

*Journal of the British Association for Chinese Studies*, Vol. 6 December 2016

ISSN 2048-0601

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## **Taiwanese Media Reform**

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### **Introduction**

Alongside a consolidated liberal democracy and dynamic civil society, Taiwan boasts one of Asia's most liberal and competitive media environments. With cable TV and internet penetration rates among the highest in the world, and twelve 24/7 local TV news channels serving a population of 23 million, media liberalisation in Taiwan is, like democratisation, a success story. However, the pressures of intense commercial competition have created issues around professional ethics and the effects of sensationalism. Longstanding regulatory and ownership issues remain unresolved, including political partisanship across the media-sphere. Like their counterparts in other democracies, Taiwanese media companies are grappling with the transition to digital and the challenge it represents to traditional business models in a heavily media-saturated society. Mediatised political spectacles, hypermedia political campaigns and communicative abundance are inescapable features of Taiwanese life. The surface vibrancy of Taiwan's democracy owes much to the trace data produced by the tools of this abundance: the all-news-all-the-time TV channels, politicians' constant presence on connected devices, student activists mobilising via social media. Taiwanese citizens are by many standards engaged and politically active: they turn out to vote in large numbers, pay attention to the news and are knowledgeable about politics. Yet for all the openness that goes with trailing TV cameras and politicians' status updates on social media, the media and political communications environments in Taiwan

are a cause for concern in terms of the “quality” of their contribution to Taiwanese democracy. In this note, we outline the evolution of the media system as it has experienced two waves of reform, and comment on the prospects for further necessary reforms within a context where digital media is challenging traditional media operations and China casts a shadow over media freedoms.

### **First wave of media reform**

Taiwan’s media-sphere was transformed during the democratisation processes in the 1980s, with further significant developments accompanying the change of ruling parties in 2000 and 2008. Prior to the lifting of martial law in 1987, Taiwanese media operated as a part of a bureaucratic-commercial complex, with a small number of clientelist media companies enjoying profit-seeking opportunities under the authoritarian control of the Kuomintang (KMT). Press freedoms were highly circumscribed and closely reflected the KMT’s political agenda, to the extent that during the one-party era the media were a tightly controlled ideological apparatus confining the public sphere (Rawnsley and Rawnsley, 2004). Until deregulation and liberalisation the three terrestrial TV channels were owned by the government (Taiwan Television; TTV, 台視), the KMT (China Television; CTV, 中視) and the military (Chinese Television Service; CTS, 華視). These outlets prevented the spread of alternative, non-KMT viewpoints, and effectively locked the political opposition out of mainstream media. Government authorities granted a mere 31 newspaper licences between 1960 and 1988, and the majority of these outlets were directly owned and managed by the party-state (Chen and Chu, 1987: 53–55, 91). The government also sought to co-opt private media owners, subsuming them into clientelist KMT networks. The two dominant newspapers during the authoritarian era, *United Daily News* (UDN; 聯合報) and *China Times* (中國時報), both had intimate ties to the KMT via cross-representation on editorial boards and the party’s Central Committee (Batto, 2004). The market dominance of KMT-affiliated media was first challenged by the establishment of the *Liberty Times* (自由時報) in 1989, and by the addition of a fourth terrestrial channel (Formosa Television; FTV, 民視) in 1997, both with links to the then-opposition Democratic Progressive Party (DPP). Serving broad social

constituencies ignored by the KMT media, these later entrants quickly established major market shares. The *Liberty Times* enjoyed the third highest circulation by 1997, and surpassed *UDN* and the *China Times* in 2005 in terms of market share and advertising revenues (Lin, 2008: 198–200). The *China Times* was unable to sustain the financial losses and was sold in 2008 to Want Want Holdings Limited (旺旺集團), one of Taiwan's major food labels with dozens of processing plants across China. CEO Tsai Eng-meng, one of Taiwan's richest entrepreneurs with strong business ties to China, renamed the paper *Want Want China Times*. Meanwhile in the television market, FTV quickly established audience share and financial security, mainly through the advertising-led business model that underpins all Taiwanese media. With the rise of FTV and increasing cable TV penetration, the three traditionally pro-KMT terrestrial commercial television stations—TTV, CTV and CTS—lost their market dominance and began to experience financial losses for the first time in 2002 (Rawnsley and Rawnsley, 2012: 397).

As part of the ruling KMT's response to bottom-up pressures to reform from Taiwanese society, the press ban was lifted in 1988, a year after Martial Law was rescinded. Newspapers were deregulated and many new radio stations and cable TV channels received licences in 1992 and 1993. The legalisation of cable TV in 1993 precipitated the expansion of local, national, regional and international TV programming. Operating illegally since the 1970s, unregulated cable TV was already widespread, albeit "essentially run by the mafia" (Chin, 2003: 68). The Cable TV Act (有線電視法) legalised and brought a degree of regulation to the market and, as a result, penetration rates increased further and the number of channels increased dramatically (Chan-Olmstead and Chiu, 1999). As the media system moved rapidly from strong control to a high degree of liberalisation, Taiwan became one of the most heavily saturated pay-TV markets in the world. Press freedom measures improved and Taiwan quickly moved up the Freedom House press index, although questions remained about public access to quality information (Hung 2006).

The increasing number of media outlets expanded public space for political competition, including the local all-news channels providing novel round-the-clock political coverage and critical commentary. The first political call-in show, *2100: All People Talk* (2100: *Quanmin Kaijiang*, 2100: 全民開講) was aired on

TVBS in 1994 (Chu, 2003). This infotainment format, reminiscent of pirate radio programming during the one-party era, quickly became a staple of prime-time and late-night cable news schedules with performative “political theatre” (Fell, 2007) and “saliva wars” (口水戰) becoming a distinct feature of Taiwanese TV political coverage. However, over time the heated and often controversial call-in element of political talk shows became increasingly difficult for producers to handle. While a few shows have maintained public interactions, most have changed to a studio format with discussion restricted to invited pundits from different political and professional backgrounds, moderated by one or two presenters who are mainly senior journalists.

**Table 1: Taiwanese news channels<sup>1</sup>**

Channel	Ownership	Political orientation
TTV News 台視新聞台	Feifan (Unique Satellite TV) Group	Neutral, pro-business
CTV News 中視新聞台	Want Want Holdings	Pro-China
CTS News Info 華視新聞資訊台	Taiwan Broadcasting System	Neutral
FTV News 民視新聞台	DPP	Pro-DPP
SET News 三立新聞	SET TV Group	Pro-DPP
ETTV News 東森新聞	US consortium (pending approval)	Pan-blue, Pro-China
ETTV Financial 東森財經新聞台	US consortium (pending approval)	Pan-blue, Pro-China
ERA News 年代新聞台	Mr Lian Tai-sheng (練台生)	Connection to local mafia
Next TV 壹電視新聞台	Mr Lian Tai-sheng (練台生)	Connection to local mafia
CTi News 中天新聞台	Want Want Holdings Ltd	Pro-China
TVBS News TVBS 新聞	HTC Corporation	Pan-blue, pro-business

<sup>1</sup> The authors gratefully acknowledge the insights of Professor Chien-San Feng of National Chengchi University.

Feifan News 非凡新聞台	Feifan (Unique Satellite TV) Group	Pro-business
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**Table 2: Major Taiwanese newspapers**

<b>Paper</b>	<b>Ownership</b>	<b>Political Orientation</b>
Liberty Times 自由時報	Liberty Times Group	Pan-Green, Pro-DPP
Apple Daily 蘋果日報	Next Media	Pan-Green, Anti-Establishment
United Daily News 聯合報	United Daily News Group	Pan-Blue, Pro-KMT
China Times 中國時報	China Times Group	Pan-Blue, Pro-China
Commercial Times 工商時報	China Times Group	Pan-Blue, Pro-Business
Economic Daily News 經濟日報	United Daily News Group	Pan-Blue, Pro-Business
Taipei Times 台北時報	Liberty Times Group	Pan-Green, Pro-DPP, English lang.
China Post 英文中國郵報	China Post Group	Pan-Blue, Pro-KMT, English lang.

### **Second wave of media reform**

Following the DPP's victory in the 2000 and 2004 presidential elections several media reform initiatives were undertaken by the Chen Shui-bian administrations. First, legislation was passed in 2003 to formalise the withdrawal of political parties, the state and military from direct media ownership stakes. By the end of 2005, the KMT had relinquished one third of its shares in CTV, 97 percent in the Broadcasting Corporation of China (BCC, 中廣), and half of its stake in the Central Motion Picture Corporation (CMPC, 中影). DPP legislator and party Standing Committee member Chai Trong-rong was forced to resign from his position as chair of FTV (Rawnsley and Rawnsley 2012: 409). While direct political ownership has declined, political influence by proxy remains an issue. Second, the National Communications Commission

(NCC) was created in 2005, modelled on the American Federal Communications Commission (FCC), as an ostensibly neutral regulatory body to manage and supervise the commercial media sector. Third, a public service-oriented network, Taiwan Broadcasting System (TBS, 公廣集團), was expanded in 2006 by consolidating several existing TV channels including the Public Television System (PTS, 公視, launched in 1997), CTS (established in 1971), Hakka TV (客家電視台, founded in 2003 to serve Hakka communities) and Taiwan Macroview TV (宏觀電視, founded in 2000 to serve overseas Chinese). Sharing a remit with PBS in the US to provide inclusive and educational programming, TBS has struggled to make significant inroads against commercial competitors, and investment remains limited.

The progressive commercialisation of the Taiwanese media market took a major step with the entry of the Hong Kong tabloid *Apple Daily* (蘋果日報) in May 2003. *Apple* brought colour images, cut-throat price wars and tabloid journalism. Paradoxically, it has also become known for relatively nuanced political coverage, highlighting the persistence of partisanship in other outlets. As newspaper readership dropped from 76 percent of the population in 1992 to under half in 2004, the pursuit of advertising revenue streams became increasingly important for media proprietors. Journalists are often pressured by their employers effectively to act as salespeople by promoting sensational and outlandish views. Career progression through sales performance (instead of journalistic ethics or professional conduct) and product placements in news and other TV programming have become commonplace in the commercial media sector (Chen, 2005). The blurring of editorial and business considerations prevented further advancements in press professionalism and independence, even as Taiwan's press freedom index ranking continued to improve during the Chen Shui-bian era (Chuang, 2005). Under Chen, the DPP proposed extensive reviews of media policy frameworks in the early 2000s. The Radio and Television Act (廣播電視法), the Cable Radio and Television Act (有線廣播電視法), and the Satellite Broadcasting Act (衛星廣播電視法)—known as the “Three Broadcasting Acts” (廣電三法)—were established during the analogue era and proved inadequate for regulating contemporary media industries with an increasingly prominent digital component. However, media policy reform was highly politicised and discussions within the Legislature

failed to make much progress, leaving Taiwan's media industries in a state of under-regulation.

### **The China factor in Taiwan's media**

Commercial competition within Taiwan's media sector has gradually led to the concentration of private ownership, with incomplete legal frameworks unable to provide proper regulation for dealing with mergers and acquisitions. Taiwan's complicated and increasingly intensive relationship with the People's Republic of China (PRC) has sharpened the perception of inadequacies in regulation and potential vulnerabilities in the media sector. As the PRC became Taiwan's largest export market in 2004 and largest trading partner in 2005, increasing economic interdependence has spilled over into the media sector. One of the most notable examples was Want Want China Times Group's (旺旺中時集團) aggressive attempt to acquire capacity in Taiwan's print and cable sectors and to expand operations as a content producer and service provider. The Want Want Group CEO Tsai Eng-meng has allegedly exercised political influence over media under his control (Rawnsley and Feng, 2014: 107–108). Taiwan's Control Yuan revealed that the Want Want China Times Group received subsidies from several Chinese provincial and municipal governments and repeatedly embedded messages representing Chinese interests in their news coverage and advertisements throughout 2010 (ROC Control Yuan, 2010). Moreover, many television stations, including traditionally pro-DPP companies like FTV and Sanlih E-Television Station (SET, 三立) have sought to increase revenue streams by selling programming to the PRC, exercising self-censorship to avoid offending potential customers among Chinese buyers. For example, the news department of SET has deliberately reduced its reports on sensitive issues such as Tiananmen, Tibet and the Falun Gong since 2010. The station even shut down a popular anti-China, pro-Taiwan independence political talk show, *Big Talk News* (*Da hua xinwen*, 大話新聞) in 2012, allegedly bowing to pressure from the Chinese government (Zhong, 2012).

The negative side-effects of ever closer cross-strait economic interactions have worried media watchdogs inside and outside Taiwan. According to

Freedom House and Reporters Without Borders, Taiwan's press freedom has declined since 2008. Trends include increasing sensationalism and declining quality of media output, embedded marketing and censorship imposed by advertisers and the alleged influence of the Chinese government channelled through important Taiwanese investors. As the Ma Ying-jeou government hastened the pace of cross-strait economic integration, public concerns over the concentration of media ownership and the "China factor" triggered a student-led Anti-Media Monopoly Movement in mid-2012. The widespread protest movement eventually led to the drafting of an Anti-Media Monopoly Act (反媒體壟斷法) in 2013 (Rawnsley and Feng, 2014). Nevertheless, like the amendments for the Three Broadcasting Acts, it has been stalled in the legislature since 2013. Media reform is a major issue for progressive politicians like newly elected legislator Huang Kuo-chang, a member of the anti-monopoly movement representing the New Power Party.

### **The challenge of digital media**

In addition to protesting against the further concentration of media ownership, social activists have pioneered the circumvention of traditional media gatekeepers via social media. Most obviously the Sunflower Movement largely relied on social media for both internal and external communications and coordination. The Sunflower students who occupied the Legislature for three weeks in spring 2014 operated a 24-hour live stream of the scene inside parliament, and an in-house team posted real-time updates online, including translations into foreign languages and an English-language Reddit "Ask Me Anything" page where people from all over the world could ask about the occupation (Chao, 2014; Lin, 2014; Rowen, 2014). Some activists commented that social media gave them the freedom to express their views directly, free from the partisan filter they believed Taiwan's traditional media were using to distort their words and actions. Ordinary citizens, often anonymously, have used social media to break big stories that were eventually picked up by traditional media. One popular platform is the Professional Technology Temple (PTT) Bulletin Board System founded by National Taiwan University students in 1995. Its recent scoops include a series of photographs of a purported Sinocentric new history textbook written after the Ma



administration's controversial second round of curriculum revisions (Juo, 2014); the release of government documents indicating the Buddhist Compassion Relief Tzu Chi Foundation had acquired land within an environmentally sensitive area and then had its legal status changed to allow future development (Hsu and Chiang, 2015); and an accusation of sexual harassment against the legislative candidate and Sunflower Movement and anti-monopoly leader Chen Wei-ting, which drove him to drop out of the race the day it went viral (*Apple Daily*, 2014).

For Taiwan's media and political actors, the past decade has been a time of "disruptive" digital technologies and platforms as the political communications environment has been transformed, prompting evolving responses to new challenges, affordances and expectations. In the beginning, the responses of political actors were hesitant, partial and ad hoc. Although the DPP in particular was an early adopter, in terms of its digital election communications, notably Chen Shui-bian's presidential campaign in 2000, it did not represent a systematic attempt to adopt digital communications strategies. Other actors, notably the KMT with its greater reliance on ground-based factional mobilisation, were left scrambling to respond. The hesitant responses of political parties and traditional media presented openings to bloggers and citizen journalists. However, over time, older power dynamics have been reasserted, with traditional power holders in the mainstream media and political parties re-grouping and adapting to the prevailing conditions of communicative abundance and media hybridity (Sullivan, 2014). Major media companies have adapted to the transition from offline to online media (Department of Information Services, 2015), running popular web platforms that generate a high level of social media sharing of their own reports (Rickards, 2016). New online-only news organisations such as *Storm Media* and *The News Lens* have enriched Taiwan's news media environment but are still undergoing growing pains. Taiwan's elected officials have found utility in social media, particularly during election periods (Sullivan, 2010). Major political figures such as President Ma, President-elect Tsai Ing-wen, KMT Chair Hung Hsiu-chu, and Taipei Mayor Ko Wen-je update their social media profiles several times a day for the benefit of millions of followers.

### **A third wave of reform?**

The prospect of a third wave of media reforms has increased with the transfer of presidential and legislative power to the DPP following the January 16, 2016 elections. Just two months after entering the Legislature as the third-largest caucus, the New Power Party (NPP), ostensibly a DPP ally on the progressive side of the political spectrum, has proposed ambitious draft legislation aimed at preventing media monopolisation (Chen, 2016; Liu, 2016). Companies would be forbidden from owning more than three of the following seven kinds of media businesses: Cable TV, terrestrial TV, Internet protocol broadcasts, national radio stations, news and business channels, national daily newspapers, and channel distribution agencies. Holding companies, banks, and insurance companies, and their owners, would not be allowed to launch, operate, or control media companies. If more than 30 percent of a TV or radio station's programming were produced outside Taiwan, the station would have to send 1 percent of its annual revenue to a "media pluralism fund." Media company employees would have the right to choose an independent board member, and media owners and employees would be obliged to negotiate a legally binding agreement on editorial autonomy. On behalf of audiences, civic groups could file lawsuits against media mergers that would concentrate media ownership, and against government agencies that fail to protect free speech or media pluralism. Any relevant legislation would require the cooperation of the DPP caucus, which is likely to make its own proposals or moderate the NPP's. However, the NPP's history and membership lends it significant political capital on this issue. Legislator and NPP Chairman Huang Kuo-chang was a prominent member of the anti-media monopoly movement; at the time, the *China Times* falsely reported he had paid students to participate in the protests (Harrison, 2012). Lin Fei-fan and Chen Wei-ting, two other leaders of the anti-media monopoly movement, are also vocal NPP supporters. More broadly, the NPP has implicitly identified itself as a successor to the 2014 Sunflower Movement, which was itself a successor to the anti-media monopoly movement in aspects such as the leadership of Huang, Lin, and Chen and the grassroots mobilisation of students to protest at government facilities out of concern for Taiwan's autonomy (Wang and Cole, 2012).

Two recent high-profile proposed media acquisitions may lead to action by the new administration to head off further Chinese influence over Taiwan's media. One is DMG Entertainment's 2015 agreement to acquire 61% of the Taiwan-based Eastern Broadcasting Co. The proposed acquisition is controversial because DMG Entertainment cofounder Peter Xiao, the chairman of the Beijing-based affiliate DMG Yinji, allegedly has family ties to the People's Liberation Army. DMG Entertainment's chief executive Dan Mintz has argued since he, not Xiao, signed the agreement, these questions are moot, but the Taiwanese government and public may decide otherwise. The other case is North Haven Private Equity Asia's (NHPEA) proposed acquisition of China Network Systems Co., which has been conditionally approved by the NCC but put on hold by the Ministry of Economic Affairs' Investment Commission following protests by DPP and NPP legislators. These lawmakers have argued NHPEA is a Trojan horse for Far Eastone Telecommunications Co. (FET), which in 2015 paid NT\$17.12 billion for NHPEA corporate bonds. Since FET counts the government's four major investment funds among its shareholders, NHPEA's acquisition could be construed as direct government investment in a media company, say DPP legislators, who have also argued the deal would give FET's corporate parent the Far Eastern Group inappropriate power over the media (Loa, 2016; Shan, 2015). NPP representatives have advised the Investment Commission to put off review of the case until Tsai Ing-wen assumes the presidency in May 2016 and can move to reverse the NCC's decision.

## Conclusion

State power and market forces can both interfere with the quality and independence of the media sector. As discussed in this note, despite the successes of media liberalisation, Taiwan's media system has struggled to find a balance between the fluid interplay of these two forces. During the martial law era, state power was dominant and, as a result, Taiwan's press freedom was highly circumscribed. However, elements of market competition provided private media companies with a degree of editorial independence and enabled media outlets such as the *China Times* and the *United Daily News* to attract much larger readerships than the newspapers directly controlled by the party-

state. Under authoritarian one-party rule prior to 1987, Taiwan's media industries were regulated by inadequate policies which were often expedient afterthoughts serving the interests of the KMT. For example, the three TV stations were established in 1962, 1967 and 1971, but the Television Act was passed only in 1976 to legitimise their existence retrospectively. Moreover, media related regulations, such as the Publication Act, were very vague and allowed the authorities tremendous arbitrary power to interpret the guidelines in ways that best served them (Rawnsley and Rawnsley, 2001).

After the lifting of martial law in 1987 and a series of constitutional reforms in the 1990s that institutionalised societal pressure for democratic reforms, the first wave of media liberalisation helped to shape the processes of democratisation. The DPP administrations between 2000 and 2008 initiated a much needed second wave of media reforms by passing a number of long-awaited broadcasting and television acts, creating an independent media regulatory body, and expanding the public television sector. Nevertheless, these reforms were insufficient to catch up with the global development of information technology and convergence of communication platforms. Democratic consolidation has witnessed the erosion of state power accompanied by an aggressive expansion of national and international market forces in Taiwan's post-democratic media environment. While the island's press freedom index continued to rise in ranking under the Chen Shui-bian government, commercial pressures on the media eroded some of these gains. Far from promoting pluralism and diversity of programming, market pressures have led to low state investment in the media, repetitive and low-quality programming, sensationalist tabloid journalism and a concentration of ownership in the hands of a few powerful private individuals and consortia that are accountable to shareholders rather than the public. One way to reduce the threat of these problems is through appropriate media legislation to boost investment in quality local programming and to curtail media monopolies. Unfortunately, the media sector, governments and audiences have demonstrated insufficient enthusiasm or political will for any serious form of media regulation, exacerbating the negative effects of market competition and increasing the power of private media owners, whose interests may not be consistent with those of Taiwanese society. A third wave of reforms is crucial to ensure that Taiwan's media sector does not backtrack.

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