

## Japanese Mass Media in Change For Further Studies and Analysis

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### Abstract

Development of mass communication in Japan, people has accepted and recognized mass media as essential services to daily life, like waterworks, supplies of electricity, energy and so on, rather policy-induced. About 20 years ago, information transmission through the Internet has developed rapidly, and under its influences (both positive and negative), existence of traditional telecommunications, for example, radio and television have been always in change.

In case of Japan, NHK as public broadcasting, which is based on receiving fee exclusively by the broadcast contract between NHK and viewers, has been managed, while commercial broadcasters have been managed by revenues of advertisement. As a result of this structure, both public and commercial broadcasters have coexisted. And the structure which consists of two pillars of broadcasting and newspapers (the latter have close relations to broadcasting through management and personnel affairs) in mass media, NHK and commercial broadcasters in broadcasting, both will continue over some decades in the future and occupy large position in political, economical and people's daily life probably.

This proceeding makes these situations in Japan clear, from the aspects of administration and management, legal bases and some social opinions etc. for the next step to studies and introductions to communication policies.

### Introduction - Mass Media in Modern Society

Independent mass media or independence of mass media is regarded as an essential part for modern democratic society and state. Naturally, people recognize and accept two of the strut, so that press and broadcasting in contemporary world. Although strict comparative considerations about telecommunications has been needed, it is extremely difficult to analyze and to find common elements and structure around the world.

First reason: History, culture and role of mass communication depend on characteristic situations and institutions in broader meanings are different in every countries.

Second reason: The actions of mass media - for example, to provide political influences through media, to stimulate production and demand by means of advertising, and to stir up the emotions of many people even more - are in the inside of human, not to watch precisely from outside, only to guess. General approach to studies and analyzes in various branches of social science will be difficult and controversial.

Third reason: Mass media oneself are influenced among various social relations in opposition. Mutual interactions will make scientific observations extremely difficult; However I can point out these influences in each other, it will not be able to prove absolutely.

A lot of programs concerning political problems are believed to make public opinion toward one direction, but I do not know the studies to prove clearly, for example, to link to any voting actions or results at the time of elections. On the contrary, although a well-made political propaganda which forecast its influences and results, I can point out "disproof" that arouse a great deal of antipathies by the public.

Advertising is believed to stimulate demand and production, but I do not know the studies to prove clearly. On the contrary, although well-made ads drew a great deal of interest and concern, I can point out "disproof" that did not lead to sales.

Economic approach to mass media, for example, revenues and expenditures will be able to analyze the costs and benefits. Indeed, the reasons why existence of effects and influences through mass media only to depend on "belief" which lots of people believe in implicitly?

Any "influence" hypotheses of mass media is very weak theoretically, I think. It is clear that mass media in Japan are among same situations, of course. Rather, some discussions about "independence" from a variety of powers. For example, about independence from political power, to extend some political

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parties' or politicians' opinion unilaterally should be restricted. In other words, diversity in opinion must be an essential part, therefore everyone can approach or access. In short, mass communication has been regarded as "commons".

Freedom of mass media in many developed countries is guaranteed according to the constitutions and laws that shall not be infringed by a political power, especially any kinds and means of censorship shall be prohibited. Therefore, lots of people believe that roles of the state and laws in mass communication should be limited. If evil-minded opinions and/or appeals to any directions were appear, they shall be overcome through counter speech, except juvenile protection, racial and ethnic discrimination, etc. according to laws.

On the other hand, independence from among economic relations is not easy; Mass media should be regarded as independent business entity not only in management but also in edition historically. However, since mass media also exist among capitalistic economic relations, there is a tendency to go from competition toward monopoly. In addition, business model and revenues of mass media usually rely on "advertisement" heavily.

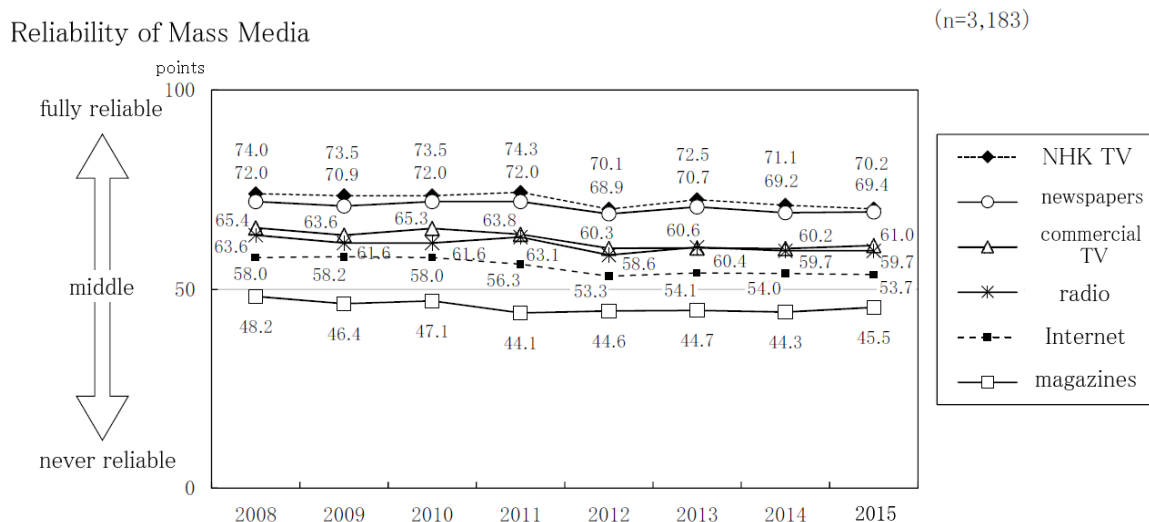
These two reasons make mass media deviate from diversity and governments shall appear again as the great arbitrator or the last representative of the people to solve monopoly and to provide diverse opinions hereby.

Moreover in globalization, mass media face series of problems on integration beyond the border. Common phenomenon around the world have been considered as a serious concern and a threat to cultures and industries of their own, then it is needed to protect media by the government increasingly. A "threat" of foreign media have been considered as a serious concern in developing countries, which has justified censorship probably. Even in developed countries, to regulate foreign media for similar reasons, is very ironic.

### 1. Changes in Telecommunication and Broadcasting

In Japan, media integration beyond the border is not remarkable at present, and self-contained domestic order has been dominated. Perhaps one of the reasons will be "Japanese as a Wall". Rather, two points are remarkable.

Fig. 1 Result of 8<sup>th</sup> Public Opinion Survey on Reliability of Mass Media in Japan 2015 (JPRI, 2015) <sup>2)</sup>



First of all, inside such a kind of self-contained order, differ from European countries where public broadcasting with overwhelming superiority to commercial broadcasts on the one hand, and also differ from US where commercial broadcasters with overwhelming advantage on the other hand, public broad-

2) JPRI, 2015: Result of Public Opinion Survey on Reliability of Mass Media in Japan 2015 by Japan Press Research Institute (released on Oct. 2015) p.1, See:

<http://www.chosakai.gr.jp/notification/pdf/report9.pdf> (pdf document in Japanese): inspected on Feb, 29, 2016.

casting and commercial broadcasting are complement each other while competing – people who were born and grown up within Japan as it is "natural" generally, however as regards the world's broadcasting it would be relatively rare.

Next, Japanese mass media have got high reliability, in particular, over two-thirds people trust as above. Although in past 40 years, the time that people watch TV has been reduced, especially for about 20 years, instead of TV-time, more and more people have made into contact with the Internet. Especially in recent years, even among people with age over 40-years-old have reduced to kill time by watching TV. Another recent news release makes clear that advertising expenditures by means of the Internet has increased on the other hand, ones by means of TV, radio, newspapers and magazines has decreased on the other hand (DENTSU Inc., 2016)<sup>3)</sup>. In short, however total amounts of advertising expenditures are almost stable, increase in the Internet ads has compensated decreases in TV and other ads. Because advertising expenditure means revenues of commercial broadcast and the other, it is possible that traditional media turn into old and out-of-use media rapidly. At the same time, decrease of expenditure of ads by old media suggests that people who makes contacts with old media has been reduced rapidly.

It is difficult to understand at present, whether these phenomenon are signs that the Internet ads as a main player in advertisement are taking place or not.

## 2. Legal and Financial Basis of NHK as public broadcasting

Differ from a lot of public broadcasters in other countries, there is no advertisement broadcast in NHK. Rather, the Broadcasting Act prohibits that NHK engage in broadcast advertisement relating to the sales of other persons (Article 83). Moreover, in regard to so-called "product placement (explicitly indicating names of products or manufacturers in programs)" NHK is strictly kept under control according to NHK guideline for program making policy. Instead of ads, NHK's financial base is depend on reception fee (Article 64). Of course, for commercial broadcasters, if NHK begins to engage in ads, it means that an overwhelmingly powerful competitor appears against commercial broadcasters.

In addition, unlike with United States, without costs of international broadcasting by requests of Minister of Internal Affairs and Communications (Article 65) and research relating to broadcasting(Article 66), NHK has not received grants from central and/or local governments<sup>4)</sup>. On the contrary, for example in case of United States, there is no reception fee around United States' public broadcast and its fiscal base is grants in broader meanings from governments(its ratio is over one thirds in 2009 references \*1 p.264). Needless to say, such a situation has been avoided carefully in many countries, because it is afraid that direct grants and/or pensions by governments turn to infringe independence of mass media, but it is surprising that NHK is exceptional all around the world.

Therefore, almost of all revenues of NHK over JPY 670 billion(budget base in fiscal year of 2015) are reception fee (see table 1).

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Table 1 Revenues of NHK (billion JPY)

	budget during 2014	settlement during 2014	budget during 2015
revenue	6,629	6,871	6,831
reception fee of revenue	6,428	6,493	6,608
grants	34	34.6	35

\* made from summaries and explanatory documents of budget and settlement of NHK account (NHK, 2014, 2015)<sup>5)</sup>

3) DENTSU Inc., 2016: Advertising Expenditure in Japan during 2015, released on Feb. 23, 2016. See: <http://www.dentsu.com/news/release/2016/0223-008677.html> (inspected on Feb. 29, 2016)

4) Total amounts of revenues on public broadcast in US. is 2,643,336 thousand dollars, in regard to expenditures; 4,000,000 thousand dollars from federal government, 416,734 thousand dollars from local governments 79,027 thousand dollars from government fund (citation from "The Report about Institution and Fiscal Base on World's Public Broadcasts" p.235, in The Annual Bulletin of NHK Broadcasting Culture research Institute 2012 (Vol. 56: ISBN 978-4-14-007244-8); This Annual is *in Japanese, no English version*)

\*\* document by Ministry of Internal Affairs and Communications named "kokusai-hoso no genjo (Recent Situation about International Broadcast Service)" on Aug. 2016.

\*\*\* usually fiscal (or business) year in Japan begins from April to next March

In recent years, revenues from loyalties and Internet delivery service of programs, but these are not a large part of revenues yet, as above. Legal features of reception fee has not considered as prices of program or program viewing (in brief, NHK is NOT a broadcaster who transmits paid broadcasting nor taxation in theories and courts' decisions<sup>6)</sup>, and then against unpaid viewers NHK take actions according to the Civil Law.

According to the Broadcast Act of 1950 <sup>references \*\*1</sup>, there are five kinds of broadcasters in Japan

1) NHK (acronym of Japanese; Nippon Hoso Kyokai = Japan Broadcasting Corporation: Chap. III of the Broadcast Act)

2) basic broadcasters (which includes main commercial broadcasters and NHK: Chap. V)

3) general broadcasters (which engage in multichannel broadcasting business preferentially: Chap. VI)

4) paid broadcasting (which includes 2) and 3): Chap. VII)

5) the Open University of Japan (Chap. IV)

Among five categories, the fifth is also under School Education Act of 1947, then I have removed it from this proceeding.

NHK is re-founded as public broadcasting under the Japanese Constitution of 1946 and the Broadcast Act of 1950, that should fulfill some purposes 'to transmit domestic basic broadcasting.....through good, rich broadcast programs, which may be received far and wide throughout Japan' (Article 15). Certainly the Japanese Constitution provides that no censorship shall be maintained and guarantee freedom of all means of expression including press and broadcast (Article 21). Moreover the Broadcast Act provides as a general provision that broadcast programs shall not be interfered with or regulated by any person (Article 3), therefore regulation should be only exceptional according to constitution and laws. But regulatory authority around telecommunication in Japan has no feature of independence, in a word, there is NO independent regulatory commission like FCC (Federal Communication Commission) in US. Instead of such an entity, Minister of Internal Affairs and Communications who is a member of the cabinet has big legal competence.

Of course, the key personnel affairs in US government adopt spoils system that independence of FCC is doubtful more or less. On the other hand, although the German regulatory model consists of representatives of important groups in society which is based upon constitutional law (especially Article 5; principle of German model has been seen as a part of institutional guarantee to freedom of press and broadcast) and contract between federal states on ZDF (Zweite Deutsche Fernsehen = the Second German Television), membership of regulatory agency with small transparency has been pointed out, and then, the Federal Court of Constitution ruled partly void <sup>7)</sup>.

Therefore independence of authorities can not be understood only on its face. In addition, appointment to the member of NHK's Board of governors (who elects the President of NHK: Article 30, Paragraph 30) is competence of the Prime Minister with agreement by the National Diet (Article 31), but the Prime Minister should belong to majority of the National Diet usually, and then, membership tends to depend upon political powers. Recently it is afraid that member-

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5) NHK, 2014·2015: See: [http://www.nhk.or.jp/pr/keiei/kessan/h26/pdf/tr\\_youyaku26.pdf](http://www.nhk.or.jp/pr/keiei/kessan/h26/pdf/tr_youyaku26.pdf) (fiscal year of 2014; pdf document *in Japanese*) and

<https://www.nhk.or.jp/pr/keiei/yosan/yosan27/pdf/youyaku.pdf> (fiscal year of 2015; pdf document *in Japanese*, both are inspected on 29 Feb. 2016).

6) For example, Tokyo Higher Court denied that reception fee meant prices of program viewing (June 22, 2010). On the contrary, Sapporo Higher Court considered reception fee as prices of receiving NHK's broadcast (21 Dec. 2012). Both decisions affirmed that it was a special burden of public broadcasting, but 'what is special' is unclear also in theories.

7) Decision by the Federal Court of Constitution Germany on Mar. 14, 2014 (Die Entscheidung des BVerfG vom 25. März 2014 zum ZDF-Staatsvertrag) and see also Hrsg. von Stephan Ory usw. Das Urteil des BVerfG zum ZDF-Staatsvertrag, Baden-Baden 2014 (Both are written *in German*).

ship of NHK's administration board means friendship of the Prime Minister. Adding that, NHK's budget and settlement of account needs agreement and acknowledgment by the National Diet (Article 70). This is also the reason why NHK is said that political independence is doubtful and, although almost all programs of NHK has been evaluated as 'pretty good', they are in negative effect.

In short, NHK is bound in a double manner; one is according common provisions as general rule for broadcasters and the other is for NHK only according provisions about NHK.

#### For the Next Subjects to Study and to Analysis - A Small Conclusion

It is very difficult to say difference between 'what is public feature on broadcast' and 'what is public broadcast in broadcasting system'. But we can hold a judgment in suspense instead of answering such a philosophical question. Rather, it is important to do comparative studies on world's telecommunication and broadcasting policy.

Comparative studies and analysis throughout the world's broadcasting should be needed from various viewpoints, for example, sociology, theory of mass communication which is based upon not only cultural studies but also technical-based studies, jurisprudence, and so on; because institutions of broadcast around the world are grown up on cultures in each countries, there are many difficulties about them.

Naturally, economical analysis is also needed: However charges to broadcast service have various names (for example, in UK, named as 'broadcasting license fee') and it is different among countries where adopt fiscal base to broadcast service, from the aspect of household economy, they are same as a kind of household expenditures<sup>8)</sup>.

If it is true, not only to compare with prices of charges each other, but also to analyze feelings of people which are thought as expensive or cheap is possible. For further studies to telecommunication policy, I feel strong necessity of comparative social and economical survey by means of the Internet questionnaire.

#### References:

\*1 NHK Data-book on World's Broadcast 2014 (NHK Broadcasting Culture Research Institute·Jan. 2014 ISBN978-4-14-007250-9; *in Japanese*)

\*2 The Broadcast Act of 1950 (pdf document *in English*)

[http://www.soumu.go.jp/main\\_sosiki/joho\\_tsusin/eng/Resources/laws/pdf/090204\\_5.pdf](http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/Resources/laws/pdf/090204_5.pdf)

See also Radio Law of 1950 (pdf document *in English*;

[http://www.soumu.go.jp/main\\_sosiki/joho\\_tsusin/eng/Resources/laws/090204\\_3.pdf](http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/Resources/laws/090204_3.pdf)) in relation to the Broadcast Act. They include latest major modifications, but both documents are *tentative and unofficial (inspected on Feb. 29, 2016)*.

#### Appendix

1. Big earthquake occurred which epicenter is Kumamoto City (about 740,000 populations) in Kyushu on April 14th and 16th, 2016. 49 dead and 1496 injured persons by these earthquakes, compared with the eastern Japan great earthquake in 2011, may be relatively small, but aftershocks are terrible and building damages are big, and the residents can not see the way of life reconstructions yet.

Japan has also suffered the damage of various type of meteorological damages since the earthquake in 2011, then newspapers and broadcasting devise methods and contents of reports. Broadcasting plays a main role about the communication even in this disaster. On the other hand, false rumors are spread in news flash or messages of two earthquakes, especially by the Internet.

In the near future, similar disasters occurs certainly, to prevent malicious rumors like racial discrimination same as Great Kanto Earthquake spreading out as right and correct information in wide area by tele

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8) Price of receiving fee is 113.50 euro a year (in 2013·ca. 120 USD; which is cheaper than in Japan) in Italy, 215.8 euro a year (in 2013 through 2014·ca. 220 USD; which is more expensive than in Japan); 24,650 JPY a year (including fee for direct broadcasting service: since Oct. 2012·ca. 200 USD): See references \*2).

communication, how will it be good, appropriate and important measure? Probably this problem is highly and deeply related to the situation of public opinion in Japan.

2. The movement to launch out into the business that the broadcasting business deliver programs in the Internet are moving ahead. 5 big commercial-broadcasting companies start a cooperation program distribution portal site named 'TVer'.

NHK also begin similar service based on the Broadcasting Act as 'NHK on demand', but both are not make inappreciable profit (probably, commercial broadcasters are supposed to make enough profit for collecting initial investment).

The Ministry of Internal Affairs and Communications has clarified a plan to revise the Broadcasting Act, which will include both of the Internet and the broadcasting, but its direction is not clear yet.