

Politics in the Public Media Policy in Thailand^{*}

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Abstract

This article is aimed at analyzing the public media policy process by presenting the roles of interest groups and social mobilization in order to find out how the public media policy and the organizing of the Thai Public Broadcasting Service (TPBS) under the political context. Drawing primarily upon qualitative evidence, including primary documents and in-depth interviews with policy stakeholders, the study shows that in order to change the cancelled UHF television into the public media is the best way out of the dictatorial government to solve the problems of public media policy. The case of the TPBS is fruit directly borne out of the research and advocacy of a technocratic clique that had access to political power during the 2006 military coup-installed administration and legislature. The public media established during dictatorial government never reflects the great power from below but it is pushed by the rulers or technicians who believe that they themselves know more than others do.

Keywords: *Politics, Public Media Policy, Public Service Broadcasting*

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การเมืองในนโยบายสื่อสารสาธารณะของประเทศไทย*

นิธิตา สิริพงศ์ทักษิน**

บทคัดย่อ

บทความนี้มีวัตถุประสงค์เพื่อวิเคราะห์กระบวนการนโยบายสื่อสารสาธารณะโดยมุ่งเสนอบทบาทของกลุ่มผลประโยชน์และขบวนการเคลื่อนไหวทางสังคมในกระบวนการนโยบายสื่อสารสาธารณะเพื่อค้นหาว่าการจัดตั้งองค์การกระจายเสียงและแพร่ภาพสาธารณะแห่งประเทศไทย (ส.ส.ท.) เป็นอย่างไร ภายใต้บริบททางการเมือง โดยใช้การศึกษาเชิงคุณภาพทั้งการวิจัยเอกสารและการสัมภาษณ์เชิงลึกจากกลุ่มตัวอย่างที่เกี่ยวข้องกับกระบวนการนโยบายสื่อสารสาธารณะ ผลการวิจัยพบว่า การนำสถานีโทรทัศน์ ยู เอช เอฟ หรือ สถานีโทรทัศน์ไอทีวีที่สำนักงานปลัดสำนักนายกรัฐมนตรีได้กลับคืนมาจากผลการยกเลิกสัญญามาแปลงสภาพเป็นสื่อสาธารณะเป็นทางออกที่มีความเป็นไปได้สูงสุดของรัฐบาล กรณีการจัดตั้ง ส.ส.ท. ชี้ให้เห็นว่า เป็นผลมาจากการเคลื่อนไหวของกลุ่มนักวิชาการที่ได้ใช้ความรู้จากฐานงานวิจัยมาสนับสนุนเพื่อเป็นพลังในการต่อรองและเข้าถึงอำนาจทางการเมืองในช่วงที่รัฐบาลและสภานิติบัญญัติแห่งชาติมาจากการแต่งตั้งโดยการรัฐประหารช่วงปีพ.ศ.2549 สื่อสาธารณะถูกจัดตั้งขึ้นในรัฐบาลที่มาจากการรัฐประหารจึงย่อมต้องตระหนักว่า สื่อสาธารณะไม่ได้ถูกสร้างจากข้างล่างที่ประชาชนต้องการให้ได้มาแต่เกิดจากชนชั้นนำซึ่งเป็นผู้ปกครองหรือนักเทคนิคที่เชื่อว่าตนเป็นผู้รู้มากกว่าผู้อื่น

คำสำคัญ : การเมือง นโยบายสาธารณะ สื่อสาธารณะ

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Introduction

In Thailand, media is seen as a pawn of state power, a servant of the state. This emphasis upon censorship and government control, whilst appropriate to an understanding of how aspects the media do function at particular junctures, also tends to be unduly state-centric: it overlooks the plural and diverse character of media, and especially the inventiveness with which the print media has often covered political issues (McCargo ,1999:6). While the mass media was taken over by the state power and investment power, the Thai people had no chance to know the problems of audience coordination in establishing mass media policy, types of programs and various issues.

The important events which indicate that the public media become obviously important is the Black May events in 1992.¹ During the protest against the government at that time, most Thai people were concealed to know the information or news from the mass media. This was because the mass media was seriously taken over by the state power. To conceal the freedom of reporting the news or information in those events mentioned above, especially radio and television broadcasting taken over by the government caused the academicians and media professionals to push the government to adjust the structure of media owners in order not to have the government take over the mass media like the last events and also demanded the government to establish the independent television without concealing to report the news or information.² Because of these, during the period of Prime Minister Anan Panyarachun (Anan's government)³, the Independent Television (ITV) was established according to the committee's media framework and also established one UHF television station taken over by the Office of the Permanent Secretary during the period of Prime Minister Chuan Leekpai (Chaun's government). This originated ITV, a qualified, impartial media, which reported the right, complete fact information to the people (Pirow Lertwiram, 2002 : 215- 16).

Later, however, the ITV station was very much interfered by the investment power although the ITV station was established to be independent to report the information without taking over by the one who has absolute power. On the other hand, the influence of investment power related to the politician groups, especially in the period of Prime Minister Thaksin Chinnawatra.⁴ Shin Corp took over ITV in June 2000 before the Thai Rak Thai Party won the January 2001 vote. By then, the relentless pro-Thai Rak Thai news machinery had

helped place Thaksin and his business empire in the political centre stage (Ubonrat Siriyuvasak, 2006:176). This has led to its programming shifting from critical political coverage to more entertainment, as well as government interference, facilitated by the absence of an independent regulator (Article 19 London and Forum-Asia,2005:11). Because of these, there were more and more public questions about whether ITV was an independent media or not.⁵ When the media had no freedom, people couldn't show their freedom through the media.

Factually, the public media will consider the people as the owner of a country and carries on freely for the public advantages. Therefore, the mass media must be controlled by the people and carries on the base of audiences. The relations between the audiences together with the program producers must be two-way communication in order to increase the audiences' roles in ideal debating, discussion, and suggestion about the programs and exchange knowledge one another on the public areas (Atkinson and Raboy,1997:20-8). There is impartial media which provides political deliberative process which is legitimacy. The public media must set or prescribe the public issues on the occasion of politics (McCargo,2000:6). Media can play an especially crucial role at the 'transition phase', where it may act as a decisive agent of change (Randall,1993:625-46). If the established media is free from the government; however, it is not free from the investment, it will be political purpose interference without the state mechanism approval but it is approved by the investment mechanism instead.

This article is aimed at analyzing the public media policy process by presenting the roles of interest groups and social mobilization based on the theory of resource mobilization in order to find out how the public media policy and the organizing of the Thai Public Broadcasting Service (TPBS) under the political context.

Methodology

Drawing primarily upon qualitative evidence, including primary documents and in-depth interviews, the interviewees are policy stakeholders, board of governors of the TPBS and intellectuals. Primary data were collected during January to May 2009 by interviewing 38 key informants. Instruments used to collect the data included: interview guideline, semi-structured questionnaires and voice recorders. The various instrument used in the study were verified by experts and the accuracy of the data was checked using both methodological

and investigator triangulation. The data were analyzed by using qualitative data analysis and descriptive analysis.

Data Analysis

The Original and Changing Process Through Independent Television (ITV) to Thai Public Broadcasting Service (TPBS)

ITV Television Station originated from modern ideas during the period of Prime Minister Anan Panyarachun (Anan's Government II), who realized the importance of mass media after "**Black May Events in 1992**" according to the basic ideas that says,

Population in democratic form of government must have rights and freedom to know and listen to the news events, information and various social events in details, truly and completely without distorting.

(Thitinan Pongsudhirak, 2003: 64)

During the protest against the government at that time, Thais were concealed the right news and information from the mass media. Most radio and television station concealed the right information and report one-side news to the audiences and onlookers. The protesters could use only technology they had at that time, such as mobile phone, telex and talking phone to send messages to one another. Later, after general elections in September 1992, the mixed government considering Chuan Leekpai a Prime Minister had approved to establish one UHF system station under the responsibility of the Prime Minister's Office by having private companies joined together into a company groups to tender the concession to establish the new UHF station. The company group which had already made concession was Siam Infotainment Company Ltd. The core-investments were Daily News Company, Kantana Company, Siam Commercial Bank and the companies of a group of the King's properties by repaying 25,200 million baht to the government within thirty years and named the station "ITV-Independent Television" (Sorakol Adulyanon,2001:14). The types of programs of ITV were different from other television channels. The program contents about news and essential issues were 70% and entertaining were 30%.

The objective of tendering the new television channel was to prevent ITV from being controlled by the government. Each group of shareholders could own shares in a company 10%. However, during the period of economic crisis in 1997, the results of management were at a disadvantage continuously. This caused the company to owe 4,000 million baht (Boonlert Changyai, 2000:19). Later, in November 1999, Siam Commercial Bank asked Chin Corp Corporation Group to take shareholder of ITV with 1,600 million baht. Also, Chin Corp Corporation was able to buy other shares from other shareholders; therefore, this company group became the greatest shareholders in ITV Company Ltd. (Pirow Lertwiram, 2002:215-16). As you know, Chin Corp Corporation Company was taken over by Thaksin Chinnawatra, a leader of Thai Rak Thai Party. He was a politician who had an important role in general election which took place on 6th January 2001. Since Thaksin Chinnawatra was the business relation politician mentioned above, the societies began to ask lots of questions about the impartiality and reliability of ITV station (Thepchai Yong, 2001:231).

The groups of Chin Corp Corporation Company submitted to arbitrator to make improvement of tender and to reduce the cost of tender. On 30th January 2004, the arbitrator gave judgment to reduce the cost of tender from 1,000 million baht a year to 230 million baht a year as well as allowing ITV station to improve the program ratio from 70 : 30 to 50 : 50 of essential issues : entertainment programs and also made improvement to have state pay for compensation to ITV 20 million baht because the state never protected ITV according to the tender contracts (Nualnoi Treeratana, 2004:127).

Later, the Prime Minister's Office submitted to cancel the judgment of the arbitrator committee to the administrative court. On 9 May 2006, the administrative court gave judgment to withdraw the judgment of arbitrator mentioned above for the reason that the judgment to reduce the tender cost made by arbitrator affected public advantages and to improve tender contractions of the state which is out of the authority of the arbitrator. According to the mentioned judgment, it caused the ITV television station to pay for the cost of the tender 1,000 million a year as usual and need to improve the program ratio to become 70:30.

Until on 13th December 2006, the upper administrative court insisted on making judgment according to the judgment of the administrative court; consequently, the ITV Company Ltd. need to pay for unpaid tender cost to the Prime Minister's Office. However, the company was unable to repay the tender cost; therefore, the tender contracts were cancelled in the period of Gen. Surayut Chulanont. This government cabinet considered the public

media issue. It is known that it became the government policy and the cabinet decisions as follows:-

1. The cabinet decision on 27th February 2007 was on canceling the UHF television station tender.
2. The cabinet decision on 6th March 2007 was on the results of the preparation of UHF television station management.
3. The cabinet decision on 24th April 2007 was on the results of opinions for planning the UHF television station in the future.
4. The cabinet decision on 15th May 2007 was on the results of drafting the act of Thai public broadcasting service

According to the cabinet decisions above, we have obviously known that the cabinet decision on 27th February 2007 which indicated that the Prime Minister's Office would cancel the ITV tender if the company were unable to pay for fine and repay unpaid tender about ten thousand million baht altogether within the date of 7th March 2007. Because of this, the Prime Minister's Office submitted the message of the tender contracts cancellation to ITV Company Ltd. in order to formally cancelled UHF system broadcasting of the ITV television station within 24 o'clock on 7th March 2007 and managed the television station in new name "TITV-Thailand Independent Television" and continuously broadcasted from 00.00 o'clock on 7th March 2007 and forever. Later, the cabinet considered the results of public opinions for planning the future of the UHF television station according to the proposal of the Prime Minister's Office and had decision to have UHF radio and television station become the public media. This attempt to solve the media problems led the cabinet to draft the Act of Thai public broadcasting service which was enforced on 15th January 2008 and made TITV stopped broadcasting at 24 o'clock on 14th January 2008. The Thai Public Broadcasting service (TPBS) was established on 15th January 2008.

Politics in Public Media Policy Process

According to the study about the protest of interest groups and social mobilization both inside and outside the National Legislature in pushing public media issue under the political context, I was able to find out that there were various important issues which had to be analyzed and discussed. Those issues were the political mobilization, the political tactic

and the political decision-making as well as the connection of those three issues on the resource mobilization theory (McCarthy and Zald, 1977:1212-41). Apart from these, I would analyze the issues of legitimacy, autonomy, participatory and representation in the public media policy process. The steps of analysis are as follows:

Analyze pushing to draft the Act of Thai Public Broadcasting Service of interest groups and social mobilization

Political Mobilization

As regards these issues for public media, there were lots of interest groups which coordinated one another in members to push to establish public media by witness of organizing public stages coordinated among various groups like National Health Foundation, Social Management College, Foundation for Consumers and Thai Radio and Television Reporter Association. Besides, there were some groups supporting the research on “Television Station for Children and Family” which was used to be the principle outline of the public media to offer to the National Health Foundation, provided by the researcher team leading by Somkiat Tungkitwanich working for the Thai Development and Research Institute (TDRI). In this case, the study revealed that the process of reforming media for supporting to establish public media among the formal group as the association and the foundation has indicated that member gathering is stable and well established. Besides, there are some intellectual groups informally gathering together. However, some groups like the sub-shareholders of ITV Company Ltd. objected to changing ITV television station into public media because they thought it would damage the shareholders in the company and they also cited that the disputed point was still the consideration of arbitrator process. However, their disputed point was not strong enough when comparing with the process of pushing to establish public media of various groups which is the important factor of mobilization of supporting from the members inside the group and in the other groups. Moreover, there was lots of group mobilization power in communication approached by the public stage and rousing continuously as well as sending protest messages through the newspaper.

I have noticed that the social mobilization increases weight and power to demand what they want encourages. In regard of this, we really know that continuous communication within a group and out of the group and making realization together which is different from separating to protest indicates that interest groups attempt to use their

supporters completely in offering the public media issues and participating for public media policy process.

Political Tactic

Due to the item 1.1, when considering the various groups push public media issue through public stage, I really considers that it is good for the groups at least 2 ways as follows:-

To lead the public media issue to public issue is to offer the information to the public continuously. This affects demand legitimacy acceptance.

To distribute the information through public stage is to help increasingly mobilize the members who agree widely. The issue which is due to the findings of research is that interest groups have used the group resources, such as investment, supporters, information and network and so forth. In making activities to mobilize group resources for mobilizing supporters which are in various groups like the media for children groups, youth and family groups, community radio broadcasting service groups, media for community development groups and so forth. These are able to mobilize the points of view and political support.

Besides, although intellectuals are not the representatives of any other groups, they present the policy entrepreneurs to push the proposal to the political decision-makers. To take part in the committee of the legislature makes the interest groups have more roles in making decision process whether to pass a law by drafting the law themselves. The debate example is to change ITV station or channel 11 (NBT) into public media like the protest both inside and outside the council through the mass media, the newspaper or radio broadcasting to mobilize political support. These reflect that the mass media is the device used to mobilize both supporting and protesting others on the other side. However, the cabinet commission attempts to explain, especially on the research based on the special knowledge on public media policy, which is able to eliminate the attempt of the others who object to changing ITV to TPBS in the National Legislature. It reflects that the interest groups influence the public media policy process because they are influential to persuade most legislature members to agree. This shows that one who has more knowledge will have power and influence above others as the one who first defied discourse "public media". Moreover, in case of the political activities showing outside the council, the interest groups and social process will use the supporters and the various kinds of mass media to mobilize the opinions through the public stage.

Political decision-making

Interest groups are able to take part in pushing the demand of public media in the policy process which is first step by interest groups that provided the proposal in order to offer to the cabinet and they are influential to persuade the policy makers to agree. This is the first step of showing the ability of the groups to approach the political decision-making. Moreover, the mass media professionals and intellectuals are appointed to take part in considering the law with the commission. This is the second important step to approach the political decision because the groups and ones who push the process of passing a law have closely joined to work with the government. The third step is the last important step to lay out the policy. In this case, the groups must face the prevention from the members of the National Legislature. However, the unity of the groups and wide supporting mobilization and the ability to use the resources seriously of the groups affect the success of pushing to establish the public media at last.

Analyze public media policy process under the political context

Legitimacy

Intentions or objectives to establish ITV television station which has originated from “Black May Crisis” happening in 1992. There is the way of thinking that Thailand must have the information station which maintains the roles of reporting the news freely without interfering from the government. Later, however, ITV was close to the politician groups, especially after the Chin Corp Corporation became the greatest shareholder in the ITV Company, the legitimacy problems of the ITV station which originated from the media interfere of the politician groups through the invest groups, the owner of the media, during the government of Thaksin Chinnawatra. The interfere examples of politician groups are to manage the news contents, have the news reporters resign without the legitimacy and so forth. Because of these, there happened the process of reforming media by pushing the government to establish public media. Until after the revolution on 19th September 2006, the tender of ITV, was cancelled. The revolution affected the public media policy process through the National Legislature under the dictatorial government. It is clearly known that the government of Gen. Surayut Chulanont really had an intention to change the ITV into public

television. Due to canceling the ITV tender of the government, the public television was accidentally originated. In order to have public television be able to immediately originate during the period of Gen. Surayut Chulanont, the public policy was planned in a hurry to make the Act become affected the use of the law, later, therefore, it was in great haste to manage TV until the monitor of the television set became dark. Various groups, together with some members of legislature and the government, supported to promulgate the Act of Thai public broadcasting service. However, we realize that the public media was never established during the democratic period, so it didn't the greatest power of the people from below.

Freedom

The difference between independent media and public media is that the independent media is free from the government but it is not free from the capital groups. Therefore, the state and the capital groups are consolidated steadily until the media is interfered like the ITV. The public media considers the people the owner of the media. It's free to carry on for public benefits without interfering from the government and the capital groups. It's obvious to see that the interest groups and social mobilization that tried hard to push public media establishment among the objections from the private sector groups that lost their profits from changing ITV which was debated that the process of public media policy was a lack of the coordination from the people widely, especially during changing ITV into TITV which became the government media clearly. Later, although the ITV is changed into the public media, it is criticized that origination of public media isn't from the process of coordination of people who have real interests. According to the sources of the media income consideration, 99% of media incomes come from the excise tax. Whenever the budget of the public media is from the state, the state will be the owner of the media.

Participation

Before taking the first draft of the policy to the ones who have power to make decision is necessary to have the policy proposal for being approved by the public opinions. The government appointed the committee to search for the people's points of view for planning the future of the UHF television station. It may say that these steps are most significant to politics because it is able to show the process of making political supports and legitimacy for the policy. However, it is debated that the period of time to perceive public

opinions is only 50 days (6th March – 24 April 2007). It is so short that the participation are very limited and are a lack of making the people have understood the public media widely. Also, it is a lack of people's wide participation, especially the groups that lost their advantages from the changing ITV into public media like the ITV sub-shareholder groups, ITV clerk groups and so forth. The researcher finds out that one of the commission's members who make or push the public media policy, Somkiat Tangkijwanich, who had important roles, is able to close to the way of political power which leads to begin planning public media policy as the representatives of the government. There are other persons appointed by the National Legislature to be the commission, such Chawaronk Limpatthamapanee, Thai Journalist Association, Thakerng Somsap, Thai Broadcast Journalists Association, Topong Selanont, Thailand Association of the Blind, Pirongroang Rammasoot the faculty of Communication Arts of Chulalongkorn University. In addition, during considering the drafting, the committee had approved to appoint the staff of producing information for publicizing the knowledge of public television to public through website of the National Legislature. The researcher finds out that although the government at that time was dictatorial, they still gave the chance to the interest groups and social mobilization to demand for themselves more and more. Therefore, it is really said that the interest groups closely take part in making decision in beginning and drafting the public media policy. This is one level of success in reliable and powerful pushing the demand.

Representatives

Although some intellectuals who took part in considering drafting were not the real representatives of the interest groups, they closely worked with the interest groups to reform media for a long time. Therefore, they were the representatives of the interest groups that had taken part in the public policy process since the beginning of the structure, considering the draft and explaining in the National Legislature to controvert the ones who determined to protest until it was planned to be the public media at last. However, there is an argument on the representatives of legislature members who were appointed by the dictatorial soldier, so it is unable to accept that they were the real representatives of the people. It is noticeable that to ask the questions about public media establishment during the dictatorial period showed that the approved important law during Gen. Surayut Chulanont's period had to be realized that the legislature had done their authorities under the control of the state that was governed by the power of the soldiers which came with the political crisis

in the revolution on 19th September 2006. They did not have an authority directly from the people. Therefore, there was not enough legitimacy for them to be the representatives to pass a law which affected the people even though they referred this law was very essential for the public.

It is said that the interest groups have closely coordinated to make decisions in beginning and establishing the public media policy. However, the public media is not established by the people from below but it is established by the rulers or technicians who believe that they themselves who know well more than others do.

Conclusion

The study revealed that it is the best way out for the government to immediately solve the ITV station problems under Gen. Surayut Chulanont's government by bringing back the UHF television station and changing it into the TPBS. Besides, it is managed by the public income from the government because the investment used to perform the public media is the money from the excise tax. Therefore, the people are not the owner of this media directly. The public media established during dictatorial government never reflects the great power from below but it is pushed by the rulers or technicians who believe that they themselves who know well more than others do. The case of TPBS was directly a fruit borne out of research and advocacy by a technocratic clique who had access to political power during the coup-installed administration and legislature.

Notes

1. In May 1992 the resistant to state control and censorship of news and information erupted. During the political confrontation between the government of General Suchinda Kraprayoon and the Democratic Movement and mass demonstrators news blackout on the television networks and information distortion on the Army radio sent more people to the street. See Duncan McCargo, 'The buds of May', *Index on Censorship*, April 1993, pp. 3-8.

2. See Ubonrat Siriyuvasak. 2001. "Regulation Reform and the Question of Democratizing the Broadcast Media in Thailand" at the International Conference on Comparative Perspective on Media and Democracy 8-12 April 2001 Bellagio, Italy

3. The interim Prime Minister, Anan Panyarachun, a liberal businessman was quick to respond to the public outcry for more freedom of the information and freedom of expression. His move to set up a new radio and television regulator in 1992.

4. As for the UHF television station, ITV, the high bidding resulted in the take over of the station only after 4 years of operation by Shin Corporation, the telecom conglomerate owned by the present Prime Minister, Thaksin Shinawatra.

5. The case in point is the intervention of the editorial independence by the management of ITV station prior to the general election on 6 January 2001. After the general election which the Thai Rak Thai Party won a landslide victory 23 ITV staff were fired on February 7.

6. This was specified in the 2008 Thailand Public Broadcasting Service Organization Act , pp. 1-2.

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