of relinquishing the state-centered developmental communication policy direction occurred at two levels. The lifting of the ban on foreign satellite television broadcasts in 1989 was a compromise intended to diffuse the confrontation with critics of the state's monopoly on broadcast media. Subsequently, the KMT regime sought to safeguard its strong trade relationship with the United States by legalizing the cable/satellite relay system in 1993. This was in response to pressure from the American movie industry. The passage of the Cable Broadcasting Law (CBL), completed without adequate deliberation, however, exposed the national cultural sphere to an unregulated broadcasting environment (Wang and Lee, 1995).

This study argued in Chapter Four that the abandonment of Taiwan's developmental communication policy was influenced by the intervention of transnational broadcasters. Unlike in the industrialized countries where a supposedly autonomous state cultural policy serves as the backdrop to reforms of the broadcast media (Kuhn, 2000), in Taiwan

international trade considerations forced the state to loosen its grip over the broadcast media, resulting in a loss of policy autonomy in dealing with transnational broadcasters. In short, the state-centered policy mechanism proposed by the development communication model was compromised by the pressure exercised by transnational broadcasters, which contributed to a decline in the regulation of the broadcast media.

The Disappearance of Local Television Programs

In Chapter One, the following research question was raised: "What role did civil society groups play in the development of nation's cultural sphere?" One of the aims of this study was to explore the impact of broadcasting reform policies on local television production. In the view of some analysts, the local television system should serve as a source of creative programs for the national television system (Kuhn, 2000). However, there is evidence to show that the legalization of Taiwan's cable/satellite relay system resulted in the elimination of private local television production units. At the same time, cooperation between local Community Antenna Television (CATV) and cultural empowerment activists resulted in a decentralized cultural production system. Thanks to the linkage of production facilities and the involvement of independent producers, the decentralized television system was able to produce locally oriented television programs beginning in the late 1980s. The programs produced included Taiwanese folk songs, news reports on local council meetings, and environmental protection programs. Chapter Five provides evidence supporting the argument that attempts to organize an autonomous cultural sphere occurred when civil society groups began to challenge the government's control over it.

The relationship between civil society groups and the state in dealing with television production evolved from confrontation to cooperation over time. Finally, in an adversarial relationship with the state, the cultural empowerment movement took an activist role in the reform of the broadcast media. The cultural empowerment movement sparked the idea of creating an autonomous cultural space (Higgis, 1999; Spitulink, 2002). In an autonomous cultural space, people can exchange political opinions with a minimum of state intervention. The Cable Broadcasting Law (CBL) of 1993, which incorporated the idea of a local television system, was an evidence of the improved relationship between civil society groups and the state. However, the legalization of cable/ satellite

relay system raised the requirement for start-up investment capital for local community antenna television (CATV) to one million U.S. dollars. This barrier to market entry forced most of the CATV operators out of business.

The fundamental reason for the disappearance of the decentralized television production system was the lack of appropriate measures to implement the reform of broadcast policies. In other words, the goal of decentralized cultural production was not obtained because the state broadcasting authority did not devise appropriate procedures to achieve it. The indifference of the state broadcasting authority toward local culture inevitably damaged the decentralized cultural production process that was established by the local CATV and the cultural empowerment activists. Whether the public television group of 2004 will implement policy measures to include the local independent producers in the program production remains to be seen.

The Uprooting of Regional Culture

The purpose of this section is to assess the state's efforts in revitalizing the heretofore unproductive domestic television industry and setting up an Asian regional television system. In the discussion of neo-liberalism's influence on the restructuring of Taiwan's domestic system, the following research question was raised: "How did the state's neo-liberal policies affect the reform of Taiwan's broadcasting industries?"

There is evidence to show that the state sought to create an efficient television production market that integrated both national and an Asian regional television system. However, the state's revitalization efforts were thwarted when financially well endowed satellite broadcasters succeeded in attracting away most of the regional television professionals. For most of the newly established satellite broadcasters, the evidence in Chapter Six revealed that the most effective way to set up the production unit of a private broadcaster was to recruit the professionals working for the regional television system. In order to lower their production costs, television producers simply mimicked canned foreign imports. This had the effect of gradually eliminating competing programs produced by their colleagues remaining in the regional television system.

As indicated in Chapter Six, the passage of the Satellite Broadcasting Law (SBL) led to the establishment of three major satellite broadcasters in Taiwan: Sanlih Entertainment Television (SET), Central Television Network (CTN), and Videoland Television (VTV).

By comparison, South Africa's reform of its state broadcasting system, also following a neo-liberal plan, resulted in the launching of a single private satellite broadcasting system, the M-Net, which cooperated with South African provincial television stations in the production of national television programs (Barnett, 1999). Taiwan, on the other hand, though a country with a smaller territory, allowed three satellite broadcasters to be launched in a single year, which subsequently siphoned off the television professionals who were working in the regional system. Due to severe competition in the domestic television market, up-rooted television professionals then produced programs that imitated foreign imports. Such programs neither served the regional people's interests nor enriched the cultural sphere. In this respect, excessive competition in Taiwan's television market did not create a more diverse television production environment.

Through the connection between regional and national television systems, the regional television market should serve as a source of national television programming (Kuhn, 2000). The essential policy challenge is how to address the loss of regional television production professionals from being attracted by private satellite broadcasters. The satellite broadcasters rely on canned foreign imports. The policy implication of this analysis is to limit the number of private television channels while the state is in the process of implementing the deregulation of the domestic television industry (Shields, 1998).

The Commodification of Digital Technologies

The literature review suggested that broadcasting policies inevitably are affected by the internal social situation prevailing within a nation (Park and Curran, 2000). The research question explored in the section dealing with the regulation of digital technology was stated as follows: "What policies related to the introduction of digital technology were adopted by Taiwan's broadcasting industry?"

The evidence uncovered indicated that the Taiwanese government employed a limited regulation model to implement its wireless digital television policy. In adopting this policy, the state in effect endorsed a position favorable to the local electronics manufacturers. In the field of DTV policy research, the limited regulation model puts the emphasis on decreasing the transit costs of digital carriers in order to enhance the exploitation of a technological innovation. Following this model, digital television

functions as an information outlet for entertainment television rather than as an instrument serving to improve rural access to communication facilities.

The case study of Taiwan's digital television policy suggests that it was the Taiwanese government's need to manage an effective economic space in which electronic goods are promoted that led it to adopt the low-regulation model of DTV as a policy. It also shows TS-ESRO was the most important policy actor exerting influence on the State's policy agenda. It was TS-ESRO's conception of DTV as an information outlet services the interests of electronics manufacturers that prevailed over the public interest doctrine of enhancing rural access to digital communication resources.

Based on the theoretical assumption of social shaping of digital technology, the evidence found in this study has shown that the industry policy elites was a decisive factor in defining the cultural obligation to be derived from digital technology (Docter and Dutton, 1999). Electronics manufacturers exert a powerful influence over public policy in general, and communication and cultural policies in particular. The industrial environment of Taiwan has had a constraining effect on the state's policy choices and has effectively shaped Taiwan's national broadcasting policies. By framing the policy agenda during broadcasting policy debates, the TS-ESRO link, a pro-industry lobbying group, succeeded in making the state adopt a policy that contributed to the commodification of digital television in Taiwan.

## Revisiting Key Theoretical Concepts

To further understand how broadcasting policy reforms impacted Taiwan's broadcast media and restructured the nation's cultural sphere, the study examined the interaction among the State, transnational broadcasters and civil society groups during the policy reform process. In theory, the cultural sphere supported by cultural institutions is regulated in part through the broadcasting policies and reforms. The reforms themselves are occurring within the wider and rather complicated processes of globalization.

### Civil Society Groups and Broadcast Media Reforms

The role civil society groups played in the policy reform process cannot be ignored in examining the relationship between liberalized broadcasting policies and the regulatory measures that accompanied them. In general, employing the strategy of new social movements, civil society groups were resistant to global entertainment providers

(Castells, 1997). New social movements are identity-oriented social movements, and they can represent a new way of participating in the policy-making process in recently-democratic societies. Under the policy environment created by the global-local nexus, local identity becomes more important than in earlier periods when the state could easily regulate the broadcast media. The cultural standardization driven by the transnational broadcasters can precipitate a crisis of local identity. Hence, the civil society groups fight private broadcasters in order to protect their cultural space.

The role of civil society groups in Taiwan was manifest in their resistance to the global television system. The Public Media Association (PMA) in 1994, for instance, was indicative of the strength of this anti-liberalization movement in Taiwan. The private broadcasters challenged the establishment of public television during the policy debates, thereby undermining the goal of preserving cultural spaces. In 1996, groups representing the interests of the cable/satellite relay system even suggested the auctioning off of public television in public hearings held by Taiwan's legislature. This sparked street demonstrations held by civil society groups, which succeeded in blocking the move. This move was also backed by private broadcasters. Employing the identity-based social movement strategy, the civil society groups exercised participatory democracy in the policy-making process.

Although liberalization implies, at least, in theory, deregulation and privatization, in Taiwan, civil society groups stepped in and made sure that the public interest was protected. Also, the development of cultural empowerment activities manifested the role of independent producers in preserving an autonomous cultural space. The study's findings indicate that liberalization constituted a challenge to local cultural production, influenced the Taiwanese cultural sphere, and highlighted the role and significance of civil society in the country.

The Networking of Transnational Broadcasters and Colonized Private Broadcasters

Communication researchers who adopt the cultural imperialism approach to interpret the cultural invasion of third world countries by those of the first world tend to emphasize external influence. They tend to ignore the internal dynamics of the countries themselves (Boyd-Barrett, 1998). In the case of Taiwan, the state's indifference to the local culture allowed transnational broadcasters to link global entertainment providers

with local private broadcasters. In short, cultural imperialism was made possible not only by cultural infusion from industrialized countries, but also by the support given to it by "colonized" local private broadcasters. According to the findings of this study, the proliferation of foreign programs that now prevails in Taiwanese television was facilitated by the low quality of the state's television programs. As Hamelink (1983) observed, when countries are able to produce most of the programs they need, they are more selective in their television import policy. Evidently, the long-term political intervention within state television has delayed the development of Taiwan's domestic television industry.

To secure the KMT regime, the government's media control policy suppressed the development of a Taiwanese identity. The indifference manifested by the state cultural authority toward the local identity also influenced the policy rationale of successive policy reformers. The latter tended to ignore the protection of local and regional cultural production while the state sought to establish the private broadcasters. In this sense, the school of "glo-calization" theorists, who advocate the hybridized production formats, have over simplified the complicated process of television production in the Third World.

Due to the shortage of local television programs, the cable/satellite relay system became "colonized" channels that contributed to the prevalence of foreign television content. Thus, the legalization of the cable/satellite relay system led to the networking of broadcasters operating in the national cultural sphere with those providing global entertainment television. In sum, from the perspective of culture and communication policy, studies of cultural imperialism should focus more on the internal policy process of nation states. Researchers also should be encouraged to concentrate on the interplay between the state's broadcasting policies and the promotion of local program production.

The Relinquishment of the Cultural Responsibility of Broadcast Media

Communication policy scholars who study the diffusion of new technologies often ask whether or not the public interest has been considered in government policy. The public interest often refers to public obligations, which impose responsibilities on domestic broadcasters (Napoli, 2003). Theoretically, the intent of regulatory measures aimed at the broadcasting sector is to assure public welfare. Even after the adoption of a liberalized policy model, the broadcasting media in most states are expected to serve all

elements of a society. Serving the public interest cannot be left exclusively in the care of a profit-driven system. It must be safeguarded by the government's regulatory policy (Krasnow and Goodman, 1998). In this study, the relationship between the broadcasting policy reforms and the development of the cultural sphere, and doctrines of the public interest, including the improvement of rural communication service and the open access to media were major considerations. When neo-liberalism principles are predominant, profitability and efficiency issues prevail within the television industry. In this case study, the cultural obligations were waived by the broadcasting authority. A balance between promoting national and local television production, and advocating rural access to digital broadcasts was not achieved. The policies that led to the reduction of the cultural obligations of broadcasters originated with the Asian Pacific Media Center Plan (APMCP) of 1997. Similarly, the digital television policy supported by the relevant electronic manufacturers redefined the doctrine of universal access. The introduction of economic policies into the arena of cultural policy compromised the cultural sphere and reduced obligations of private broadcasters.

It should be noted that economic activities influence national cultural life in a rather subtle way. For example, while drafting the APMCP in 1997, Taiwan's policy planners failed to allow regional television operators to have access to satellite technologies. The lack of sufficient communication resources in the regional television system made the television market unfair. The improvement of the broadcasting capabilities of the regional television system simply was not considered when the state sought to develop the national satellite television system.

In terms of policy analysis, the exploration of the influence of economic activities should focus on public interest implications of technological changes. Traditionally, critical theorists decry the influence of economic infrastructures over the activities of human cultural life (Lee, 2000). Such an over-simplified theoretical framework, however does not adequately explain how cultural sphere issues are influenced by technological innovations.

The Cultural Sphere

The government of Taiwan failed to make cultural diversity and political liberalism prevail in the national cultural sphere. The idea of the cultural sphere combines three

layers of meaning that is drawn from media studies, sociology, and policy research. In the tradition of media studies, the principles of broadcast regulation are linked to issues of citizenship and cultural diversity. Second, in the sociological approach, the cultural sphere refers specially to the institutions that create meaning, where symbolic communication is usually the main purpose and even an end in itself (Williams, 1974). Third, from the perspective of policy analysis it is assumed that the cultural sphere can be regulated for the sake of sustaining the public welfare (Majone, 1989). In this study, policy issues relevant to the regulation of the cultural sphere included: 1) programming standards; 2) technology specific regulation; and 3) the establishment of a regulatory framework.

The television industry is one of a number of social institutions involved in cultural production (Crane, 2002). Based on the evidence presented in this study, the researcher argues that process of restructuring the Taiwanese cultural sphere was not successful. The highly-centralized broadcasting authority and the opposition of private broadcasters combined to stifle reform. For example, the local television system disappeared when the state legalized the cable/satellite relay television system. Also, the limited role given to local government in the policy-making mechanism prevented it from monitoring public television broadcasting channels. Such an over centralized regulatory authority was disadvantageous to the development of political liberalism.

In Chapter One, the study mentioned the role civil society groups played in the reform of broadcast media. In the context of a recently-democratic society, the media controlled policies were challenged by civil society groups, especially those groups in developing countries. After withdrawing from the United Nations in 1972, the KMT military government employed media controlled policies to promote the Chinese identity among the Taiwanese people. In Chapter Four, the study mentioned that Taiwanese television production, controlled by the KMT's triangle structure, also legitimated the social dominance of Mainlanders. Due to the introduction of democratic reforms, the Taiwanese and aboriginal groups sought to challenge the media control policies in 1989. The early 1990s' cultural empowerment movement (CEM) could be viewed as a starting point in the development of a Taiwanese cultural sphere.

Overall, even if the Taiwan government began the reform of broadcast media in

1989, the mismanagement of broadcasting policies did not create a unique Taiwanese cultural sphere. The reason is that the production of cultural empowerment movement in the early 1990s did not obtain enough resources to become the source of television production.

Second, the foreign programs broadcast by the cable/satellite relay system attracted the local audience. Entertainment television programs limited the production of regional television products. In terms of attaining cultural diversity, the regional television production professionals were attracted away to work for the private satellite broadcasters to amplify deliveries of global entertainment content to the island.

Third, the digital technologies were not used to upgrade the production facilities of local broadcasters. The proposal to enhance the rural digital television access was denied by the electronics manufacturers. The protection of the Taiwanese cultural sphere lost ground to the need for managing a prosperous electronics industry.

A new coexistence between the state and ethnic groups in Taiwan is now expected to remedy the problem of local television production. A new public television group was launched in 2004. A new cultural policy has now been adopted by Taiwan and is expected to include measures that address the state policy failures of the 1989-2004. The orientation of cultural policy has reflected the need of the state to maintain the new relationship with ethnic groups in the era of globalization.

Due to the growing influence of English, the government of Taiwan sought to preserve the Taiwanese and Aboriginal languages. The goal of this policy is to prevent the disappearance of local identity in an era of accelerating globalization. A large portion of the public budget has been allocated to promote cultural diversity and to stimulate production by the nation's major ethnic groups. The elected government needs the support of those groups. Such a cultural policy has relevance for researchers interested in the development of the cultural sphere, not only in Taiwan, but also in other countries.

## Limitations of the Study and Topics for Future Research

### Limitations of the Study

The study employed a policy analysis approach—with an emphasis on institutional analysis— to explore the consequences of reforms undertaken in one of the institutions that affects the nation's cultural sphere, namely, the broadcast media. The holistic

approach of policy analysis makes it a useful method for following the historical trajectory of policy reforms. The study followed policy analyst Galperin's suggestion that policy researchers using an institutional approach should concentrate on internal policy processes and external influences (Galperin, 2000).

Some of the limitations which made it difficult to conduct this study related to the nature of policy analysis itself. Policy analysis is time consuming and difficult to conduct. Such difficulties are increased by the case study's emphasis on complicated, historical reality, which leads to the collection of a great deal of data. Elaborate collection techniques require careful attention to data-sourcing and analysis.

Employing the approach of policy analysis, much of the evidence collected during the study came from personal interviews with individuals who have had different and often competing perspectives. For example, the public television producers and decision makers often provided responses that coincided with the government's stance, while civil society activists tended to support alternative views.

In this case study, due to the fact that the interviewees were politically sensitive to the KMT media-controlled policy, some of the evidence was less reliable in providing a historical account of the early 1980s. Such ambiguities of evidence also originated from how the interview questions were phrased. The vagueness of wording in the interview questions came along with the misunderstanding of respondents. For instance, the term 'satellite broadcasters' was not uniformly understood by the interviewees. Some of respondents confused the domestic satellite broadcaster with the foreign television channels. The official publications regarding the regulation of broadcast media should provide a new source for explaining the meaning of terms to the respondents for future researches.

Two major methodological issues need to be mentioned. The approach of policy analysis goes beyond the state policy-making procedure and relies on informants' discourses to understand the policy process. Such reliance also may severely affect the reliability of the study. Secondly, a case study makes it hard to generalize findings to broadcasting policy processes in other social settings. The historical analysis of Taiwan's policy process relates to a unique set of circumstances and a particular socio-cultural background.

Nevertheless, useful lessons still may be learned from this study. The study demonstrates that a historical analysis is vital in understanding the policy process of a developing country's broadcasting industry. Since this is one of the exploratory studies employing a historical examination of broadcasting policy in terms of television programming dependency and domestic television production in a recently-democratic country, the findings could contribute greatly to future studies conducted in Taiwan and countries with similar social settings.

Topics for Future Research

Based on the above discussion, topics for future research include ways to integrate broadcasting policies into the debates over the broader national cultural policy. In terms of the development of broadcasting policies, the goal of maintaining cultural diversity has been pursued by many governments. The Taiwan case reflects the need of the state to maintain a cooperative relationship with ethnic groups (DPP, 2004). Within the policy goal of preserving local and ethnic identities, the ways in which broadcasting policy is coordinated with the broader scheme of national cultural policy is another topic worth exploring.

As Taiwanese cultural policy scholar Lin (2002) indicated, "In the era of globalization, the policy network of the Taiwanese government cooperates with local communities, and this is reflected in the fact that the state has included civil society groups in its decision-making process. This localization has transformed the policy-making process, resulting in a greater depth for the socio-cultural system and the restoration of a sense of community"(p.138). In other words, the ways in which the public broadcaster and local civil society groups have cooperated suggest new mechanisms for supporting local communities that, in turn, become an important focus for understanding both culture continuity and change.

Secondly, cultural policy is a politically less sensitive research topic in developing countries than broadcasting policy. In Taiwan, for instance, the researcher undertaking a study of broadcasting policy is inevitably entangled in politics because of the existence of two opposed cultural camps, one pro-China and the other pro-Taiwan. Respondents belonging to each camp seek to influence the outcome in a direction favorable to their own policy preferences. Research on cultural policy, on the other hand, may have the

advantage of allowing for more objective findings.

In sum, confined exploration of the influence of cultural policy on the development of cultural sphere is warranted. The goal of national cultural policy is to build and maintain dialogue between the state and major ethnic groups. The study suggests that how the state coordinates the relationship between the public television interests and local ethnic organizations is an important subject vis-à-vis the regulation of broadcasting media and the cultural sphere. How can television professionals from local ethnic groups be integrated with the national public television groups? How can the state cooperate with ethnic communities to apply the digital broadcasting technologies, especially the Internet, in the future. Both will be important policy decisions in shaping the development of the cultural sphere in the future.

## APPENDIX A

## Interview Questions

Questions for informants on media policy

1. What new policies related to the introduction of digital broadcasting technology were adopted by Taiwan's broadcasting industry?

   1a.What issues arise in the policy debate on digital broadcasting technology in terms of its impact on Taiwanese cultural identity?

   1b.What benefits are to be gained from government regulation of digital broadcasting technology?

1. The government's Digital Television Policy paper provides guidelines for terrestrial digital television broadcasting in Taiwan. What role do these guidelines play in the promotion of Taiwanese culture?

   1a. What aspects of Taiwanese cultural identity should be incorporated into terrestrial digital television programming?( research question 1a)

   1b. In November 1998, the National Conference on Radio and Television Affairs was held, following which digital television policy became a salient policy agenda in Taiwan. What benefits are expected to accrue from a government-owned and -operated digital television system?( research question 1b)

   1c. What alternative and/or supplemental policies have been proposed? (research question 1a)

2. How did the state's neo-liberal policies affect the reform of Taiwan's broadcasting industries?

   2a.How have the broadcasting policy issues been addressed by the state at the international level?

   2b.How have the broadcasting policy issues been addressed by the state at the national level?

2. You have probably heard about, or even participated in the numerous seminars organized by communication professionals to discuss the Asian Media Center Plan proposed by the Government. In your opinion, does this Plan provide for the

incorporation of aspects of Taiwanese culture into local television production?

2a. In the Plan, the Government invites foreign media companies to invest in the satellite broadcasting sector, which would help to upgrade the broadcast media here. Practically speaking, how would such a policy be implemented? (research 2a)

2b. In the Plan, the Satellite Broadcasting Laws provide a legal framework allowing for the privatization of the domestic television industry. In your opinion, what influences do private broadcasters exert on the Taiwanese culture? (research 2b)

Questions for informants on economic policy

Research question:
3. To what extent did transnational media interests influence the regulation of Taiwan's broadcasting industries and the nation's cultural sphere?

3a. what types of policies has the government of Taiwan adopted in response to the pressure from trans-national broadcasters?

3b. How have transnational broadcasters influenced domestic television program production?

3. How would you assess the quality of programs presented on cable television in Taiwan (local and imported)?

3a. In Cable Broadcasting Law, the Government mandates that a 1% tax on annual revenues raised by local cable systems be allocated to the funding of local culture. Do you think this policy was intended to ensure the incorporation of Taiwanese cultural interests into local television production and programming efforts? Why? or why not? (research question 3a)

3b.The Cable and Broadcasting Law requires that 20% of domestic television broadcasting should be delivered by the local cable system. What is, in your opinion, the impact of this policy on the domestic production of television programs? (research question 3b)

3b1. Is the proportion of domestic/foreign television broadcasting appropriate or not?
3b2. How have transnational broadcasters attempted to persuade the local system operators to purchase the foreign television channels?

3c. In your opinion, what role, if any, do public access channels (cf. Article 25 of the Cable and Broadcasting Law) play in local television production? (research question 3a)

Questions for informants on socio-cultural policy

Research question:

4.What role did civil society groups play in the reform of Taiwan's broadcasting industries and in the nation's cultural sphere?

4. It has been claimed that civil society groups have helped to reform broadcasting policy in Taiwan. In your opinion, what is the purpose/function of civil society in the broadcasting policy process?

4a. What role do you think civil society has to play in the formulation of the national broadcasting policy? (research question 4a.)

4a1. The Taiwan Public Television (PTV) began broadcasting in July 1, 1998. What do you think about the relationship between the establishment of PTV and the "we need a PTV" movement promoted by university professors?

4b.What do you think are the factors and conditions of civil society in Taiwan that affect broadcast media programming and planning here? (research question 4b)

4b1. In late 1980s, there exist cultural empowerment movement launched by the independent producers. Do you think the cultural empowerment activities contribute to an unique cultural space in Taiwan?
4b2. In 1998, the Government implemented a cultural policy intended to preserve the cultural identity of indigenous peoples. Do you think the minority television stations, such as the aboriginal radio station, contribute to preserving indigenous cultures?

## APPENDIX B

### Chronology of Taiwan's Political and Related Broadcasting Policies Development

1989

Jan. The Legislative Yuan passes the *Law on Civic Organization*. The Law opened numerous opportunities for autonomous alliances and group formations within Taiwan's people and for linkages between members of the elite and key players within civil society groups.

1990

May President Lee Teng-hui is sworn in as the Taiwan's eight-term president. Lee begins to implement the political reforms. In his inaugural address, he specifies the schedule for political reforms: 1) all issues concerning national representative organs, local self-governance, and the government system shall be resolved by constitutional amendment within two years, and 2) the *Period of National Mobilization for Suppression of the Communist Rebellion* shall be ended in the shortest possible time.

1991

May The *Period of National Mobilization for Suppression of the Communist Rebellion* is ended.

1992

June The revised *Copyright Law* goes into effect, providing explicit legal protection for intellectual property right and imposing heavier penalties for infringement of copyrights.

Sept. Taiwan is granted observer status in the *General Agreement on Tariffs and Trade* (GATT) under the name, the "Separate Customs Territory of Taiwan, Penhu, Kinmen and Matsu".

1993

June. A social movement group, *Civilian Committee for Public Television* (CCPT), is organized by Taiwanese university professors to promote the idea of establishing the public television.

1993

Aug. The *Cable Television Law* goes into effect. The Taiwan government implemented the Law to govern the transnational television channels that had proliferated around Taiwan.

1994

Mar. The Supreme Court passes the *Doctrine of Equal Accessing Broadcast Media*. The Doctrine mandates the Government to lift off the ban on the ownership of broadcast media. In Taiwan, only the state sector was eligible to own and operate the broadcast media before the passage of the Doctrine.

Dec. The first popular elections for the governor of Taiwan Province and mayors of Taipei and Kaohsiung municipalities are held. James C.Y. Soong is elected governor of Taiwan. Chen Shui-bian and Wu Den-yin win the majors seats of Taipei and Kaohsiung, respectively.

1995

June President Lee arrives in the United States for a reunion at his alma mater, Cornell University.

June Premier Lien Chan launches a six-day visit to three European countries: Austria, Hungary, and Czechoslovakia. He is the highest Taiwan official to visit Europe since the Taiwan government moved to Taipei in 1949.

1996

Jan. The Legislative Yuan passes three telecommunications laws—the *Telecommunications Act*, the *Organizational Statute of the Directorate General of Telecommunications* (DGT), *Ministry of transportation and Communications, Chunghwa Telecom*. These laws relieve the DGT of the function of providing telecommunication services, making it a regulatory agency only; open the telecommunications sector to private and foreign investment; and strengthen controls on transmission frequencies.

1996

Mar. The first popular election of the president is held. The Koumingtang or Nationalist (KMT) candidate Lee Teng-hui wins the election with 54 percent of the vote.

1997

May The legislative Yuan passes the third reading of the *Public Television Bill*, which will enable the public television station (PTS) to begin broadcasting in 1998. The PTS offers educational programs, documentaries, drama, cultural programs, news shows for indigenous peoples and a range of investigative reports.

Dec. The *Asian Wall Street Journal*, the first multinational newspaper to set up a printing site in Taipei, launches printing operation.

1998

Jan. The Government launched a massive project to transform Taiwan into an *Asia-Pacific Media Center* (APMC). The Government Information Office (GIO) began laying plans in January 1995 to establish a framework for a complete and comprehensive media system covering the electronic and print media. The Plan underlies the establishment of a complete environment for the production of Chinese-language media.

Oct. The Legislative Yuan passes the statute to streamline the Taiwan Provincial Government, making the TPG a non-autonomous body under the central government.

Nov. The Government Information Office (GIO) sponsored the first *National Conference on Radio and Television Affairs* to prepare for the coming of digital TV.

1999

Jan. Taiwan launches ROCSAT-1, its first wholly-owned and operated satellite, into orbit from Cape Canaveral, Florida, USA, marking Taiwan's entry into the era of advanced space technology.

1999

Feb. The Legislative Yuan passes the *Satellite Broadcasting Law*, which provides legal basis for private satellite broadcasters' signals received via dishes of cable system.

1999

May The Government Information Office releases a batch of 72 frequencies, including 42 for regional stations and 30 for community stations. Of these 72 frequencies, seven were allocated to the National Educational Radio, and five were earmarked for Hakka programming.

2000

Mar. Democratic Progressive Party (DPP) candidate Chen Shui-bian and his running mate Lu Hsiu-lien are elected President and Vice President of Taiwan, ending the KMT's more than 50-years hold on the presidency in Taiwan.

Data sources: Republic of China Yearbook (2000). Taipei, Taiwan: Government Information Office.

## APPENDIX C

### List of Formal Interviews

Feng Chiansan, Professor, National Chengchi University. Interviewed on 23 June 2004.

Hong Chongjan, Deputy Minister, Government Information Office. Interviewed on 23 May 2004.

Huang Ginyi, Director, Government Information Office. Interviewed on 20 May 2004.

Huang Yigon, Movie Director, Moon Media Company. Interviewed on 10 May 2004.

Lin Fangyu, Public Official, Government Information Office. Interviewed on 11 July 2004.

Lin Fuyueh, Professor, National Dong Hwa University. Interviewed on 25 May 2004.

Lee Yundan, Manager, Public Television Station. Interviewed on 18 June 2004.

Chao Yali, Dean of Arts and Communication, Tamkang University. Interviewed on 5 July 2004.

Tung Chunfa, Dean of Indigenous Studies, National Dong Hwa University. Interviewed on 27 May 2004.

Sun Daijuan, Professor, National Dong Hwa University. Interviewed on 28 May 2004.

Shih Shihow, Chair, National Dong Hwa University. Interviewed on 24 July 2004.

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## APPENDIX D

## Cable Broadcasting Law

### Chapter One
### The Statement of General Purpose

Article 1
This law is enacted to promote the sound development of the cable television industry, to safeguard the audio-visual rights and interests of the public, and to the well-being of society.

Article 2
The terms used in this Law shall be defined as follows:
1). Cable TV shall mean the transmission of images and sound, via cable, for direct visual and aural reception by the public.
2). Cable audio and TV system shall mean the cable audio and TV transmission network and the facilities used including cables, microwaves and satellites.
3). Cable Television System Operator (referred to hereafter as system operator) shall mean the person who is permitted in accordance with the law to operate cable television.
4). Channel Operator shall mean the person who is authorized by a system operator to operate a specific channel.
5). Basic channels shall mean channels for which the subscribers must pay basic fees regularly for visual and/ or aural reception.
6). Pay channels shall mean channels, besides the basic channels, for which the subscribers must pay special fees for visual and/ or reception.
7). Pay-per-view Programming shall mean programming that subscribers individually pay for the purchase of each program viewed or listened to.
8). Encoded channels shall mean pay channels on which programming must be decoded in special procedure before being received visually and/ or aurally.
9). Headend shall mean the facilities and the sites for receiving, process, and sending cable television or cable audio signals, and transmitting them to feeder cable networks.
10). Trunk Cable Network shall mean the transmission network for cable television or cable audio signals that connects the system operator's electronic equipment to a headend or that connects two headends.
11). Feeder Cable Network shall mean the cable network and facilities that connect headend with subscribers.

Article 3
The competent authority referred to in this Law shall be the Government Information Office at the central government level, the provincial/municipal departments of information at the provincial/municipal level, and the county/city governments at the county/city level.
The Ministry of Transportation and Communications (MOTC) shall be the competent

authority in charge of the engineering techniques of cable television systems.
The regulations Governing the Engineering Techniques of Cable Television System mentioned in the preceding paragraph shall be set by the MOTC.

Article 4
The trunk cable network of a cable television system shall be laid by the telecommunications enterprises authorized by the said ministry, and shall be leased to a system operator upon its completion.

Article 5
The feeder cable network of a cable television system shall be installed by the system operator. Applications for the laying of cable networks shall be filed with the municipal, county, or city government concerned. Application for the attachment of cable networks shall be filed with telecommunications and electrical utility agencies.
Cable networks mentioned in the preceding paragraph shall be laid or attached in compliance with related laws and regulations.

Article 6
Cable networks to be laid as stipulated in the first paragraph of the preceding article may be laid above or under others' land or structures if they cannot be laid unless they pass through others' land or structures, or if the costs of laying the cables elsewhere would be exorbitant. But the site for and method of laying the cables shall be so selected as to cause the least damage, and compensation shall be paid.
Thee owners or occupants of the land or structure concerned shall be notified in writing of the situation mentioned in the preceding paragraph thirty days before work begins. In case of objections, an application may be filed with the municipal, county, or city government for arbitration. Should the owners or occupants of the land or structure reject the resolutions of the arbitration, they may file a civil lawsuit in accordance with the law.

Article 7
In the event of a natural disaster or emergency, the competent authority may, in order to maintain public safety and public welfare, notify system operators in the areas concerned to stop preprograms transmission or direct system operators to transmit specific programs or messages.
When the factors mentioned in the preceding paragraph no longer exist, the competent authority shall immediately notify the system operators concerned to reinstate the original program transmission.
Regulations for dealing with natural disasters and emergencies under the first paragraph shall be set by the central competent authority.

## Chapter Two
## Cable Television Review Committee

Article 8
The central authority shall form a Cable Television Review Committee (referred to hereafter as the Review Committee) to review the following items (referred to hereafter

as review items):
1). Approval or revocation of the permit for the operation of cable television.
2). Issuance or renewal of the licenses for system operators.
3). Evaluation of the execution of operations plans.
3). Other review items to be made under the provisions of this Law or those sent for review by the central competent authority.

Article 9
The Review Committee shall be formed by thirteen to fifteen members who shall include:
1). Eleven to thirteen scholars and experts.
2). Representative of the competent authorities, one appointed by the MOTC and one appointed by the Government Information Office.
The Review Committee shall invite a representative of the municipal, county, or city government to be present during the review of applications from the area of jurisdiction concerned. The duties and rights of such representative shall be identical to those of he members of the Review Committee.
No more than half of the members of the Review Committee shall have the same participate in the activities of political parties during their term in office.

Article 10
Members of the Review Committee shall be nominated by the premier and appointed after confirmation by the Legislative Yuan. Each member shall serve a three-year term and may be eligible for a second term when the first term expires. Committee members shall have their tenures terminated upon their resignation. Death, change of public office for which they were originally appointed as representatives, or inability to execute their responsibilities for other reasons. New members shall be appointed to succeed them and shall serve out the rest of the original term of office.

Article 11
The central competent authority shall send review items to the Review Committees for review and shall inform the applicant concerned by written notice of the decision made by the Review Committee.

Article 12
When the Review Committee meets, its members shall elect from among themselves a chairperson to preside over the meeting.

Article 13
A quorum of three-fourths of the members of the Review Committee is required for the committee to convene. A resolution shall be made with the agreement of more than half the members present.

Article 14
The Review Committee shall decide on the method of resolution after discussion.

Article 15

Members of the Review Committee shall exercise their powers fairly and objectively and shall remove themselves from the case under review in the event of the following:
1). The member of his/her spouse, former spouse is a director, supervisor, or managerial officer of the cable television operations whose application is under review.
2). The member is or once was a relative by blood within the fifth degree of relationship or a relative by marriage within the third degree of relationship of a director, supervisor, or managerial officer of the cable television operations whose application is under review.

Article 16
An applicant for the operation of cable television may apply for the refusal of a member of the Review Committee should he/she have reason to believe that the said member is prejudiced or unqualified for some other reason.
The chairperson shall adjudicate on the application mentioned in the preceding paragraph.
Article 17
Should a member of the Review Committee not remove himself/herself from application review when he/she should do so, the central competent authority may annual the resolution (s) made at the committee meeting concerned within one month of the resolution. Those persons whose interests are involved may also file an application with the central competent authority for annulment of the decision within one month of the resolution. The operation permit that have been issued shall be revoked by the central competent authority.
The items for which resolution or permission is annulled under the preceding paragraph shall be subject to another review and resolution.

Article 18
The rules governing the review by the Review Committee shall be set by the central competent authority.

## Chapter Three
## Operation Permit

Article 19
An application shall be filed with the central authorities for approval of the operation of cable television.

Article 20
Cable television shall be operated by citizens of the Republic of China in the form of a company limited by shares or a corporate body. Foreign nationals shall not be shareholders of a cable television system.
The directors, supervisors, or managerial officers of newspapers, wireless television enterprises, or broadcasting enterprises shall not be the applicant for the operation of cable television, or be a director, supervisor, or managerial officer of cable television.
The shares of cable television shall be widely distributed. A shareholder shall hold no more than ten percent of the shares. A shareholder and his/her related enterprises, spouse, directly-related blood relatives, directly-related relatives by marriage, and relatives by blood within the second degree of relationship shall together hold no more than 20

percent of the shares.

Article 21
In applying for the operation of cable television, application forms shall be filled out and submitted along with an operations plan to the central competent authority.
An operations plan shall explicitly carry the following details:
1). The service area for cable television system.
2). Timetable system construction and the initial time for operation.
3). Financial structure.
4). Personnel organization.
5). Number of channels.
6). Manner of channel use.
7). Ways of operation.
8). Rates and formula for calculating the fees.
9). Daily transmission time.
10). Programs contents.
11). Descriptions of engineering techniques and its facilities.
12). Strategies for promoting business.
13). Plan for staff education and training.
14). Plan for technological development.

Article 22
The Review Committee shall reject an application for cable television operation in the event that:
1). The application contradicts the provisions of Article 20.
2). The applicant's operation permit was revoked within the past two years due to violation of this Law.
3). A director, supervisor, or managerial officer of the applicant meets any of the conditions stipulated in Article 30 of the Corporation Law.
4). The applicant operates more than m=one cable television system within the same administrative district.
5). The applicant is engaged in telecommunications.

Article 23
The Review Committee may approve an application for able television operation if its engineering techniques conform to the Regulations Governing the Engineering Techniques of Cable Television Systems set by the MOTC and if it meets the following conditions:
1). The financial plan and techniques of the applicant are adequate for the realization of his/her operations plan.
2). The applicant shall provide for free at least one-tenth of the channels for public, artistic, and socio-educational use.
3). The services to be provided by cable television shall meet the interests and demands of the local people.

Article 24

The central competent authority shall state the reason(s) for rejecting applications for cable television operation that have been disapproved by the Review Committee. The central competent authority shall issue a permit for construction and installation for applications that have been approved by the Review Committee.
If an applicant disagrees with the rejection mentioned in the preceding paragraph, he/she may apply for a second review within thirty days of receipt of the written notification of rejection. The Review Committee shall provide reasons and an explanation for the review items within thirty days of receipt of the application for a second review. An application for a renewed review may be made only once.

Article 25
An applicant who has been permitted to operate cable television shall establish the cable television system in the given area and within the time specified in the permit and shall register in accordance with the law. In the event that the system cannot be established or legally registered within the time frame, an application stating the
The reason for the delay shall be filed with the central competent authority for extensions. The central competent authority shall rule on approval or denial of the extension. The extension shall not exceed six months. A petition for extension shall be filed only once.

Article 26
Upon the completion of the construction and installation of a cable television system, the central competent authority shall inspect the system in conjunction with the MOTC. The said ministry shall issue a system license and the central competent authority shall issue a system operator license to the cable television upon its passing the inspection and before it legally begins operation.

Article 27
No more than five cable television systems shall operate in any given area. The zoning and adjustment of the said area shall be conducted and announced by the central competent authority after a review of the following items in conjunction with the MOTC:
1). Administrative districts.
2). Natural ad geographical environment,
3). Population distribution.
4). Economic factors.

Article 28
A system operator shall not commission the operation of his/her cable television systems to others; headends and feeder cable networks shall not be leased, or transferred to others. If a pledge is to be made, creditors shall be limited to those financial institutions established with the approval of the government.

Article 29
The license for system operators shall be valid for nine years. A system operator may file an application with the central competent authority for the issuance of a new license starting one year prior to the date of expiration of his/her license.

Article 30
When changes are made in an operations plan that has already been approved, the system operator shall file in advance with the central competent authority for approval of the changes.
When there is a change to director, supervisor, managerial officer, or representative of a system operator, a report shall be submitted to the central competent authority for approval. This requirement also applies to the transfer of their shares.

Article 31
The Review Committee shall evaluate once very two years the sate of execution of the operations plan submitted by a system operator. A system operator who fails to carry out his/her operations plan shall be notified by the central competent authority to make improvements within a set period of time.

Article 32
A system operator shall provide at least one-third of his/her activated channels for operation by channels operators, and the number of channels to be provided shall be determined by the Review Committee in accordance with the operations plan. A channel operator shall operate no more than one channel on the dame cable television system. The provisions of Article 20 shall apply mutatis mutandis to the qualifications of a channel operator.
A system operator may provide basic channels and simultaneously re-transmit, without change of content or format, the programs and advertisements of legally established terrestrial television stations.
A system operator shall not be charged for making the re-transmission under the preceding paragraph, which shall not constitute copyright infringement.

Article 33
A system operator shall be required to strictly control the signal leakages incurred during the operation of cable television system so as not to exceed the maximum leakages as allowed in the Regulations Governing the Engineering Techniques of Cable Television Systems.

Article 34
When a system operator plans to suspend or terminate the operation of cable television, he/she shall submit a written report to the central competent authority three months in advance and notify the system subscribers a month in advance.

## Chapter Four
## Program Regulation

Article 35
The contents of the programs shall not:
1). Violate compulsory or prohibitive regulations under the law.
2). Impair the physical and/ or mental health of children or juveniles.
3). Disrupt public order or adversely affect good social customs.

Programs that are likely to violate Item 2 of the preceding paragraph shall be transmitted after midnight or on encoded channels.

Article 36
Domestically produced programs may not be less than 20 percent of the cable television programs.

Article 37
The central competent authority may, if they deem necessary, request from a system operator for a able television program and related materials within fifteen days following the transmission of the said program.

## Chapter Five
## Advertisement Regulation

Article 38
Advertisements shall appear before or after a program, and may be inserted once in program transmissions that are over 60 minutes in length. The total advertising time may not exceed one-tenth of the program transmission.
Advertisements may not be transmitted on pay television channels or pay-per-view programs. But programs previews are excluded from this stipulation.

Article 39
System or channel operators may establish exclusive channels for advertisement.

Article 40
When the contents of an advertisement concerns matters that require the legal approval of the pertinent authorities, the said advertisement shall be submitted for approval and obtain documents of certification before it can be transmitted.

Article 41
Advertisements that are carried on cable television shall be clearly distinguishable from the programs.
The central competent authority may, if they deem necessary, request a system operator to provide an advertisement and related materials within fifteen days after the said advertisement has been transmitted on cable television.

Article 42
The provisions of Article 35 shall apply to advertisements mutatis mutandis. The criteria for advertisement production shall be set by the central competent authority.

## Chapter Six
## Charges

Article 43
A system operator shall submit a report on the rate set for the system to the central competent authority one month before the end of each full year of operation. He/she shall charges fees from the system subscribers in accordance with the rates approved by the central competent authority.
Should a subscriber not pay the fees within the time specified, or within the time in a reminder, the system operator concerned may stop the transmission of programs to the subscriber. But the system operator shall restore the original visual and aural reception of wireless television programs for the subscriber.

Article 44
A system operator shall set aside three percent of the system's annual revenue, of which two-thirds shall be paid to the municipal, county, or city government for the development of local cultural and other public facilities, and the remaining one-third shall go directly into the budget for public television.

Article 45
Applicants for the operation of cable television shall submit review fees, examination fees, and certification fees for the issuance or renewal of permit or license.
The review fees, examination fees, and certification fees shall be set by the central competent authority and the MOTC.

## Chapter Seven
## Rights Protection

Article 46
A cable television system operator shall sign a written agreement with the system subscribers.
The contents of the agreement shall include:
1). The fees and restriction on fee adjustment.
2). The number of basic channels that can be received.
3). Restrictions on the use of the subscribers' basic data.
4). Conditions of compensation to subscribers whose right to visual and aural reception is impaired by the termination of transmission, revocation of the operation permit, or confiscation of the facilities of a system operator.
5). Term of the agreement.
6). Other items concerning the subscribers' rights and interests.

Article 47
A program or advertisement transmitted by cable television, which involves the rights of a third party shall be transmitted only after receiving legal authorization.

Article 48

A system operator or channel operator shall not reject a request from the local populace to pay for the visual and/ or aural reception of cable television without proper reason. The MOTC shall help resolve the installation of trunk cable network in remote areas, but system operators within the same service area shall coordinate among themselves on the installation of the headends required.

Article 49
When the legal relationship for visual and /or aural reception is terminated, a system operator shall remove the related cables within one month of the termination of reception. When the cables are not removed within the prescribed period of time, the owners or occupants of the land or structure may remove the cables and may seek reimbursement from the system operator for the costs incurred.

Article 50
A system operator or channel operator shall not use or disclose a subscriber's data without his/ her consent.
A subscriber may request a correction in case of an error in the data mentioned in the preceding paragraph. When the reason for the data storage no longer exists, the subscriber may request the destruction of his/ her personal data.

Article 51
Should the central competent authority find in accordance to pertinent laws that a cable television system is operated improperly or that its program contents are inappropriate to the extent that the subscribers' rights and interests are impaired, the central competent authority may notify the system operator to make improvements within a specified period of time after a resolution is reached by the Review Committee.

Article 52
Cable television programs shall not comment on lawsuits that are in the investigation or trial process, or on judicial personnel or the parties involved in the lawsuits. When a judge rules that a lawsuit is not to be publicly disclosed, cable television programs shall not report any debate over that lawsuit.

Article 53
When an involved party finds a cable television program or advertisement erroneous, he/she may request its correction within fifteen days of its transmission. Within fifteen days of receiving the request, the system operator shall transmit a correction in the program or advertisement in the dame time slots that it was previously transmitted. Should the system operator find no error in the program or advertisement, he/she shall state his/her reason in a written reply to the party making the request.

Article 54
When commentary in a cable television program involves individuals, institutions, or organizations to the extent that their rights and interests are impaired, the cable television system concerned shall not reject a request by those individuals, institutions, or organizations for an equal opportunity to respond.

Article 55
When a system operator or channel operator impairs the rights of others because of his/her operations, the case shall be dealt with in accordance with the related laws and regulations.

Note: this is a translation from the Chinese text of the law. In case of any discrepancy between the Chinese and English texts, the Chinese text shall govern.
Source: Government Information Office, 2002.

## APPENDIX E

### List of Acronyms

**APMCP** Asian Pacific Media Center Project

**ATV** Aboriginal Television

**BBC** British Broadcasting Corporation

**BCC** Broadcasting Corporation of China

**BDF** Broadcasting Development Fund

**BSE** Broadcasting Satellite Experimental

**CAD** Cultural Affairs Department

**CATV** Community Antenna Television

**CPC** Central Policy Committee

**CSC** Central Standing Committee

**CTC** China Television Company

**CTRC** Cable Television Review Commission

**CTS** China Television System

**CBS** Central Broadcasting Station

**CBL** Cable Broadcasting Law

**CSG** Civil Society Group

**CTN** Central Television Network

**DBS** Direct Broadcasting Satellite

**DPP** Democratic Progressive Party

**DRBM** Directive of Reform of Broadcast Media

**DGT** Directive of Telecommunications

**DTV** Digital Television

**EDC** Economic Development Committee

**EPT** Establishment of Public Television Movement

**EMG** Eastern Media Group

**ERSO** Electronic Research and Service Organization

**FACCS** Fighting Association of College Communication Student

**FSTV** Foreign Satellite Television

**GIO** Government Information Office

**ITRI** Industrial Technology Research Institute

**ITU** International Telecommunication Union

**JCM** The Journal of Communication Management

**JCRR** Joint Commission on Rural Reconstruction

**KBS** Korea Broadcasting System

**KMT** Kuomintang or the Nationalist Party

**MOD** Ministry of Defense

**MOTC** Ministry of Transportation and Communications

**MPEAA** Motion Picture Export Association of America

**MRS** Media Reform Society

**NCC** National Communication Commission

**NETV** National Educational Television

**NHK** Nippon Hoso Kaisha

**NICI** National Infrastructure of Communication and Information

**NSM** New Social Movement

**OCTV** Oversea Chinese Television

**ORTC** Ordinance of Rules in Television Carriage

**PAC** Public Access Channels

**PMA** Public Media Association

**PTC** Public Television Commission

**PTL** Public Television Law

**PTVG** Public Television Group

**ROC** Republic of China

**SBL** Satellite Broadcasting Law

**SET** Sanlih Entertainment Television

**TCTP** Training Center for Television Production

**TAIP** Taiwanese Association of Indigenous People

**TRA** Taiwan Relations Act

**TGC** Taiwan Garrison Command

**TNB** Transnational Broadcasters

**TS** Television Society

**TTV** Taiwan Television Enterprise

**UBL** Uplink Broadcasting

**VTV** Videoland Television

**WBL** Wireless Broadcasting Law

## APPENDIX F

### Human Subjects Approval Form

Florida State UNIVERSITY

Office of the Vice President For Research
Human Subjects Committee
Tallahassee, Florida 32306-2763
(850) 644-8673 · FAX (850) 644-4392

## APPROVAL MEMORANDUM

Date: 4/9/2004

To:
**Chaun Hsu**
**405 West College Ave Apt #314**
**Tallahassee FL 32301**

Dept.: **COMMUNICATION**

From: **John Tomkowiak, Chair** John Tomkowiak PhD

Re: **Use of Human Subjects in Research**
**Restructring The Broadcasting Policies in Taiwan : Managing Cultural Identity in a Recently-Democratic Society**

The forms that you submitted to this office in regard to the use of human subjects in the proposal referenced above have been reviewed by the Secretary, the Chair, and two members of the Human Subjects Committee. Your project is determined to be Exempt per 45 CFR § 46.101(b) 2 and has been approved by an accelerated review process.

**The Human Subjects Committee has not evaluated your proposal for scientific merit, except to weigh the risk to the human participants and the aspects of the proposal related to potential risk and benefit. This approval does not replace any departmental or other approvals, which may be required.**

If the project has not been completed by **4/8/2005** you must request renewed approval for continuation of the project.

You are advised that any change in protocol in this project must be approved by resubmission of the project to the Committee for approval. Also, the principal investigator must promptly report, in writing, any unexpected problems causing risks to research subjects or others.

By copy of this memorandum, the chairman of your department and/or your major professor is reminded that he/she is responsible for being informed concerning research projects involving human subjects in the department, and should review protocols of such investigations as often as needed to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

This institution has an Assurance on file with the Office for Protection from Research Risks. The Assurance Number is IRB00000446.

Cc: John Mayo
HSC No. 2004.218

NFORMED CONSENT FORM

I freely and voluntarily and without of force or coercion, consent to be an interviewee in the research project entitled “Managing cultural identities in a recently-democratic society: the broadcasting policies and restructuring the Taiwanese culture in Taiwan”.

This research is being conducted by Chuan Yang Hsu, who is a doctoral student at Florida State University. I understand the purpose of his research is to better understand the issue of cultural identities in Taiwan. I understand that if I participate in the project I will be asked questions about my opinion toward broadcasting policies as well as general information about the influence of broadcasting media in Taiwan.

I understand I will be asked to participate in an interview with the researcher himself. The total time commitment would be about 30 minutes. Also, I understand my participation is totally voluntary and I may stop participation at any time. All my answer to the questions will be kept confidential and identified by a subject code number. My name may not appear on any of the results.

I understand that this consent may be withdrawn at any time without prejudice, penalty or loss of benefits to which I am otherwise entitled. I have been given the right to ask and have answered any inquiry concerning the study. Questions, if any, have been answered to my satisfaction. I also understand that I may contact Dr. John Mayo, Florida State University, Department of Communication, 432 Diffenbaugh Building, (850) 644-9698, for answers to questions about this research or my rights.

I understand if I have any questions about my rights as a subject/participant in this research, or if I feel I have been placed at risk, I can contact the Chair of the Human Subjects Committee, Institutional Reviews Board, through the Vice President for the Office of Research at (850) 644-8633.

I have read and understand this consent from.

_____ _____

(Subject) (Date)

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