



# From MILITARY RULE to DEMOCRACY

## The media's role in a landmark transition

This article briefly outlines the past, current and possible future landscape of the media in Myanmar (Burma).<sup>1</sup> The role that media can play in a nation's politics and the political landscape are briefly explored and the current reforms are examined.<sup>2</sup> What is required both inside the country and by the international community to maintain the country on an important path to greater freedom and democracy?

### DEMOCRACY AND THE MEDIA

A true democratic system requires sufficient freedom within the media to ensure that the will and views of the people are accurately represented. The beginnings of democratic reform in Myanmar have triggered a move towards a freer media in 2012. Journalists have been released from prison, the number of weekly newspapers is growing and there are signs of increased freedoms within the press. However, there remains some way to go to achieve what would be an

important transition for the nation.

While pre-publication censorship has been abolished, journalists who publish material seen as unacceptable by the predominantly military-backed government still face considerable risks. With the privatisation of state-run newspapers and a new media law draft bill being drawn up (see 'Action for Reform' below), it remains to be seen whether Myanmar's media can truly be free, and how long this transition could take.



Media freedom, allowing individuals and political parties to express differing views and promote opposing policies, is vital to the health of a genuine democracy.

**POLITICAL LANDSCAPE**

Elections on 7 November 2010 and the dissolution of the military junta on 30 March 2011 were designed to signal the end of military rule that had been in place since the coup d'état of 2 March 1962. However, the election process and its result have been criticised and labeled as fraudulent, with the ruling military-backed Union Solidarity and Development Party claiming to have received 80 percent of the vote.<sup>3</sup> Since then, the Party has embarked on a series of reforms leading towards a more liberal democracy. Although the motives of the government have been questioned, the reforms to date show positive signs.

**REFORMS**

The most promising and noteworthy reform to date in relation to the country's media governance was the abolition of pre-publication censorship in August last year.<sup>4</sup> This followed a protest against the suspension of two journals and was consistent with President Thein Sein's commitment to introducing political reforms in Myanmar since assuming leadership in 2011. Prior to this, media organisations were required to submit their content to the Censorship and Press Scrutiny Board (the 'bureau') for their approval. This step is an important indicator of the government's intentions. It signals the possible end to government control and censorship of newspapers and other media sources. However, it is only one step in the right direction.

**MIXED RESULTS SO FAR**

**Positive**

Myanmar's 43 prisons are no longer holding any journalists or bloggers. International organisations and the media have been granted access to the country.<sup>5</sup> Private daily newspapers are being sold in the streets of Myanmar for the first time in nearly 50 years,<sup>6</sup> and some journalists are already feeling more free, talking and working without the threat of punishment.<sup>7</sup>

**Negative**

However, while the abolition was welcomed by many organisations, different groups expressed caution, including 'Reporters without Borders'. They released a statement that included 'concern at the possibility that other, inappropriate measures will be adopted as an alternative form of post-publication censorship'.<sup>8</sup> Legislation such as the *Printers and*

*Publishers Registration Act* (1962) remains in place, as does the *Electronics Act* (2004), under which journalists and others have been jailed for sending emails deemed detrimental to national security.

How these particular laws will be enforced now that pre-publication censorship has been abolished is unclear, but there remains a concern that they will be used to punish or deter the publication of material not favourable to the government or ruling elite. This has led to caution and self-censorship within the media.

**SELF-CENSORSHIP**

Self-censorship, due to fears of falling foul of current laws and recent lawsuits, has limited the move towards freedom within the media. Instead of checking with the bureau for approval pre-publication, journalists now risk negative reprisals *post-publication*, so there has not been a radical change to publication's content.<sup>9</sup> Further reforms are needed to bring about effective change.

**ACTION FOR REFORM**

On 14 January 2013, Council Secretary Kyaw Min Swe announced that a draft Media Law bill will soon be presented by the provisional Myanmar Press Council (MPC) to members of the Burmese press.<sup>10</sup> This bill will be crucial to the future of the media and will be the clearest demonstration of the government's true intentions in regards to the development of a free press.

There are concerns about the lack of co-ordination between the MPC and the press.<sup>11</sup> The journalists behind the protests in August last year<sup>12</sup> have stated that they will not accept the outcome if the government endorses a 'Press Law' without seeking advice from the stakeholders in the press.<sup>13</sup>

Statements by the Minister for Information and Culture, U Yaw Shan, from the Conference on Media Development in Myanmar held in Yangon<sup>14</sup> on 19 and 20 March 2012, show the potential for positive change. However, it is expected that the new legislation will amend, but not completely abolish, press censorship. There is still the threat that legislation and guidelines will be left in place by the government to use as a tool to manipulate the political process.

**DISBANDING THE CENSORSHIP AND PRESS SCRUTINY BOARD**

Along with introducing new media laws, the government needs to follow through with its claims that it will disband the 'bureau'. This has yet to happen, but is vital in order to remove the elements of excessive control it gives the government. Since the reforms took place, the 'bureau' has been using other methods to exert its authority, including reprimands and suspensions for papers publishing material that it does not agree with.<sup>15</sup>

**SIGNS OF A NEW FREE MEDIA? – PRIVATISATION AND GROWTH**

To support the notion of a media free from government influences, privatisation of the current state-run newspapers has been taking place since April this year. Had key papers

remained state-run, the declaration that they were becoming free from censorship would have had less credibility, given the potential for bias in government-controlled publications.<sup>16</sup>

Who exactly will take over and control the newspapers will become apparent over the next few months. Although each paper has a certain amount of bias in its publications, independence from the government is an important step in Myanmar's development. But privatisation of state-run publications does not automatically grant freedom from governmental influences behind the scenes. There are fears that the major stakeholders who will take control of the publications will be former members of the military that controlled the country for nearly four decades, or their cronies.<sup>17</sup> The promotion of international investment could be crucial for a more balanced media within Myanmar.

### INTERNATIONAL INPUT

The number of publications based in the country is increasing dramatically with the relaxing of some of the former media restrictions. International investment in the ownership of the country's state-run papers could be instrumental in removing military influences from the papers' back rooms. A number of previously exiled publications that were important in bringing about reform have returned to the country.<sup>18</sup> They continue to play an important role in the country's progression, and continued international support will help them to maintain pressure on the government to promote freedom of speech throughout the country.

### CONCLUSION

This article has looked at only one element in a complex political transition. The role of the media inside the nation is, however, an important one. Media freedom, allowing individuals and political parties to express their differing views and promote opposing policies, is vital to the health of a genuine democracy. In Reporters Without Borders' 2011-12 Press Freedom Index, Myanmar climbed five places, but it still remains at 169<sup>th</sup> out of 179 nations, leaving much room for improvement.<sup>19</sup>

The early signs for democracy in Myanmar are promising, but there is still a long way to go before we see the government's true intentions and just how much control it is willing to cede. The role of the media, who controls it, and its governance, will form an important aspect of the country's transition. Hopefully, with continued internal and international pressure, the end result will bear positive witness to what can be achieved. ■

**Notes:** **1** The Republic of the Union of Myanmar is also referred to by its previous name, Burma, by a number of states including the United Kingdom and United States, which use 'Burma' because they do not accept the legitimacy of the unelected military regime that changed the official name of the country to Myanmar in 1989: see 'Select Committee on International Development Tenth Report' (18 July 2007) Parliament.uk, accessed 2 May 2013, <<http://www.publications.parliament.uk/pa/cm200607/cmselect/cmintdev/645/64506.htm#note1>> and article by AP News 'Burma or Myanmar? Obama calls it both on visit', 19 November 2012 [asiancorrespondent.com](http://asiancorrespondent.com). Accessed 5 May 2013. <<http://asiancorrespondent.com/92211/burma-or-myanmar-obama-calls-it-both-on-visit/>>. Last year the Australian

government officially recognised the name Myanmar to recognise the democratic reforms taking place. However, this has been met with criticism by pro-democracy campaigners such as Ms Suu Kyi: see Laura McQuillan, 'Suu Kyi disappointed by Australia adopting the name Myanmar over Burma' 23 November 2012 *Herald Sun Online*, accessed 5 May 2013, <<http://www.heraldsun.com.au/news/world/much-in-a-name-for-burmas-suu-kyi/story-fnd134gw-1226522417998>>. But given that Australia has officially recognised the name Myanmar, that is the term used throughout this article. **2** This article is focusing on the changes regarding print media in the nation. This has been a focal point of change and has resulted in developments within other forms of media within the nation. **3** See Robert Horn, 'Is Burma's Strongman Really Retiring?' 11 April 2011, *Time*, accessed 24 June 2013, <<http://www.time.com/time/world/article/0,8599,2064470,00.html>>. **4** See: Tom Watkins, 'Myanmar eases restrictions on news organisations,' 20 August 2012, *CNN*, accessed 5 May 2013, <<http://edition.cnn.com/2012/08/20/world/asia/myanmar-censorship/index.html>>. **5** Reporters Without Borders recently had access after a 25-year ban. See: Benjamin Ismail, 'Burmese Media Spring' (December 2012) Reporters Without Borders, at p5. Accessed 5 May 2013, <[http://en.rsf.org/IMG/pdf/rsf\\_rapport\\_birmanie-gb-bd\\_2\\_.pdf](http://en.rsf.org/IMG/pdf/rsf_rapport_birmanie-gb-bd_2_.pdf)>. **6** 'Myanmar's private daily newspapers sell on streets,' 1 April 2013, *Australia Network News*. Accessed 2 May 2013, <<http://www.abc.net.au/news/2013-04-01/myanmar-daily-papers-sell-on-streets/46038880>>. **7** Benjamin Ismail, 'Burmese Media Spring' (December 2012) Reporters Without Borders, at p8. Accessed 5 May 2013, <[http://en.rsf.org/IMG/pdf/rsf\\_rapport\\_birmanie-gb-bd\\_2\\_.pdf](http://en.rsf.org/IMG/pdf/rsf_rapport_birmanie-gb-bd_2_.pdf)>. **8** See Note 4 above. **9** See Note 7 above at p14. **10** See 'Media Bill nears completion' (14 January 2013) Mazuma, accessed 2 May 2013, <<http://www.mizzima.com/gallery/media-alert/8724-media-bill-nears-completion.html>>. **11** The MPC has a 20-member core press council, which includes mostly non-media persons. See 'Burma forms provisional press council' (22 September 2012) Mazuma, accessed 2 May <<http://www.mizzima.com/news/inside-burma/8063-burma-forms-provisional-press-council.html>>. **12** A group made up of journalists from Myanmar Journalists' Association (MJA), Myanmar Journalists' Network (MJN) and Myanmar Journalists' Union (MJU). **13** See Zinn Linn, 'Who will control Burma's new private daily newspapers?' 15 January 2013, *asiancorrespondent.com*, accessed 5 May 2013 <<http://asiancorrespondent.com/95463/who-will-control-burmas-new-private-daily-newspapers/>>. **14** Yangon was known internationally as Rangoon until 1989, when the government of Myanmar requested that Yangon, a transliteration reflecting the Burmese pronunciation of the city's name, be used by other countries. See 'Yangon' Encyclopaedia Britannica, accessed 5 May 2013 <<http://www.britannica.com/EBchecked/topic/651821/Yangon>>. **15** See Note 7 at p18. Also In January this year the license of the monthly magazine 'Inyo' was withdrawn by the Ministry of Information due to "sex-related articles and photos that are not appropriate for Myanmar's culture": see 'The End of Media Censorship in Burma? Not Just Yet.' (14 January 2013) Thailand Lawyer Bog, accessed 5 May 2013 <<http://www.thailawforum.com/blog/the-end-of-media-censorship-in-burma-not-just-yet>>. **16** The 'New Light of Myanmar', for example, has made claims to embrace self-censorship; however, it chose to publish details of the President and Vice Presidents' routine events instead of details of Myanmar's Nobel Laureate Aung San Suu Kyi's international tours, which were a focal point for the international media. **17** See Note 13 above. **18** Democratic Voice of Burma, Irrawaddy, Mizzima News and other 'exile media' that were previously based in the country had relocated to Thailand and other countries where there was more freedom to publish their views. See Note 7 at p 22. **19** 'PRESS FREEDOM INDEX 2011-2012' Reporters without Borders, accessed 5 May 2013 <<http://en.rsf.org/press-freedom-index-2011-2012,1043.html>>.

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