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Legal Research in Asian Mass Media: An Overview of its Substance and Procedure

Research Paper:

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The continuing economic and political transformation of Asian countries has been inexorable since the mid-1980s. John A. Lent, a long-time Asian media observer, stated: "Today, Asians are generally more politically vigilant and less apt to tolerate strongman rule than before."¹

A good illustration of democratic transitions in Asia is the expansion of political rights and civil liberties. Freedom of the press has continually increased in many parts of Asia. Freedom House's survey of press freedom reported in 2003: "The Asia Pacific region ... exhibited a relatively high level of press freedom, with 18 countries (46 percent) rated Free, 7 (18 percent) rated Partly Free, and 14 (36 percent) rated Not Free."² Now, some are concerned about press irresponsibility rather than the lack of press freedom: "Media freedom is available to more people in Asia today than 15 years ago, and media responsibility and ethics have become a big concern in new democracies."³

In many Asian countries where freedom of the press was more an ideal than a reality, until recently, media law rarely had an opportunity to develop into a discrete field of law. The limited recognition of media law in Asia, however, does not necessarily mean that no research has been conducted on Asian media law and related topics. For decades press freedom and government-press relations in Asian countries have been a subject for research.⁴ One of the few early research articles about substantive media law in Asian countries was "*Libel Laws of Modern Japan and South Korea Are Compared*," by American University professor Hamid Mowlana and Korean journalist Chul-Soo Chin, published in *Journalism Quarterly* in 1971.⁵ But books and monographs on Asian media law were few and far between up to the 1990s, while several media law publications in India were an exception.⁶ Although not primarily aimed at freedom of the press, nonetheless, political scientist Lawrence Ward Beer's 1984 book, *Freedom of Expression in Japan*, is notable because it covers press law issues in Japan.⁷

Since the early 1990s Asian law in general and freedom of speech and the press in particular have attracted more attention from law, journalism and mass communication scholars as well. In the mid-1990s, two press law books were published in Hong Kong and the United States. One was about media law in China and the other of South Korea.⁸ More frequently than ever, Asian countries were included for analyses in books and treatises on international and comparative law.⁹ Numerous scholarly articles have appeared in law and non-law journals in the United States and abroad.

Most significantly, the Asian Media Information and Communication Centre (AMIC) has published monographs on media laws in 10 Asian countries since 1993. Its Indian media law volume, for example, is an excellent primary source book for those who look for the texts of the major pieces of legislation governing Indian media.¹⁰ AMIC's Asian media law project contributes immeasurably to internationalizing media law of Asia.¹¹

This paper focuses on Asian media law as a research topic for journalism and mass communication scholars. However, analysis of substantive laws and regulations in Asian countries—individually or collectively—does not fall within the scope of the current study. Nor does it review the literature on Asian media law, although it recognizes that a comprehensive overview of the major books, monographs, journal

articles, and Web sites on media laws in Asia is urgently needed as a source material on the subject.

This study is a modest effort to draw attention to the under-appreciated value of globalizing Asian media law and thus to argue for the growing need for mass communication scholars to study Asian media law more systematically. As a U.S.-trained media law scholar, I frequently turn to American law and its legal scholarship in referencing my discussion of Asian media law. At the risk of engaging in “bricolage,” I would like to note emphatically that my discussion of Asian media law research is based on a limited survey of English-language materials. Hence, readers are advised against extrapolating this study to draw sweeping conclusions on Asian media law research.

Media law problems in Asia: past, present, and future

In discussing research on U.S. “communications” law in 1949, professor Fred S. Siebert stated that it is impossible to strictly separate mass communication law problems according to their subject matter or methods.¹² Every research project in communications involves social, political, or economic, as well as legal problems. Further complicating the difficult process of separating the legal problems of news media is “the modern tendency of legal research” to interact with the social sciences to solve the problems.¹³

However, Siebert was at pains to define “communications” in drawing the parameters of communications law. To him, “communications” was restricted to the news media “devoted primarily and principally to the dissemination of current information, interpretation, and comment.”¹⁴ Excluded from his notion of journalistic communications law were entertainment media such as films. Siebert’s limited concept of communications was not surprising because it was not until 1952 that the U.S. Supreme Court recognized First Amendment protection for motion pictures.¹⁵ Identifying and researching on problems in Asian media law requires the kind of line-drawing that Siebert did in the late 1940s for U.S. journalism law research. How broadly or how narrowly one defines the media or press — if they are used interchangeably — could make a difference in Asian law research.

U.S. media law problems as a reference

If problems in U.S. media law presage the issues that will confront Asian press law, topics for Asian law research will thus be those that will concern journalism and mass communication such as print media, electronic broadcasting, advertising, and public relations. But speculating on the agenda for Asian media law is a risky proposition, especially if it is based on American experience. To begin with, as media law scholars Donald M. Gillmor et al. said of American communication law’s future, “The future hasn’t happened yet and anything we say about is reasonable prediction at best and speculation at worst.”¹⁶ This is truer when change in communication technologies will make future mass communication law radically different. Equally

important is the nature of American law as a whole. The development of American law is not revolutionary but evolutionary. Whether it is on the news media or not, American law is heavily precedent-oriented.¹⁷

But American experience with various free expression problems since the late 18th century cannot be dismissed cavalierly either. “The American experience with freedom of speech is important to the rest of the world *not* because our current First Amendment policies are necessarily wise—it is not that Americans have all the perplexing issues of free speech ‘right,’” First Amendment scholar Rodney A. Smolla stated. “American thinking on freedom of speech is relevant to the rest of the world because our experience in wrestling with free speech conflicts and communications policy is unusually rich. American society may not have the best answers, but it has thought about the problems more.”¹⁸ Former judge and law school dean Durga Das Basu of India, author of *Law of the Press in India*, agreed, noting the reason for his extensive reference to U.S. and English law in his book: “[T]o explain the foundation as well as deviations under the Constitution and laws of India.”¹⁹

Legal problems for research in Asian media

What kind of major legal problems in Asian media have been researched thus far and will be researched in the future? This question is impossible to answer in one simple sentence because Asian media law problems are not monolithic at all, and Asian countries are in constant flux. Of the People’s Republic of China (PRC) media law, for example, law professors H.L. Fu and Richard Cullen said: “The task of forming a truly complete picture of media regulation in the PRC is made especially difficult by the pace of change in China, generally, and by the resultant challenge with respect to obtaining strong and comprehensive information on regulation of the media.”²⁰

None of the Asian countries will deal with similar media law topics across the board. Media law problems entail the dynamic relationship among those affected. Thus, they will depend on how the media-government or media-public relationship is maintained. Most importantly, the separation of powers and the rule of law are important factors in determining the protection of press freedom in a nation. In this light, the role of the judicial branch cannot be overemphasized as an important player in the press freedom jurisprudence. The constitutional proclamations regarding freedom of expression is not meaningful unless it is vigorously enforced. As U.S. constitutional law professor Daniel A. Farber wrote in 2003, “The unique features of U.S. law derive less from the constitutional text than from the gloss provided by the Supreme Court.”²¹

In developing a practical sense of current and future media law issues in Asian countries, the list of 22 categories that ARTICLE 19 (Global Campaign for Free Expression) has drawn in facilitating comparative analysis of press freedom can be referential. ARTICLE 19 has identified the following categories regarding press freedom:

1. Relevant constitutional provisions
2. Distribution of powers between central and regional government
3. Role of the courts

4. Status of international human rights treaties in national law
5. Statutory framework
6. Regulation of ownership
7. Registration requirements
8. Regulation of import and export of publications
9. Mechanisms of press self-regulation
10. Defamation
11. Invasion of privacy
12. Right of reply and/or correction
13. Insults to government institutions or officials
14. Official secrecy and access to government-held information
15. Access to and disclosure of court documents and proceedings
16. Access to and disclosure of legislative documents and proceedings
17. Commercial secrecy and access to information held by private parties
18. Prior restraint
19. Protection of sources
20. Restrictions on offensive language against identifiable groups
21. Blasphemy, obscenity, and protection of public morals
22. Restrictions on advertising²²

Media legal problems will likely vary from country to country in Asia. But, major media law issues for research in the libertarian or libertarian-leaning countries will arise more from the conflict between the press and private individuals and entities than from the media and government confrontations. That is, threats to freedom of the press will not be the product of government regulation and intervention. Rather, they'll implicate *private* censorship of the news media by way of civil litigation.²³ The transition of South Korea from an authoritarian system to a functioning democracy since 1987 is thus revealing. A 2002 study of Korean law on freedom of expression concluded:

One noteworthy phenomenon in connection with the now-enhanced freedom of expression in South Korea has been an explosion in litigation against the news media.... New media technologies, such as the Internet, challenge the South Korean government, the media industry, and the public to rethink conventional notions regarding the correct balance between free expression and the law: Defamation, invasion of privacy, obscenity, access to information, and other related issues take on a heightened urgency as the Internet becomes more accessible to South Korea's citizens.²⁴

On the other hand, in authoritarian nations, including Communist countries such as China, key media law issues will likely center on the political control of the news media and cyber communication by the government.²⁵ They'll continue to involve prior restraint, seditious libel,²⁶ and national security. But even this general observation still needs to be qualified with respect to China. "The open-door policy and the attendant market economy reforms of the last decade-and-a-half have introduced many changes to the operation of the media and its regulation in China," according to Fu and Cullen.²⁷ In this connection, the economic elements of media communication law will be frequently reflected in laws and regulations on intellectual property.

Advanced market nations and the “advancing” countries in Asia are likely to see advertising emerge slowly as a media law issue with increasingly active consumer movements and a more rigorous government involvement in consumer protections. In this regard, it is particularly noteworthy that the U.S. Supreme Court did not hold squarely until the mid-1970s that commercial advertising is protected by the First Amendment.²⁸ Internationally, commercial speech is still second-class when compared with non-commercial speech. Although commercial advertisements receive constitutional protection in some countries, “to a lesser degree than press freedom and other forms of expression,” ARTICLE 19 study of 1993 reports, “in a few, a commercial speech receives no constitutional protection.”²⁹ Similarly to advertising law, public relations will take time for it to be recognized as a subject in media law in Asia. In the United States, it was not until the late 1970s that the Supreme Court addressed the legal issues of public relations relating to corporate speech.³⁰ It is still not clear in U.S. law whether corporate speech should be treated as commercial speech (less protected) or non-commercial speech of public interest (protected).³¹

Also, access to government records and, to a lesser extent, open meetings law will attract more serious consideration as a right of citizens, not necessarily as a press freedom issue, when Asian countries, in the course of moving to participatory democracies, consider it a positive duty of the government to allow the public into its governing process. In his recent comparative survey of freedom of information laws, Toby Mendel, law program director of ARTICLE 19, noted a “massive global trend” to recognize FOI as a right:

*Over the past 10 years, there has been a dramatic growth in formal recognition of the right to freedom of information. Numerous international bodies, including the UN and all three regional systems for the protection of human rights, have recognised the fundamental importance of this right, along with the need for legislation to guarantee it in practice. Many newly democratic countries have adopted new constitutions which explicitly recognise this right. In other countries, superior courts have interpreted long-standing constitutional guarantees of freedom of expression as embracing the right to freedom of information.*³²

Internet law has already become a legal, political, and cultural issue of unprecedented magnitude, not only as a domestic but also global concern. This is far more palpable in Asian countries than any other part of the world.³³ “For a growing number of people in the Asian region, the Internet has become an important tool for communication and sharing of information and knowledge,” according to a 2003 report on Internet control and censorship. “At the same time, governments throughout the region are moving to impose various kinds of restrictions on both access and content, endangering the right to privacy and curtailing freedom of information and expression.”³⁴ As in other region, the unending debate over freedom of cyber communication is whether there should be an entirely new law for cyber speech or whether only fine-tuning the existing law will be sufficient to tackle cyber speech issues.

Broadcasting law and regulations will remain unchanged in Asia as compared with the law on print media. The traditional *raison d’etre* of state regulation of broadcasting in the United States and other Western democracies is still widely accepted in Asia. And broadcasting is more heavily regulated by the government

than newspapers and other print media for three key rationales. First, the airwaves are regarded as a public resource, and thus the government is authorized to license their use for broadcasting.³⁵ Secondly, the scarcity argument that the frequencies for broadcasting are limited justifies that government may require licensees to share their privilege of the scarce public resources with the public.³⁶ And finally, the character of the broadcasting is distinguished from that of the print media. Broadcasting is uniquely pervasive of society and it is also uniquely accessible to children.³⁷ As the American experience with broadcasting law over the past 80 years is an indication, the scarcity rationale for regulation of broadcasting in Asia will be challenged more strenuously because of the growing access to cable television and to digital direct broadcasting service in many Asian countries.³⁸

From a cultural perspective on media law in Asia, certain legal problems will reflect the societal value judgments, tradition, and custom. Libel law is illustrative. How reputation is viewed by individuals as a cultural value affects the operation of defamation law. Professor Robert C. Post of Yale Law School argued convincingly:

*Defamation law would operate differently in a deference society than in a market society. In the latter, reputation is a quintessentially private possession; it is created by individual effort and is of importance primarily to those who have created it. Reputation's claim to legal protection is neither greater nor less than the claim to public protection of similar private goods. The preservation of honor in a deference society, on the other hand, entails more than the protection of merely individual interests. Since honor is not created by individual labor, but instead by shared social perceptions that transcend the behavior of particular persons, honor is a "public good, not merely a private possession."*³⁹

Privacy is another example of how culture affects law. The meaning of privacy varies from society to society.⁴⁰ Communication professor Franklyn Haiman observed: "What will be considered presumptuous, intrusive, or embarrassing by an individual depends in large measure on the value which the person's culture places on privacy, and that is a highly variable phenomenon. Not only do primitive cultures tend to have far less concern than modern industrialized societies about individual privacy in general but the specific kinds of behavior that are thought to require seclusion differ from culture to culture."⁴¹ A 1990 comparative study of U.S. and Japanese law on privacy argued that in American society "where individual autonomy reigns supreme," privacy causes of action are limited to the individual about whom the precipitating statement was made; they are not, however, in Japan, where "relationship is the fundamental principle of society."⁴²

But the value of reputation or privacy cannot be the same regardless of whose reputation or privacy interests are at stake. Is the reputation of the so-called "best men" more important than that of private individuals because the public trust of government officials is feared to erode when their good name is attacked by the media? Who'll decide the often subjective and elusive concept of privacy? Should the government determine the individual's privacy from the probing media--paternalistically? Again, should public officials and private persons be treated the same way under the law of privacy? These and other culture-bound legal problems pose an intriguing but challenging opportunity for Asian media law researchers.

Researching Asian media law

Legal research on Asian media should be contextual not only for its target audience but also for researchers themselves. For “it is imperative that substantive legal issues and problems of interest to mass communication researchers be put in the context of the law generally.”⁴³ The research methods in Asian media law as in other mass communication areas may vary with the purposes of the legal research involved. The interdisciplinary approach to communication law encourages eclecticism in research methods.

Regardless of whether one single method or a multitude of methods is used for Asian media law research, the key question is: Why is legal research on Asian media law necessary? The answer should be: Legal research on Asian media provides an overview of the institutional and non-institutional confrontations between the government and the media, and between the media and the non-government elements. The media law research as “a means for *understanding* and for *explaining* communication and law”⁴⁴ serves six functions:

- Clarify and explain the application of law to media, society, and individuals;
- Suggest legal reform;
- Identify the impact of law on society and institutions;
- Identify the impact of society and institutions on law;
- Examine and explain judicial decision-making; and
- Examine the process and quality of media coverage of the law.⁴⁵

The purpose of researching Asian media law may be varied. Some do legal research for their course work or degree projects. Others conduct their research for law- and policy-related purposes. Still others pursue Asian media law research for a larger audience. They may be interested in doing legal research in hopes that the results of their research will be read by people beyond their immediate environs—whether academic or professional. If the research deserves to be called “good legal scholarship,” however, it should contain a claim that is novel, non-obvious, useful, sound, and seen by the reader to be novel, non-obvious, useful, and sound.⁴⁶

Literature on legal research methods

There are few journal articles or monographs that focus on legal research methods in Asian law, much less of Asian media law. Accordingly, it is useful and necessary to borrow from research scholarship in American media law. More often than not, some essays deal with legal research in U.S. mass media generally -- for example, Donald M. Gillmor and Everette E. Dennis’ book chapter, “*Legal Research in Mass Communication*,” explains legal research in American media law.⁴⁷ Among the topics covered in the Gillmor and Dennis chapter are the tools of legal research, various types of legal research in mass communication, and publication outlets for research in mass communication law.

Siebert’s “*Research in Legal Problems of Communications*” is valuable to those who wish to frame their Asian media law research through the early phase of legal

research on U.S. communication law. It is descriptive and prescriptive in addressing the status of research on communication legal problems and the research methods.

Jeremy Cohen and Timothy Gleason suggest in their book, *Social Research in Communication and Law*, that media law scholars should transcend their traditional focus on case law and constitutional analyses. Instead of arguing that communication researchers forgo legal method altogether, however, they urge communication scholars to use *both* legal method and social research methods as tools in building theories of communication and law.⁴⁸ They advise communication law scholars to avoid falling into the trap of “First Amendment reductionism which takes the researcher[s] on a too easy path toward simple advocacy.”⁴⁹

Thus far, few have published articles about research resources relating to Asian media law. And Asian media law research needs the likes of Don R. Le Duc’s *Journal of Broadcasting* article, “Broadcast Legal Documentation: A Four-Dimensional Guide,”⁵⁰ and Joseph M. Foley’s *JOB* article, “Broadcast Regulation Research; A Primer for Non-Lawyers.”⁵¹ While the *JOB* articles are dated, they are still useful in providing directional points for scholars in considering what research resource guides are needed for a systematic and in-depth investigation of Asian media law.

Foley’s *JOB* article supplements Le Duc’s by providing guidelines for locating various printed broadcast legal documents. It discusses unofficial commercial publications as a distinction from official government publications. All the major publications are given detailed attention. Its appendix includes the forms of citation and the list of abbreviations used in legal citations. The Foley article is about what documentations are available rather than about how to locate them. Like Le Duc’s article, Foley’s paper should be a model for what should be included and why in preparing a resource guide on Asian media law research.

Selecting research topics

Legal research on Asian media law will become a futile exercise if the researcher has no idea of a problem worthy of systematic investigation. To some, identification of a research problem might be a matter of inspiration. Nonetheless, few media law scholars wait for their moment of revelation in their search for a topic. Rather, they make directed efforts to look for what they consider a problem “big enough to be important and interesting but small enough to be manageable.”⁵²

In selecting and refining topics for legal research papers, the caveats for *beginning* researchers in law are worth paying attention.⁵³ First, will sufficient source material be available for your study of the topics? This should be a formidable challenge because few university and law libraries in the United States have a substantial collection of primary and secondary source materials on Asian media law. This source material problem can be mitigated to a limited extent when the interlibrary loan service and free or fee-based electronic sources can be efficiently used in supplementing existing library materials.

Second, is the subject chosen for research interesting *and* important not only to the Asian media law researcher but also to his or her academic and non-academic

audience? The interest and importance of the subject in choosing research topics have a great deal to do with the researcher's own familiarity with the broader fields such as mass communication, law, politics, and international journalism in Asia. Third, is the subject narrow enough to permit examination in considerable depth? Refinement of the subjects enables the researcher to cover a better defined segment of them.

Fourth, are the subjects chosen beyond the research skills of the investigator in mass communication? Did the researcher take any general research methods or legal research methods in mass media as an undergraduate or as a graduate student? Also, are there any language or related barriers in handling research material on his or her topics? To make the research impactful, it must be more than descriptive, i.e., just explaining the law as is. It must contribute knowledge to the field by "say[ing] something that hasn't been said before by others."⁵⁴

Does the research subject have *unity* insofar as it can be discussed separately from the other subjects surrounding it? And finally, are the topics for research the kind of subjects inherently difficult to investigate? It should not raise problems relating to any legal and social constraints such as reputational injury, privacy invasion, or ethical dilemmas.⁵⁵

The basic *modus operandi* of scholarly research, whether it relates to law or not, requires the researcher to find and use the only information that is "relevant, reliable, and current." To attain this fundamental goal of the information search in law, the researcher must follow the absolute rule: "Be thorough."⁵⁶ Any research is designed to make sure that thoroughness is the touchstone against which the research work is tested.

Research presentation and publication

Irrespective of the short or long-term objectives of legal research on Asian media law, researchers may consider sharing the knowledge they might have gained through their research with a broader audience. In recent years, a growing number of students in and outside journalism and mass communication programs have used their coursework opportunity and degree projects to write papers for conference presentations. Conference presentations benefit student researchers who desire to pursue intellectual activities beyond classroom environment. Conferences also serve as a starting point for graduate students to network with others who share the same interest in their research topic in Asian media law.

There are a number of conferences, conventions, and symposiums for presentation of papers on mass communication law in general. At present, however, no conference is devoted solely to Asian media law. Asian media law papers are accepted, along with papers on other topics, for presentation. What kind of research work should be submitted to academic conferences for possible presentation? The basic principles in writing good research papers apply, although submission guidelines may differ across organizations. The papers should demonstrate competent research, using proper methods. Their themes should be relevant to the conference. The writing should be clean of any errors, and conclusions should be supported by the evidence.

It is easier to have a research paper accepted for presentations at a conference than to have a journal article accepted for publication. And conference papers are not necessarily ready for publication in journals. Even top conference papers may be rejected from journals. Mark L. Knapp and John A Daly, authors of *A Guide to Publishing in Scholarly Communication Journals*, explained:

*One reason is that conference papers are often selected on a comparative basis whereas manuscripts for publication are normally judged on an absolute basis. Highly rated conference papers are often those that were “best” in terms of papers submitted. That standard of excellence may or may not hold up when the manuscript is evaluated for inclusion in the literature of the field.*⁵⁷

Regardless, those researching mass communication law in general and Asian media law in particular have a wider variety of publication outlets now than in the past. Web-based academic journals offer an alternative to traditional research publications. The publication outlets for legal research include peer-reviewed journals in journalism and mass communication, such as *Journalism and Mass Communication Quarterly* (JMCQ), *Journal of Broadcasting and Electronic Media* (JOBEM), *Asian Journal of Communication* and the numerous non-peer-reviewed academic legal journals published by law schools.

Where to publish legal research will be determined by two factors: “(1) form and style of the research paper and (2) the audience one desires to reach.”⁵⁸ *JMCQ* and other similar mass communication journals do not accept the kind of law review manuscripts that tend to be voluminous, extensively documented, and advocacy-oriented. The target audience of legal research in journalism and mass communication is considerably different from that of law reviews. The practical impact of *JMCQ*, *JOBEM*, and other similar journals on the legal community is negligible when compared with law journals.

What’s the best way to get Asian media law research published in journalism and mass communication journals or law reviews—or both? Does finding good ideas and doing sound research guarantee publication? Although their discussion of journal publications is not tailored to Asian media law, Knapp and Daly’s comments are directly relevant: “Whereas rigorous thinking and methodological precision increase your chances for publication, you must also understand and follow certain rules associated with the publication process. In other words, success in publishing is a result not only of *what* one produces, but *how, when, where, and to whom* it is presented.”⁵⁹

Agenda for Asian media law research

As already indicated, media law in Asia has yet to be recognized as a stand-alone subject for legal and journalism and mass communication scholars. But the future of research on Asian media law is promising. This is likely to attract more attention from those in and outside journalism and mass communication. Asian law as a whole is taught and researched by law professors and students in the United States and other non-Asian countries. And it is more in demand for various reasons—political, legal, economic, and cultural.

In recent years a growing number of law schools in the United States and abroad have established various institutes and centers for teaching, research, and public service in Asian law. Columbia Law School in New York, for example, runs Chinese, Japanese, and Korean law centers. Illinois operates a program in Asian Law and Political Science. The University of Melbourne and the University of Washington each have an Asian law center. Asian law is part of the Georgetown Law Center's Asian Law and Policy Studies Program. Also, the University of Sydney has a center for Asian and Pacific law.

At present, more Asia-oriented law journals are published in the United States and other countries. Among the established Asian law journals are the *Australian Journal of Asian Law*, *Asia Pacific Law Review*, *Columbia Journal of Asian Law*, *Lawasia Journal*, and the *UCLA Pacific Basin Law Journal*. None of the journals focuses on media law in Asia, but they are valuable publication outlets for research on mass communication law and related topics in Asia. Meanwhile, several international and comparative law journals such as the *Stanford Journal of International Law* have published articles relating to media law in Asia.

The paucity of English-language source materials on Asian law, however, remains acute. This is still the case although online access to Asian law materials is more extensive than in the past. Some countries including Japan, China, and South Korea have made concerted efforts in tackling problems with English-language research on their law. The governments in those East Asian countries have translated major court cases into English over the years. Yet access to non-English court opinions from Asian countries is a serious problem for those who cannot use the original opinions for research.

Scholars in law, political science, and journalism and mass communication might consider facilitating research on Asian media law by expanding access to Asian law materials to those who are interested in the subject but are not proficient in Asian languages. And it is time they launched an Asian media law research project with a long-term vision. They need to start with publication of newsletters, quarterly reports, and eventually yearbooks on media law development in Asia.

At the same time, one significant part of their law project should be identification and compilation of Asian media law experts around the world. The directory of Asian media law experts should include all the academics, lawyers, judges, journalists, government officials, NGOs, and others who are interested in freedom of expression and mass communication law in their broad sense. Another related project might be preparation—on and off line—of a comprehensive bibliography of journal articles, books, theses, and dissertations, and web sites on Asian media law .

The statutory compilations of media law, like those of AMIC, should be considerably expanded to include all the Asian countries. The statutory compilations should be complemented with the Asian version of the Bureau of National Affairs' *Media Law Reporter* of the United States, which publishes significant court cases involving U.S. media. As a preliminary step to *Asian Media Law Reporter*, a case reporter board could be impaneled for collecting and screening media law cases for "briefing" them prior to summary or full translations of the cases.

This kind of Asian media law projects cannot be carried on without an institutional commitment. For this, there should be an Asian media law resource center or an Asian media law clearing house, which can be part of an Asian journalism and communication association in collaboration with Asian lawyer and press organizations.

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 20. Fu and Cullen, *supra* note 8, p. 16.
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 22. Coliver, *supra* note 9, p. v.
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