■　論　文　■

Government Change and Policy Continuity
− A Case Study of Policy on Civil Society Media in Japan −

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1 Introduction

When the over fifty-year rule of the Liberal Democratic Party (LDP) of Japan came to an end in fall 2009, overdue changes in media policy suddenly seemed possible. Media reformers and especially 'civil society media' people greeted the new government with cautious optimism, which soon turned into disappointment. This article focuses on their efforts to influence policy and tries to assess the outcomes and prospects for further action.

Major changes in government from conservative to progressive are often accompanied by great hopes and expectations for changes in media policy. There is no lack of examples where such changes have presented opportunities for media reform and re-configuring the media system. Especially the recognition and inclusion of non-commercial non-governmental media based in civil society (here called 'civil society media') has been well documented (Buckley et al 2008). In the Republic of Korea, for example, the Noh administration responded to civil society demands with wide-ranging media reform, including a support system for independent and civil society based media. Though many of these reforms have been rolled back by later administrations, they remain an example for successful implementation of policy for civil society media. In neighboring Japan, many activists and researchers have taken inspiration from these policies, and are currently working for similar gains. However, as in most other policy areas, the outcomes have been overall discouraging, and the movement is stalling. After a phase of organizing around policy issues from 2008-2010, many practitioners now focus again on producing media with and for their communities within the restraints of the existing system.

In many countries, organizations dedicated to socially engaged media making have pioneered local broadcasting, distribution systems for non-commercial print media, multi-lingual media, what is now called user-generated media, "narrow-casting", and citizen's participation in media policy.[1] However, almost everywhere

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1　Rodriguez (2001), Downing (2001, 2010).

in the world, policies have systematically distorted the mediascape in favour of governmental and commercial media. Media made by and for citizens continue to struggle for funding channels, legality, autonomous means of production and distribution, and against the commercial/governmental enclosures of creative resources (Buckley et al. 2008).

This article, at the intersection of political science and media studies, investigates the factors that influence how civil society engage in media policy. What was the opportunity structure? What resources? What achievements were aimed at? Were they achieved? And what other, perhaps unintended outcomes? What does that tell us about the specific challenges of democratic media activism in Japan, and what can be taken from that for other contexts?

Drawing on social movement research and media studies research on civil society media and policy, it analyzes the democratic media activist movement in Japan in the 2008-2010 organizing phase. The methods are qualitative, including a review of the literature on the media reform and civil society media movements in Japan and participatory observation in one of the main networks for media reform. The lack of progress on issues for civil society media, it is argued, can only partly explained by the poor political opportunity structure, but also by poor movement resources. However, the movement may be able to progress thanks to some of the network and cultural outcomes achieved in the organizing phase.

2 Theoretical considerations

2.1 Terminology

In the field of media studies, research on media made 'by for and of the people' has seen a 'renaissance' (Rodriguez 2004). That such media are an essential part of a healthy social and media system is by now well-established (cf. European Parliament 2008, Buckley 2008). Prominent recent examples include the Indymedia online news network, the international movement of community radios as represented by AMARC, video activism, and myriad other practices, ranging from short-term interventions steeped in humor and irony to social movement media that sparked revolutions or built community support for change over long periods (Downing 2010, Downing 2001). In Japan, media practices with grassroots democratic aims existed even in pre-modern times,[2] and recent history is full of examples of both long-lived and innovative projects. The social-democratic feminist paper *femin* has been published continuously since 1946 and launched a pioneering online newspaper site.[3] Micro-radio stations of the 1980s like Radio Homerun (Kogawa 1993), and multicultural community radio stations like FM WaiWai (FM YY, Kobe, Nagata-cho) in the 1990s cleared the way for commercial local broadcasting and have inspired practitioners around the world. The *free papers*[4] of the 1980s started as a non-

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2　For example, 17th–19th century peasant rebellions immortalized their heroes and causes in popular drama and petitions (Jansen 2002: 232–233). The 1890s *Jiyuminken* [Freedom and People's Rights] Movement was popularized through public speaking networks, print publications, satirical songs and poetry, study groups and petitions (Jansen 2002: 380; Brink 2001).

3　http://www.jca.apc.org/femin/.

4　Weekly or monthly freesheets available in cafés, shops and recently on public transport.

commercial subculture. By the late 1990s, their practices – local, speaking to specific communities of interest, unusual visuals, a distribution system wholly independent from bookstores and newsstands—had been completely co-opted by the ad industry (cf. Dentsu 2007: 60–65). The movement for public access television dates back to the early 1990s, and has promoted an internationally renowned culture of small film screenings, 'self-taught documentary', experimental videomaking, citizens' video workshops, video journalism and online videostreaming.

Documenting these and many other examples, historians have debunked the notion that citizens-led media should be called the "third media" after commercial and government-supported public service media. However, terms like "alternative media" and "community media" have also found to be problematic.[5] The current consensus in the field is that they refer to somewhat different practices, which share democratic characteristics in terms of content, organization/production, audiences/participation, and social function/purpose.

In Japan, the currently popular term for non-commercial and non-governmental media is 'shimin media', directly translated 'citizen media'. However, it includes a wide range of individualized 'my media' (especially hobby-media) and local governmental and/or commercial media. A 2006-8 survey (Hadl 2010) found that media makers associated social movements did not identify with 'shimin media'. Another popular term, 'community media' (Japanese, transliterated from English) has a strong connotation of local governmental and/or commercial media. There are several other candidates, such as "non-commercial broacasting" (Koyama and
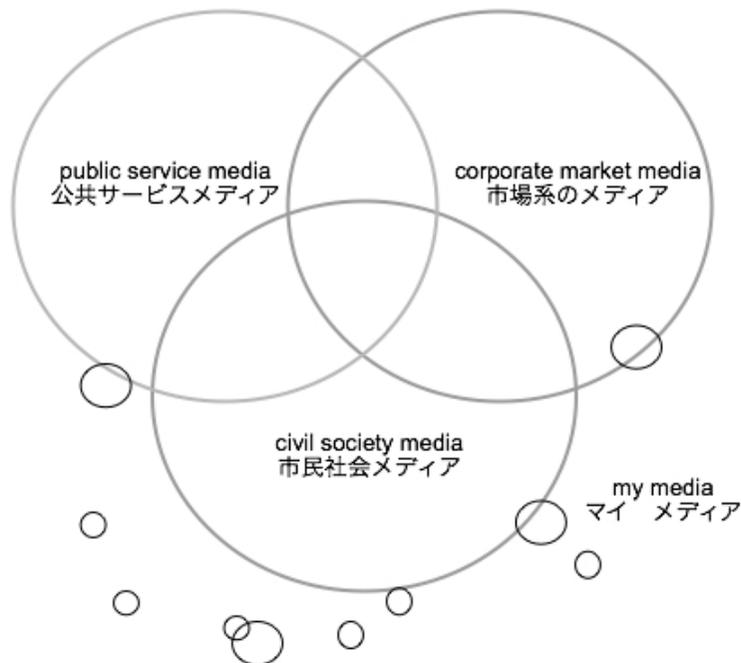

FIG 1.

5   This debate has been comprehensively analyzed by Hadl and Jo (2009), Hadl 2007, Rennie 2006, Vatikiotis (2005), and Huesca and Dervin (1994).

Matsuura 2008) or "public access" (…..) which were originally focused on one distribution technology (radio and TV respectively), but have been used more broadly. There are periodic discussions within the Japanese researcher and movement community about which terms to use in which context, though so far without any conclusions.

In this article, we use the term "civil society media" as an analytically useful umbrella term that avoids some of the historical and theoretical pitfalls of "community" and "alternative media" (albeit introducing some new problems). Hadl and Hintz (2005) propose using a 'multi-level definition', and noted that to assess the degree to which an organization or project can be considered 'civil society media' requires careful evaluation. They suggest visualizing the mediascape as made up of various media organizations, some of which are relatively pure civil society media, but where many share characteristics with governmental, commercial (collectively called "their media") or individualized "my media" (Fig 1.)

2.2 Media studies and social movement research on democratic media activism

A key question in civil society media studies concerns the effectiveness of such media, which mainstream research long dismissed as "small". In some countries, community media are now demonstrably 'big' and 'influential' (Meadows et al. 2007) , while in others, such as Japan, their recognition is low, and practitioners themselves feel at the margins (Hadl 2010). Why is there such a difference between countries? Recent research indicates that media policy is one big factor in how well civil society media operate, and practitioners thus find themselves often involved in policy battles. This research can be roughly divided into two types: one coming from the area of media studies, the other from social movement studies.

In media studies, the field of community communication has looked at broadcast regulation and support mechanisms for community media since the 1970s (see e.g. Lewis and Booth 1989; Jankowski and Prehn 2002; Price-Davis and Tacchi 2001; Buckley et al. 2008). This research was originally focused on national policies for community radio (and secondarily public access TV), notably funding and airwave spectrum allocation. In recent years, the field has diversified and investigated issues for online and multi-channel media distribution, temporary media interventions (such as 'tactical media'), organizations that provide infrastructure for social movements (such as NPO service providers and non-proprietary software developers) and a wide range of policies that affect civil society media organizations, including NPO law and copyright. There has also been work documenting how civil society media people engage in policy battles and built social movements around communication issues (Hadl 2009). In these, they employ a spectrum of tactics, including positioning themselves as policy stakeholders, using their own media to mobilize wider publics, and drawing on rhetorical resources to frame their issues.

In social movement studies, scholars have considered media as means to influence and gain the support of public opinion, as "the major site of contests over meaning" (Gamson 2004: 243). However, the view of media remains mostly instrumental and limited to traditional mass media. "The field does not consider 'communication-information' to be a single policy domain capable of mobilizing the public" (Mueller et al 2004:11). The literature is episodic and case-oriented, though in recent years some work has emerged that considers

"public interest media activism and advocacy as a social movement" (Napoli 2007). As in media studies, social movement researchers find that movement around communication issues acts as "self-generator of scholarship" (Napoli 2007: 20-27).

Carroll and Hackett (2006) document a movement for media reform, termed "democratic media activism" (DMA) in the Anglo-Saxon North Atlantic region. They define DMA as "organized 'grassroots' efforts directed at creating or influencing media practices and strategies whether as a primary objective, or as a by-product of other campaigns" (Carroll and Hackett 2006: 84). Such movements differ from other social movements in that they treat media and communication as "simultaneously as means and ends of struggle" (Carroll and Hackett 2006:96). In their analysis, DMA social sources consist of three concentric circles: a core circle of professional media organizations (community radio stations, independent journalists, media workers unions etc.) ; a middle circle of subordinate social groups (such as immigrant youth, or people with disabilities) that need access to media to advance their demands; and an external circle of groups for whom communication issues are not a central concern but that can mobilize when they perceive communication policy issues to be a threat to their work (for example, when ….). Repertoires of action comprise culture jamming, Internet activism, media monitoring, autonomous media projects, independent Internet providers, and more policy-oriented initiatives or advocacy campaigns. There are both 'offensive' and 'defensive' forms of media activism, and "reformist and counter-hegemonic currents" (Hackett and Carroll 2006: 14). The authors identified four "strands of praxis". Two are "reformist", and aim at 1) influencing the contents of mainstream media, and 2) advocating media policy reform for a structural change in media institutions. Two other strands seek to build or nurture "counter-hegemonic" practices by 3) building independent media outside state and corporate control (civil society media, in our terms), or 4) changing the relationship between citizens and media by empowering audiences to be more critical (for example through promoting media literacy) (Hackett 2000: 70-71). These diverse groups and tactics together form an "organisation ecology in which different groups, organized in somewhat different ways and pursuing distinctive agendas, take up and rework the politics of media" (Hackett and Carroll 2006: 89). Carroll and Hackett find that DMA lacks a collective identity, a point media scholars confirm. While this can be an obstacle to effective activism, Caroll and Hackett (2006) argue that this is not necessarily so. In their opinion, the social movement literature is not entirely able to understand the unique nature of media activism: "Democratic Media Activism may be destined to be a boundary-transgressing nodal point for other movements, articulating a coherent project for radical democracy, rather than a movement-for-itself" (Carroll and Hackett 2006, abstract).

Further analysing sub-types of activism, Milan (forthcoming 2012) studies how civil society media advocates interact with policy arenas. Advocates may mobilize inside, outside or beyond policy arenas. "Insiders" actively engage governmental and corporate actors in institutional processes, whereas "outsiders" adopt confrontational forms of protest against institutions.[6] "Beyond-ers" typically refuse to work through established institutions and policy processes, but also do not want to legitimize state and corporate actors by addressing

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6   The distinction between insiders and outside is widely adopted in social movement studies. See, Tarrow (1998), and Taylor and Van Dyke (2004).

them. They attempt to democratize and change society "from below", redefining social structures from scratch. Such tactics include pirate radio broadcasting illegally or a-legally, or appropriating copyrighted material.

2.3 Concepts from social movement theory and political analysis: opportunity structure, mobilization resources, movement outcomes

When and how can social movements influence policy arenas? Political analysis and social movement theory provide some answers. The key concepts relevant to democratic media activism are political opportunity and mobilization resources, and movement outcomes.

According to Kingdon (1995), the institutional agenda can be influenced when there is a *policy window*, defined as an occasion for political participation (such as a summit, a public referendum, a call for public comments, forming of an advisory body or committee), that can result in a favorable position on the issue list for social movement demands. A policy window is a type of *political opportunity*, a shift in the context in which social actors interact with institutions and policy stakeholders. Political opportunities can foster people's action, though they usually need to coincide with pre-existing social networks and availability of resources (Tarrow 1998). Another type of political opportunity is a change in the balance of political power within *policy monopolies*: "networks of groups and individuals operating inside and outside of government, linked by mutual recognition as legitimate actors concerned with a particular set of policies" (Meyer 2004: 7). A policy monopoly is broken, for example, when there is a change in the government coalition, or in the composition or role of the bureaucrats. Such political opportunities have short duration, and social movement actors must be ready to jump in "like surfers waiting for the big wave" (Kingdon 1995: 165).

According to Kriesi et al. (1995), opportunity is determined by the openness and capacity of implementation of the state. Amenta et al. (2002) adopt a more fine-grained view, taking into consideration not only the openness of the polity and strength of the state, but also the polity structure (e.g., the centralization and division of power within the government, the presence of multiple points of access), the democratization of state institutions (which can be inclusive or exclusive), electoral procedures (i.e., winner-takes-it-all elections vs. referendums, the latter fostering collective action), and state politics (e.g., instability of elite alliances, the availability of allies for social movement actors).

One determinant of social movement success is *resources*.[7] Edwards and McCarthy (2004) distinguished among four types of resources: moral resources (legitimacy and solidarity support); cultural resources (knowledge and expertise, including tactical repertoires); social-organizational resources (the presence of volunteers, pre-existing and ad-hoc networks); and human resources (labor, skills, and leadership).

A further resource is the framing capacity of a movement (Snow 2004). Framing refers to the capacity of groups to "name" and "define" the issues of their concern in order to a) foster the mobilization of people and

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7　According to a branch of social movement studies, namely Resource Mobilization (RM) theorists, resources are the main determinant of social movements' impact. RM theory, which emerged in the U.S., is usually contrasted with the New Social Movement (NSM) approach, of European origin. According to NSM scholars, social movements struggle to control the cultural sphere. Emphasis is on values and identities, rather than resources and structure.

supporters, and b) gather the support of institutions. Frames can perform three basic functions: diagnostic (presentation of a new interpretation of reality), prognostic (offering a solution to the problem), and motivational (stimulating people to react) (Snow 2004). In the communication rights campaign around the World Summit on the Information Society, for example, a decision was made at one point to use the term 'community media' to refer to all non-commercial, non-governmental media and to frame movement demands in terms of human rights, especially the right to free expression and development rights.[8] The diagnostic angle criticized the industry-centered discourse, the prognostic suggested support for community media and the motivational explained that community media were essential for safeguarding human rights.

Finally, how can movement success be measured? Political theory tends to focus on policy change as the most relevant outcome. However, social movement and media scholars have pointed out that "cultural," "discursive" and "network" outcomes should be considered just as important. For example, a certain policy battle may be lost, but the movement may emerge better organized, and have succeeded at getting the general public to care about its issues. This may lead to social changes as tangible as a new governmental policy, and even to future successes in policy battles. Besides, some social movements may forgo 'inside' policy activism altogether, instead choosing 'outside' or 'beyond' strategies to directly achieve cultural outcomes such as helping movement members redefine their identities, or changing public opinion about the issue.

3 Case study: Japanese democratic media activism 2008-2010

In this section, we will be looking at the Japanese democratic media activist movement, with a focus on civil society media (corresponding to Strand 3 in Carroll and Hackett's typology) around the drafting of the media law under DPJ governments 2009-2010. We will be looking at the opportunity structure, resources and outcomes. But first, let us look at the context and the issues that the movement has emerged around.

3.1 What are major media problems inherited from the previous government?

Japan is the oldest democratic country in Asia, with the roots of democracy reaching back to pre-Asia Pacific War times. However, for most of the post-war, one party, the LDP, has been in power, and most social movements since the 1970s pushed to the margins of society. Since the resignation of long-time LDP strongman Koizumi as prime minister, cabinets have been changing frequently (a trend that has continued under DPJ rule). Government affairs and political decisions have been mostly directed by bureaucrats recruited from social elites. From the mid-1990s LDP governments were conservative in cultural and neoliberal in economic policy.

In the media and communication sector, free speech is held in high social regard. However, in the last decade, many observers noted an atmosphere of 'chilled free speech', citing a number of high-profile cases where ultra-nationalist groups and politicians intimidated mainstream media, independent media makers and

8   These choices were however quite controversial (Hadl and Hintz 2005).

distributors, and even the public service broadcaster (on issues like comfort women, Yasukuni, gender equality, environment, labor, etc.).[9] In mainstream news media (*mass comi*), there is a widespread culture of self-censorship, which came to the attention of the wider public after the 3.11 disasters, when it became obvious that the many problems of nuclear power had been underreported. This culture has been nurtured by many factors. Mainstream media reformers have long criticized is the close relationship of the news media industry with government, the former not least reinforced by the press club system. In addition, advertizing agencies wield a great amount of power, greatly amplifying the influence of advertisers over media content (especially electric utilities, cars and electronic manufacturers). Mainstream media reformers have also long alleged that the lack of an independent regulator allows the Ministry of Interior and Communications (MIC) to directly control and interfere in broadcast media content.[10] Finally, some mainstream media reformers have also noted that the power of *mass comi* (the mainstream news media) should be balanced by a stronger civil society media sector, and some have fairly idealized notions of what such media can achieve.

3.2 Specific difficulties for civil society media

However, civil society media organizations are struggling with a two-tiered broadcast system without legal or financial recognition for public access TV or non-commercial non-governmental community radio (though some such stations existed). Interviewees in a 2006-8 survey (Hadl 2010) also cited a restrictive and complicated copyright system practically without 'fair use' clauses; an NPO law that makes garnering funding difficult (though this was somewhat improved in 2006), and a lack of critical media education which makes it difficult for civil society media groups to understand the problems in the mediascape cited above and to involve the general public as audiences and producers.[11]

Life has been particularly difficult for media groups working with marginalized people because there has been no recognition of minorities' rights to information, education and self-expression. The Indigenous peoples were long not even recognized as such (although Ainu were recognized in 2008, the peoples of Okinawa prefecture are not). People with hearing disabilities and people with visual disabilities identified digital switchover as a policy window, and lobbied the government for better service from commercial and public service broadcasters, their own public access channel (or public service channel) and their needs recognized in digitalization, though without policy success. Social movement oriented media such as labor video activism struggle with a bad image of 'leftist' social movements due to a number of factors, partly historical, partly due to internal problems and bad relations with the mainstream press.

With heavy restrictions on broadcasting, many civil society media makers have stuck with print media or turned to the Internet. As in many other countries, the Internet was long relatively free, affordable, fast and accessible. However, mainstream media soon began to engage in Internet-bashing, especially exaggerating the dangers of open publishing and anonymous posting. Partly as a result, the Ministry of the Interior, the Police

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9　These are examples of "anti-democratic media activism."
10　See Hizumi (2008) for an example of such criticism.
11　These are the external, policy-related factors. Internal issues are discussed below.

Agency and other government and self-regulation industry bodies have developed new regulations and systems for Internet censorship. Many civil society media organizations have editorial oversight and would not expect to breach such regulation, however, they fear administrative burdens.

3.3 Media policy actors and opportunity structure

The main institutional actor in media and communications policy in this policy cycle has been the Ministry of Interior and Communications (MIC), with other ministries and agencies jockeying for influence. The MIC took charge of drafting the new media law. Within the MIC, the following actors hold the "power monopoly": First, the bureaucrats, which are widely considered more powerful than the politicians. The DIP came to power on a platform that included wresting power away from the bureaucrats, a goal widely considered failed. However, the bureaucrats are hardly unified in their stance, and since staff rotates quickly within ministries, there are few people with media expertise. The same can be said for the cabinet, however, which has seen a quick turnover of ministers, including prime ministers. The third, but perhaps most constant and powerful actor may be industry. *Keidanren* represents the major industry players in all areas. However, in media policy, smaller industry associations representing newspapers, TV stations telecom and phone service providers, Internet providers, content industry also hold influence.

Policy actors outside the power monopoly were civil society, which includes mainstream media reform movements (corresponding to Strands 1, 2 and 4 in Hackett and Carroll's typology), and civil society media organizations. There are also occasional interventions by associations of people with disabilities, and groups of individual internet users and artists. The general public, theoretically the main policy actor, is notably uninformed and unconcerned about media policy issues. Among many reasons, *mass comi* typically reports when a new law or regulation has already been decided, presenting the public only with *in*.

3.4 Government change as opportunity?

As it is, the opportunity structure for DMA has been poor. In Kriesi et al. (1995)'s terms, the state is strong with a closed polity. On coming to power, the Democratic Party of Japan (DPJ) and its coalition partners promised widespread reforms. The first DPJ cabinet (Hatoyama administration) in particular demonstrated awareness of the problems in media and communications cited above, some notion of citizens' rights in relation to media and information and even some goodwill towards civil society media.

Some positive developments 2009-10 included movement on demands of the mainstream media reform movement. The new administration sidestepped the press club system, opening some government news conferences to all media representatives, a move widely welcomed by alternative media groups and international reporters. However, this amounted not to a real reform of the system, just an ad-hoc measure at the discretion of various ministries/government agencies. Also, in line with their pre-election manifesto, the DPJ began discussion toward the establishment of an independent broadcast/media regulator. However, the discussion stalled.

The last LDP administration had been planning to pass a hastily drafted new media law (then called 情報

通信法 , information telecommunications law) with heavy restrictions on 'open content' (presumably including civil society media) and industry de-regulation. The DPJ promised a readjusted schedule for the law and a radical re-draft. However, in a typical flip-flop, the new draft was created with even less time and discussion, and showed no particular improvements.

A demand of instituting a public access TV and/or non-commercial radio legislation gained at least a little recognition. While the DPJ itself is not unified on the issue of civil society media, at least one recent vice-minister of the Interior and Communications has declared support for them. Also, a 2009 pre-election survey (FN) found the smaller coalition partners supported establishment of public access channels and civil society media centers and funding for non-commercial community media. In addition, the government set up a study group on media law (the beautifully named "Forum to consider how to protect the rights of citizens in the ICT area in the future"), which was not, as is customary, limited to a small group of 'experts' (scholars closely working with the Ministry of Interior), but included people with a civil society media background.

3.5 Efforts of civil society media people to intervene in policy

On coming to power, the new government was immediately beleaguered by progressive groups of all stripes. Especially groups in the welfare and NPO sector, and groups working on issues of women's rights, human rights and war responsibility have been organizing heavily, and they are already seeing some results. In the area of media, while the general media reform movement, consisting mainly of professional mainstream journalists and scholars, had succeeded at giving the press club issue a high profile and seizing on issues, civil society media activists had trouble taking advantage of the (apparent) opportunities.

In the early phase of lobbying, civil society media groups had few movement resources. Compared to the 'concentric circles' Carroll and Hackett identified in the North Atlantic DMA, in Japan there appeared to be a core circle seemed made up of a similar group, but the second and third circles seemed to be just about missing (or where such groups did exist, no connection was made to them). Within that core group, there was little connection between groups representing active mainstream media workers and those close to civil society media. Even among different civil society media groups, there was little dialogue between subgroups such as political social movement media, progressive art and media organizations, a-political hobby and local media. There were also none to potential second and third circle groups such as those representing Internet users, media artists, progressive journalists and mainstream media reformers who support public access channels. There was also little research on civil society media and limited information about what was happening outside Japan. The problem of a common framing of issues was also prevalent. Under discussion were, as abroad, terms like communication rights and community media, but the debate never progressed toward a consensus. Other issues included lack of financing, lobbying system and/or dedicated staff and the lack of a national representative organization of civil society media.

However, networks did increase. Internationally, several groups of civil society media makers and researchers visited MEDIACT and brought back inspiration and information. The G8 in Hokkaido was an opportunity for many to meet media activists from abroad. It also helped radicalize some civil society media or-

ganizations. Domestically, the Japan Association of Community, Alternative and Citizens' Media (J-CAM, Japanese name 市民メディア交流会) has grown from a core of non-political media to involve some more activist media groups. Though it is only a loose network for 交流 (exchange) without lobby function, it is a place where groups of common interest can find each other. Every year a local group will host a conference on civil society media, which most J-CAM members attend. The organizing committee of the 2009 Tokyo Media Festival, held just after the election, had a lobby agenda and organized several sessions on policy issues. The highlight was a panel to which a Cabinet member in charge of media policy was invited. In this, civil society media from various backgrounds stated their positions on media policy and received encouraging responses, including promises of support for community media and public access, and better dialogue with civil society media. This panel was organized in part by a network of media activists and researchers, ComRights, which formed around the G8 Media Network and members of J-CAM who were dissatisfied with the anti-political stance of J-CAM. ComRights has also made some other efforts, such as questioning parties on their positions on community media and Internet regulation, and organizing panels and symposia. Members occasionally tried to gain access to politicians on specific issues. Its mailing list has become a place for information exchange on civil society media policy. However, ComRights is also only a network without decision-making structure, and its lobby efforts are on an ad-hoc and volunteer basis.

At least internally, on mailing lists, civil society media people began to formulate civil society media practitioners and researchers demands. These included the recognition of online civil society media in the new media law. In regards to the new proposed independent regulator, they proposed a civil society media desk inside the regulator, an arrangement found effective in the UK or Australia. Also, the members of regulator appointed in transparent and democratic way, should include several people with civil society media background. Another important demand was funding, and there were calls for a transparent and fair funding system for civil society media, including non-Japanese language media/ multicultural media. In terms of access to means of distribution, they called for using white space from the digital switchover for civil society media. Finally, highlighting the theme of communication rights, civil society people found themselves arguing for minimal and transparent online regulation independent from bureaucracy, government and industry, including a right to challenge decisions and open and transparent discussion of new media law, including based on latest research on CSM.

At the same time, research on civil society media became more established and several publications have come out that clarify the policy requirements for civil society media. Several study groups were formed on issues of civil society media policy and non-commercial broadcasting, including one within ComRights on the issue of an independent regulator. This study group, th object of participatory observation research, compiled information on independent regulators abroad with a special view towards CSM and discussed what policy input ComRights could give on the issue.

Some of the findings can be summarized as follows: Many countries' independent regulators are based on good principles and laws, but they don't necessarily function that way. Independent or not, there are few that really benefit civil society media (and those are limited to a particular type of community radio and indige-

nous broadcasting). Those that do benefit civil society media have an established relationship to umbrella organizations, commission research on them, and/or have members with expertise in community media.

The following problems were flagged in the process: First, how could the membership of the agency/ the commissioners be found/selected who could be truly independent? Second, who would staff the regulatory agency? Research group members estimated, based on research in the UK, that about 1000 workers would be necessary, and there are so far no educational institutions that could educate such a workforce (graduates of university's media and journalism programs are not well suited). Without the right staff, the place will be run by bureaucrats without particular interest and knowledge of the issues (as is already the case). As a consequence, one needs to wonder if a bad independent regulator is perhaps worse than the current situation? If the regulator cannot be set up properly, isn't there a big risk that such a regulator would be dominated by industry interests and/or become merely a legitimizing smokescreen behind which bureaucrats would continue business as usual? Concerning the independent regulator (独立委員会), it is unclear how independent it would be from government, bureaucracy and industry. How would members be chosen? Would its competence include all media, broadcast, print and online? Would it be in charge only of licensing? In content regulation, the media industries are pushing for extending the competencies of existing industry self-regulating bodies.

The lobbying effort itself included mobilizing members to submit public comments, surveying political parties' stance on civil society media, and contacting individual members of the MIC and government.

3.6 Challenges to effective intervention

First, the opportunity structure is actually not very favorable. Extremely weak coalition governments with constantly changing cabinets and need to appeal to various smaller parties while bureaucrats keep steady on the old course. Most importantly, there is an overall lack of good governance, specifically a weak system for democratic input into laws, transparency of process, effectiveness of public comment system and others.

The second type of issue relates to movement resources. There is no infrastructure for a sustained lobby effort and there is no large membership-based organization to represent civil society media. Networks have in the recent past managed to activate large numbers of civil society media organizations to submit public comments or short-term campaigns. It remains to be seen if this will be enough or if civil society media can pull together the resources to successfully influence policy.

There is also the weakness of cross-sector networks. Other social movement organizations have little appreciation of CSM importance (they try to work mostly with mass media, in case of Okinawa this works well, but otherwise not). Then there is the issue of low visibility of civil society media in general society, which is both a cause and result of marginalization in policy. The movement has depended heavily on inspiration from abroad, but the situation for activist and alternative media in Korea has turned, leaving Korean activists with little energy and funds for international networking.

Among the home-made issues are the weakness of lobby effort only by volunteers, and the lack of strong umbrella organizations like AMARC. Also, lobbying is overall low priority for many practitioners. Broadcast-based civil society media are anxious for legal recognition and licenses, but most online-based projects (and

these are by far the majority of Japanese civil society media) would simply prefer to be left alone. In terms of funding, broadcast media and civil society media centers (and one could argue non-commercial online service providers) need public funding, but many are worried about the strings attached. Here as in the regulator issue, the devil is in the detail.

4 A 'conclusion yet to be concluded'

In sum, there was much less reason for optimism than it initially appeared. The opportunity structure is weak, and the movement resources are also. On the other hand, the current media law draft is sufficiently bad, with a rather obvious push for heavy government oversight of the Internet, that a strong oppositional movement across different actors can be mounted and there are already some coalitions emerging, and in fact chances of passing it are slim (also because of the weak position of the ruling parties). The challenge would be to put a positive aspect into this opposition movement, not only resisting censorship, but putting forward community media legislation, media literacy promotion, and infrastructure for civil society media. However, at this point it appears that the most that can be achieved is to resist any change to prevent things from getting worse, and not even push for an independent regulator. The civil society media sector will have to work harder and be better organized to take advantage of any opportunities that may emerge.

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Abstract

Government Change and Policy continuity
− A Case Study of Policy on Civil Society Media in Japan −

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In many countries, organizations dedicated to socially engaged media making have pioneered local broadcasting, distribution systems for non-commercial print media, multi-lingual media, what is now called user-generated media, "narrow-casting", and citizen's participation in media policy. However, almost everywhere in the world, policies have systematically distorted the mediascape in favour of governmental and commercial media. Media made by and for citizens continue to struggle for funding channels, legality, autonomous means of production and distribution, and against the commercial/governmental enclosures of creative resources.

This article, at the intersection of political science and media studies, investigates how civil society engages in media policy. Specifically, it analyzes the democratic media activist movement in Japan in the 2008-2010 organizing phase. What was the opportunity structure? What resources were available? What achievements were aimed at? Were they achieved? And what other, perhaps unintended outcomes? What does that tell us about the specific challenges of democratic media activism in Japan, and what can be taken from that for other contexts?

The methods are qualitative, including a review of the literature on the media reform and civil society media movements and participatory observation in one of the main networks for media reform. The lack of progress on issues for civil society media, it is argued, can partly be explained by the poor political opportunity structure, but also by poor movement resources.

KEYWORDS:

alternative media, community media, shimin media, media policy, social movement, civil society