Study of Effective Factors In Privatization of Broadcasting With The Aim of Developing A Local Model For Iran

1Allahyar Piri, 2Mahmoud Ebrahimi Saeed, 3Mostafa Amini, 4Amir hosein Razagh, 5Mehdi Bina

1,2Abhar Branch, Islamic Azad University, Abhar, Iran.
3Master of Social Communications, Tehran Science and Research Branch, Islamic Azad University, Tehran, Iran.
5Kharaju Payam Noor University, Kharaju, Iran.

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ABSTRACT
Background: Since today the media is the most effective instrument in development and improvement of people's living conditions and welfare throughout the world, one of the major concerns of the developed and developing countries is to focus on how public and private media are managed and supervised in order to provide proper social, economic, political and cultural conditions. Objective: In the first place, this study considers the effects of legal, political and social factors on the privatization of broadcasting in Iran. Results: As regards the law-related issues, the barriers, challenges, and strategies concerning the country's constitution, the WTO rules, and the TRIPS agreement were analyzed. Regarding the political field, the roles of active political forces were analyzed in terms of the influence, functions, and malfunctions in utilizing private radio and television. The data collection method used in this paper is interviewing law and social communication sciences experts of the universities of Tehran. Using purposive sampling, eleven communication professors and five law professors were chosen to answer the researcher's open questions in an in-depth interview. Conclusion: In the end, a local model for privatization of broadcasting was achieved through performing open-coding on the interviews done with law and communication professors.

INTRODUCTION
Due to the reasons rooted in political issues, establishment of private broadcasting companies in Iran has often been a source of debate and dispute between the proponents and opponents. Nevertheless, aside from political issues, we can discuss the available legal potentials and mechanisms regarding this matter, as well as its prospective effects on cultural and political issues.

The private sector has a great influence on Iran's social atmosphere thanks to the availability of print and online media, and does its job regardless of the state and its subsidies. However, a television or radio network can be far more effective than print or online media.

Anthony Giddens, writes based on previous research: “If a news report on television is different from a report on newspaper, the number of the people who believe the television is twice the number of the people who believe the paper.” [3]

In fact, it can be said that the establishment of private broadcast networks should not be analyzed solely from a political point of view. Moreover, the issue can have broader dimensions such as creating competition between public and private broadcast networks, which leads to emergence of media pluralism and avoidance of media and news dominance, addressing the special needs of religious, artistic, cultural, and scientific groups, removing the burden from the national media regarding achieving the satisfaction of people’s leisure time, preventing non-Islamic and non-Iranian culture from entering the country's cultural environment through satellite networks, and economic profit and development in different fields and consequently helping Iran in joining the WTO, among others.

Although those issues require unbiased and scientific study and research, the fact that Iran is currently undergoing economic development while implementing the article 44 of the constitution, in which privatization is emphasized, should be considered as well. On the other hand, Iran is trying to join the WTO, the agreement of which on service trade requires the member states to firstly provide an atmosphere in which the information can flow freely, and secondly minimize the monopoly in service trade as well as other trade fields.

Considering the effects of radio and television in the evolution of social attitudes and cultural reproduction in unofficial forms of social, cultural and political education, the importance of the matter becomes more evident.

Unlike other mass media, television was imported to Iran by the private sector, which then exploited it afterwards.

However, exclusive television broadcasting in Iran has found serious competitors in the cyberspace. Websites like YouTube, despite being filtered, contain lots of clips and videos that are not allowed on the national television. Short video clips are being transferred via Internet using third generation cell phones, and there’s a video of every event on phones. Internet and cell phones, categorized as “modern media” in communication studies, are responding to many needs that Iranian national television is unable to address. Although these modern media cannot replace television, they have found their place among their audience as alternative media.

Hosseynali Afkhami, a professor of the Faculty of Communications of Allameh Tabatabai University, sees the problem of media and the article 44 from a different point of view: He considers the weakness of political parties as the first barrier in the way of formation of successful private media. In this regard, he states that “Simply starting a commercial media that plays music and displays advertisement does not solve any of our problems. Monitoring the power is one of the functions of media, and it is only with a coherent party structure with different parties participating in different government departments that one can hope that media play a monitoring role.” [5].

Another problem in the way of establishing private broadcasting in Iran is the presence of trade and education barriers. On the one hand, there is no union of professional journalists in Iran to defend the private media against governmental and non-governmental pressures, and on the other hand, education in the field of radio and television is limited to a single state-run college, while the educational requirements of media cannot be met merely by relying on state-controlled education. Considering the effect of media on national development, privatization cannot be successful unless there is no ambiguity in article 44 regarding the issue of media.

Goals of the study:

Primary goals:

a) Developing a local model for the privatization of broadcasting in Iran
b) Studying legal avenues for the privatization of broadcast networks in Iranian law
c) Analyzing possible effects of private broadcasting networks and their competition with the public media on improving the general quality of media in Iran
d) Studying the role of active political forces in the establishment of private broadcast networks with the aim of gaining more political power
e) Studying the effects of private audio and visual networks on satisfying the professional needs of specific groups of people (religious, artist, politician, scientist, etc.)
f) Studying possible effects of private broadcast networks in Iran on joining the WTO

Secondary goals:

a) Assessing the effect of being a public broadcast network on the content of the programs aired by the national broadcast network (IRIB)
b) Assessing the economic profit or loss for the IRIB
c) Studying different models of broadcasting around the world

Research hypotheses:

- There seems to be a meaningful relation between the existence of media and television networks and public acceptance.
- There seems to be a relation between the emergence of private television networks and competition for gaining power and larger audience among domestic active political forces.
- There is a relation between the existence of private television networks and emergence of media pluralism.
- There is a relation between the existence of private television networks and satisfaction of the professional needs of specific groups of people (religious, artist, politician, scientist, etc.)
- Development of private television networks will probably impact development in various fields (political, religious, cultural, social, economic, etc.)
- There is a meaningful relation between the development of private television networks in Iran and joining the WTO.
Different opinions can be exploited in extending the idea of privatization of audio and visual media. Privatization of radio and television networks is an indicator of cultural development and production. Privatization of broadcasting networks involves strategic and challenging aspects.

At this point, we will try to represent some of the theoretical arguments about the privatization of broadcasting in order to move toward determining independent variables and designing research model through the causal chains of the theories.

Elisabeth Noelle-Neumann’s “Spiral of Silence” can be mentioned as one of those theories. Noelle-Neumann argues that three mass communication features, namely “cumulation”, “ubiquity” and “consonance” combine together to create a powerful effect on the public opinion. In the process explained by her, tendency to silence and isolation is inevitable for the minority against majority. The media plays a significant role in bringing out the minority from such isolation and triggering debates on boycotted subjects.

Media Dominance Theory is a theory rooted in the ideas of Marxist economists. Media Dominance is a concept which suggests that “the ideas of the dominant class become dominant ideas in society, and mass media become controlled by the dominant class and will support their supervision on the rest of the society” [6]. So the possible effects of the presence of private media can be studied for their role in moving towards media pluralism, competition, and criticism of media dominance.

The Dependency Theory by Ball-Rokeach and DeFleur, which discusses the increasing complexity of media, their unique functions, and their expanding professional aspects, can also be helpful in explaining the emergence of private broadcast networks and their special programs targeted at different professional groups of people.

The Normative Media Theory can also be considered in the study of private visual media in Iran. This theory focuses on topics such as the effect of power on media, obtaining publication licenses from authorities, private and public media, freedoms and restrictions in stating facts and expressing opinions, among others.

The Social Responsibility theory tries to bring together three relatively divergent principles:
1. Every individual is free and has the power of choice.
2. Media are also free.
3. Media are responsible toward society.

However, there is no certain solution to those conflicts.

The Social Responsibility theory considers two fundamental solutions:
1. To develop public but independent institutions to manage the media. Such development can expand the political power of the concept of social responsibility.
2. To use professional expertise in order to meet higher standards of media efficiency and autonomy. In fact, professionalism as encouraged by the theory focuses on some form of balance and neutrality in addition to being an affirmation on maintaining high standards in production and message delivery.

The Development Media theory: In 1970s, when Amadou-Mahtar M'Bow was UNESCO’s secretary-general, the developing countries gained an opportunity to revise their position in the world in the field of media. A 1980 report by MacBride et al, titled Many Voices One World provided a more accurate picture for those countries. The report, which was presented at the general conference of the UNESCO, discussed efforts to achieve a new communication order.

In fact, special economic and political situations of the third world countries, their nonconformity to the four previous normative theories, the increasing awareness of their nations, their tendency to struggle the new forms of colonial domination, achieving cultural and communicational independence, along with the new communication order discussed at the UNESCO, provided the basis for the emergence of the Development Media theory.

In this theory, opposition to dependency, external dominance, and domestic despotic authority are discussed. The theory tries to positively exploit media for national development, national sovereignty and cultural identity while supporting public democratic participation. The most important feature of the Development Media theory is the acceptance of the fact that economic development and social changes, which are followed by national development, entails the principle that the freedom of media and journalists is defined by their level of responsibility to development goals, and in the meantime, individual freedoms are replaced by collective goals.

Dennis McQuail sees the Democratic Participant Media theory as the latest normative media theory and yet the most difficult one to formulate. Because on the one hand the theory is not in line with the conventional media institutions, and on the other hand, some of its bases and ideas can be found in other theories.

Nevertheless, while this theory is not completely independent, it deserves to be separately discussed. The theory of Democratic Participant Media is considered as a reaction to powerful private media becoming commercial and monopolized in media freedom theory and also to bureaucratic centralism in social responsibility theory. Frustration from national media which could have been effective in social development is another forming factor of this theory. McQuail considers the Democratic Participant Media theory as a
combination of theoretical elements such as Liberalism, Utopianism, Socialism, Egalitarianism, Environmentalism, and Localism, and adds that media institutions that are designed based on this theory deal with people’s social lives more than other media, are more controlled by their viewers, more available to them, and provide more opportunities for them to contribute.

Operational definition of the research items:

Privatization:
In general, the term “privatization” refers to any process in which the tasks and utilities of the public sector in any level are transferred to the private sector, while in a more accurate sense, it refers to the dissemination of a culture that persuades the legislature, the executive branch, the judiciary, and every single citizen into believing that people's affairs should be handled by people.

Localization:
In this study, localization means exploiting foreign scientific abilities and experiences and combining them with locally available capacities and potentials. With an accurate recognition of the environment and performing a comprehensive review of the surrounding issues, indicators contained in foreign patterns can form a successful model considering the local behaviors, red lines and capacities.

Public broadcasting:
In this study, public broadcasting refers to radio and television broadcasting in which management, budgeting, manager selection, production, and broadcasting is done by the state.

Private broadcasting:
In this study, private broadcasting refers to radio and television broadcasting in which management, budgeting, manager selection, production, and broadcasting is done by private and non-governmental agencies. Obviously, certain rights such as positive supervision and the right of issuing licenses to the private organizations are reserved for the state in the procedure.

Methodology:
Considering the available possibilities and the research subject, interviewing was found to be the proper method for data collection. In addition, the use of this method for data collection is more compatible with the theoretical framework and the research hypotheses. “Interviewing is a data collection method in which needed data are gathered through direct communication between the questioner or the researcher and the respondent. In fact, interview is a two-way conversation which begins with a question raised by the questioner in order to obtain information on the research subject. This can be done face to face or through remote instruments such as telephone” [5].

There are different approaches to the categorization of different interviewing methods. Hafeznia's approach proposes two methods: formal interview and informal interview. Another approach, introduced by Uwe Flick, proposes multiple methods, including “focused interview”, “semi-standardized interview”, and “problem-centered interview” [4].

The sample population of this study consists of professors and experts of communication in universities of Tehran. Using the purposive sampling method, eleven communication professors were chosen. Since discussing some legal issues in the field of privatization of broadcasting required the knowledge of law experts, five law professors and experts of the field of media law were chosen to answer the researcher’s open questions in an in-depth interview. The research data, which are the basis for the analysis of the research findings, are obtained from the questionnaires answered by eleven communication professors and five law professors and experts.

After finishing data collection, the main criteria were extracted from the questionnaires and analyzed using qualitative analysis methods. Data analysis was done using open coding, then axial and selective coding. During the open coding process, data were broken down into fragments and converted to concepts. Then, the categories resulted from the open coding were refined and segregated. In other words, during the axial coding, categories that were more relevant to the research question were selected from the resulting codes. Finally, after performing those two codings, the selective coding was used to achieve a local model. During this process, the main subject of the study, that is the development of a local model for private broadcast networks, was considered as a specific item, rather than a specific person or an episodic interview.

Results:

Descriptive results:
Legal avenues and challenges related to the constitution, the statute of the IRIB, the rules of WTO, and the TRIPS agreement were discussed with five law professors and law experts, and political and social effective factors of privatization of broadcasting were discussed with eleven professors of social communication sciences.
Table 1: The distribution of the respondents according to gender, separated by field of study

<table>
<thead>
<tr>
<th>Field of study</th>
<th>Total</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communications</td>
<td>11</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Law</td>
<td>5</td>
<td>1</td>
<td>4</td>
</tr>
</tbody>
</table>

Introduction of the research items:

By performing axial coding on the interviews done with law and communication professors, research items were analyzed in two main axes of challenges and strategies. The challenge axis involves legal issues and political tensions, and the strategy axis involves content, media competition principle, supervision and licensing of private broadcast networks.

Discussion and Conclusion:

This study was initiated with the goal of exploring the factors related to the privatization of broadcasting in Iran and finally achieving a local model for the privatization of broadcast networks. To this end, some communication theories were used. One of those theories was Elisabeth Noelle-Neumann’s idea of “Spiral of Silence”, according to which, communities that do not see their opinion reflected in media as a part of society’s dialogue, will have a tendency to boycott their thoughts. Another theory that explains the framework of privatization of audio and visual media is the Media Dominance Theory, which is rooted in the thoughts of Marxist economists. Media dominance is a concept suggesting that “the ideas of the dominant class become the dominant ideas in society, and mass media become controlled by the dominant class and will support their supervision on the rest of the society.”

The Dependency Theory by Ball-Rokeach and DeFleur discusses the increasing complexity of media, their unique functions, and their expanding professional aspects. This theory was used for explaining the emergence of private broadcast networks and their special programs targeted at different professional groups of people.

In the study of private audio and visual media in Iran, the Normative Media Theory can also be considered. The theory focuses on topics such as the effect of power on media, obtaining publication licenses from authorities, private and public media, freedoms and restrictions in stating facts and expressing opinions, among others.

Considering the available possibilities and the research subject, interviewing was found to be the proper method for data collection. In addition, the use of this method for data collection is more compatible with the theoretical framework and the research hypotheses.

Summary of the findings on the conditions and effective factors in privatization of broadcasting:

By studying the articles 44 and 175 of the Iranian constitution to see whether the establishment of private broadcast networks is in conflict with the constitution, it was found that in none of the articles the constitution prohibits granting license to private broadcast networks, and that it merely puts the IRIB under the public sector's authority. Furthermore, if the Guardian Council cites the article 44 in support of such prohibition, it can be argued that similarly no private banks, private insurance companies, private telecommunication companies and other similar private organizations should have been granted licenses.

Regarding the TRIPS agreement and the rules of WTO which focus on abolishing the monopoly of information publication, most law experts acknowledged that one of the requirements for Iran to join the WTO besides alleviation of political issues and the country's nuclear energy debate, is to provide a free atmosphere for mass media, to abolish certain monopolies in information flow, and to accept The TRIPS agreement. In this regard, according to the professors, refusal to issuing private broadcasting licenses to eligible applicants is considered a monopoly of information flow, which is against the rules of WTO and the article 40 of the TRIPS agreement.

After debates and research on the issuance of licenses to private broadcast networks and supervision of the production and distribution of media products in the private sector, it was concluded that private institutions should be supervised by organs such as the parliament or the judiciary, due to the fact that those two institutions have direct roles in legislation and investigation of violations of law, and are relatively independent compared to other organs.

Regarding the content of programs, the results from the questionnaires indicate that there should be broadcast networks focused on specific subjects (for example, movies, news, etc.) with a wide variety of programs. This implies that more time should be allocated to professional content, and various programs should be broadcast during short periods of time in order to attract audience from different strata of the target society.

The final local model for privatization of broadcasting in Iran:

The proposed model based on the results of this study revolves around two axes, namely content and government supervision and license issuance. As regards the content, it was proposed that broadcast networks should allocate more time to their professional programs and produce wide variety of programs in order to attract and influence larger audience.
Concerning supervision and license issuance to private broadcast networks, it was proposed that production and distribution license for private broadcasting should be issued to legal or natural persons by an institution composed of multiple cultural and political organizations, which should then performs an accurate and continuous supervision on their performance. The results also suggest that the institution be composed of the judiciary and the parliament representatives, who are more familiar with the law and are relatively independent.

Strategies and recommendations for policy making in the field of privatization of broadcasting:

According to the findings of this study, policy making on the establishment of private broadcast networks should revolve around two main axes, while considering prerequisites, post hoc applications, and political and social conditions of the hegemonic atmosphere of Iran. The aforementioned axes for this policy making are as follows:

Defining an institution for license issuance to private broadcast networks:

Such institution can be composed of multiple cultural and political organizations. The functions of the institution are to issue production and distribution licenses to legal or natural persons for private broadcasting, in addition to performing accurate and continuous supervision on their performance. Obviously, the institution must be independent and politically neutral. Moreover, it should not be merely composed of individuals working for one of the three government branches.

Establishing an institution for supervising the content produced by private broadcast networks:

Using positive supervision and executive power, the institution can have multiple functions:

a) Prevention of political tensions in case of conflict and defamation through private media owned by political groups.

b) Prevention of the degradation of Islamic values and norms embedded in the society.

 c) Prevention of compromising the national interests through private media.

It is obvious that in addition to being independent, the institution must issue regulations to prosecute individuals who attempt to slander and insult through media owned, controlled, or influenced by them.

REFERENCES