Media reforms in Myanmar and Indonesia: A critical analysis of how power relations and social inequalities are reflected in, impacted by, and shape media reform processes

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Statement of Declaration

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person nor material previously published or written by another person nor material which to a substantial extent has been accepted for the award of any other degree or diploma of a university or other institute of higher learning, except where due acknowledgement has been made in the text.

30 September 2024

Declaration of interest

Between 2010 and 2015, I was employed as Executive Director of the Bangkok-based press freedom network, the Southeast Asian Press Alliance (SEAPA). The organization received grants from a number of donors for its operational costs and to conduct programmes in the region. I was personally a beneficiary of donor organizations and institutions including the Swedish International Development Cooperation Agency (SIDA, now referred to as Sweden), the Open Society Foundations, the National Endowment for Democracy, UNESCO, the European Commission's European Instrument for Democracy and Human Rights (EIDHR), Free Voice (now known as Free Press Unlimited), and the Embassy of Netherlands in Thailand. I have taken all necessary measures to remain independent in carrying out this research. At the time of writing and submission, I hold the position of Vice-Chair of the International Board of Trustees of ARTICLE 19. Interviews conducted in Thailand, Myanmar and Indonesia in late 2015 and 2016 were supported by a grant from the SHAPE-SEA initiative, funded by Sweden. Findings from this research were presented at a Southeast Asian Academics for Human Rights Network conference in 2016, and key findings from the thesis have been published through a peer review process. They are as follows:

1. Brooten, L., McElhone, J.M., and Venkiteswaran, G. (2019). *Myanmar Media in Transition: Legacies, Challenges and Change*. Singapore: ISEAS-Yusof Ishak Institute. https://bookshop.iseas.edu.sg/publication/2387

2. George, C. and Venkiteswaran, G. (2019). *Media and Power in Southeast Asia*. Cambridge Elements Series. https://www.cambridge.org/core/elements/abs/media-and-power-in-southeast-asia/D3AFAE146767011FA23162A11C3F9FCF

3. Venkiteswaran, G. (2018). Rethinking Media Reform in Southeast Asia: Promoting a Participatory Approach for a More Democratic Media. *Perspectives Asia* #6. Heinrich Boell Stiftung.

4. Venkiteswaran, G. (2020). Media Reforms and Politics in Malaysia. *Bandung Journal of the Global South*. Brill, 7(2):279-291.

Note on spelling and names

The reference to names and spelling can be controversial, especially when related to political objections or aspirations. In other cases, it could be just a matter of recognising changes in the languages in society and what is widely accepted. The challenge is mainly faced in referring to Myanmar: is it politically correct to accept the regime-instituted name or is it better to hold on to the old reference of Burma, which still defines many pro-democracy and human rights organisations locally and abroad?

The military regime unilaterally changed the country's name to Union of Myanmar in 1989 from Burma (which had been the official name since independence in 1948). The name change also affected the names for the states, regions and the capital, the latter to Yangon from Rangoon. However, in response to the violent crackdown that had taken place in 1988, most pro-democracy groups and the international community chose to use Burma in their reference. Some exceptions included the independent, formerly exiled media The Irrawaddy (named after the main river in the country) has maintained the spelling even though the official spelling of the river is Ayeyarwady. For practical reasons, civil society groups that operated outside of the country and used 'Burma' in the organisation or movement name, switched to the official name of Myanmar when they began to operate in the country after the opening in early 2010s (this involved opening offices inside the country as registered entities). With the opening of the country and increased interactions between the state and local and international non-state actors, more and more people have adopted Myanmar. For this thesis, I use Myanmar and the contemporary spelling for the different geographical areas, so for example, Kayah instead of Karen, unless these remain in the names of the organisations, such as the Karen Information Centre (KIC) or the ethnic media group Burma News International (BNI).

In Indonesia, where political contests exist over self-determination, names are based on the local references. This notably applies to West Papua where a campaign for freedom is ongoing against the central government in Indonesia. The territory was previously referred to as Irian Barat, then Irian Jaya after the Dutch handed it over to Indonesia, and in the 2000s, was divided into Papua and West Papua provinces, a move that frustrated the locals.

With spelling of names in Indonesia, the issue is with the use of the old system, influenced by the Dutch language, which appear in several dated references. I use the current spelling based on the official changes since the 1970s, as documented by the Panitia Pengembangan Bahasa Indonesia, except where direct quotes use the older format. For example, in contemporary usage, *Soeharto* is spelt as *Suharto*.

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Abstract

Southeast Asia has seen tremendous changes since the democratisation movements in the period of 1980s to the 1990s, in the Philippines, Thailand, and Indonesia. Political changes affect the media that experienced strict control and censorship, but at the same time, mobilised political changes in those countries. In the 2010s, a shift towards political openness began in Myanmar after decades of military rule. While these changes can be described as young or at a nascent stage, the other countries such as Indonesia, have seen remarkable developments in the area of media development and freedoms. Yet new challenges emerged even in the 'success' stories of democratization and press freedom. Key among them were the commercialisation of media, political divisions in society, and the rise of illiberal forces – a global phenomenon - that have pushed back some of the gains made in these societies. The opening in Myanmar that led to the election of a pro-democratic government in 2015, and lessons from Indonesia, inform this research on media reforms. Typically, with media reforms, come the negotiations between various domestic, regional, and international actors, vying control to direct the change process. Inspired by Monroe Price's (2009) reflections of the media assistance project in Central and Eastern Europe in the 1990s, and Katrin Voltmer's (2013) global analysis of media in transitional societies, I aim to analyse how different societies respond to, and shape media reforms, who sets the agendas for reforms and what these mean to the different actors. Central to the discussion is the role of the various elements of the state and authority that are 'fragmented and contentious', as proposed by Migdal (2001), in its interaction with other fields of power to such as capital and international development, which dominate the reforms process and outcomes, and the public. The thesis critically engages with theories of participation and gender in the context of democracy and development to interrogate the relationships between the actors and what lessons can be learnt from the experiences in the two countries.

Keywords: *media reforms, democratisation, Myanmar, Indonesia, press freedom, participation*

Acknowledgements

thesis is an expression of humility and gratitude to all. I dedicate this to amma and appa, whose great wisdom and strength made me into who I am and are a constant reminder of the endless possibilities in life.

And last but certainly not least, this thesis is a dedication to all freedom fighters who stake their lives everyday in pursuit of what is right and just.

Chapter 1: Introduction – Towards a more participatory approach to media reforms

Southeast Asia has seen tremendous changes since the democratisation movements in the 1980s to the 1990s, especially in the Philippines, Thailand and Indonesia. The region is diverse by all accounts: political systems, histories, languages, economic status and cultures, which also vary within each country. Indices on freedoms and civil liberties tend to rank the countries that make up the Association of Southeast Asian Nations (ASEAN) low, especially Myanmar, Laos and Vietnam on the one end and Timor Leste, which became independent in 2002, on the other. Political change has affected the media, which had been under strict control and censorship, and at the same time, media was also central to mobilising political changes in those countries. Since the 2010s, a shift towards political openness began in Myanmar and Malaysia, the former after decades of military rule, and the latter, rule by a hegemonic political coalition. The so-called mature countries – typically referring to Thailand, the Philippines and Indonesia - have seen remarkable developments in the area of media development and freedoms, but have also encountered new challenges, primarily from the commercialisation of media and political divisions in society that have pushed back some of the gains made since their respective in the last two decades (Abdulbaki, 2008; Ferrara, 2015). Up to the early 2000s, observers and Myanmar scholars were sceptical of the potential changes in the country, but in 2012, a less hawkish leadership of the military regime announced a series of reforms, which included relaxing restrictions on the media and journalists. Laws on news media and publishing replaced older ones, with only slight improvements for journalists and owners, while dailies entered the market again after decades of only publishing weeklies and monthlies. Observers still take a cautiously optimistic outlook on the changes taking place in the country and whether the new media landscape was sustainable or if it would return to the controlled and repressive environment of the past (Brooten, 2016; PEN America Centre, 2015; Rogers, 2012). The political, legal and institutional changes made during and after the transitions, were therefore, inadequate to guarantee that the conditions for media to operate and for citizens to access information or express themselves would not be overturned or be captured by other forces, thus returning the situation to one of more repression. The resulting impact could be the loss of

personal freedoms and a significant deterioration in the quality of lives of the peoples.

Activists and journalists in Myanmar often referred to Indonesia as an example of democratic transition that they could emulate. By the time of the opening in Myanmar in early 2010s, Indonesia had experienced over a decade of political and legal reforms that transformed its controlled media into one of the most robust and free one, and where citizens' freedoms of expression were defended rigorously. Indonesia was touted by scholars and observers as one of the role models for press freedom, freedom of expression and democratic governance in the region and internationally. While activists and journalists agreed that Indonesia made significant strides during the   period, they were concerned over the challenges due to political ownership of the media, the continued marginalization of voices, and the capture of oversight mechanisms by the state (Nugroho, Putri, et al., 2012). The corporate media had become the primary beneficiary of the reforms and democratisation. A pressing issue that remained was the extent to which the population enjoyed better access to information and representation of their voices with an improved legal framework that supported press freedom (Nugroho, Laksmi, et al., 2012). While the two countries are unique in their histories, certain elements post-independence, political trajectories, dominance of the military, and geopolitical importance, allow for a comparative study of the changes that involved media. The two countries have also been targets and beneficiaries of international aid and media assistance that provide for the basis of comparison.

After years of controlling the media and peoples' political expression, what makes an authoritarian, and especially a military regime, give up that power? It could be seen as a rational goal-oriented strategy to eliminate competitors and stay in power, or in the case of a military regime which scholars argue are transitional in nature, as a response to the challenges that had prompted its intervention in the first place (Jones, 2014). Reforms of the media have been closely tied to these regime changes and political transitions, and it is not surprising that once large and oppressive governments have agreed to make way for new political rules and to free up the media. For some, the changes were deliberate and calculated, while for others, a political breakdown forced them out of power to make way for new players. Some of the triggers have been economic, political, geopolitical or a combination of various factors. This research will

focus on the topic of media reforms in two countries in Southeast Asia – Myanmar and Indonesia.

Purpose of research

In November 2012, a conference themed "Comparing Media Systems" was held in Slovenia, to reflect on and evaluate the key elements of media system transformations or reforms in east and central Europe, Latin America, Middle East and North Africa, the UK and US. Papers presented at the conference[1] were critical of the approaches and interventions made during the transitions in several countries to reform the respective media sectors and the legislations. One of the main observations was the less than favourable outcome from the adoption of media systems and models from established democracies in post-authoritarian or post-Communist societies. Failure to appreciate the influence of networks of oligarchs and political actors from the old regimes in the new environments meant that some of the rules and policies introduced ended up being manipulated or changed once they returned to power. The collection of papers from the conference succinctly captured the problems that followed media reforms in countries transitioning to democratic rule.

When I first began working with the Southeast Asia Press Alliance (SEAPA), a non-governmental organization (NGO) focused on press freedom in Southeast Asia, in late 2010, I inherited a sense of pessimism about the situation in Myanmar, or Burma as many pro-democracy activists still called the country, as threats against journalists and activists were intense and censorship of the press was still in place. Briefly, SEAPA was a network of organizations from the region that work on press freedom, access to information, investigative journalism, and freedom of expression. It was formed by journalists from the Philippines, Indonesia and Thailand after the 1997 regional financial crisis to have a regional organisation

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[1] Selected papers are published by the Mirovni Institute, one of the conference organisers, in their June 2013 issue of the *Media Watch Journal*. It is accessible here: mediawatch.mirovni-institut.si/eng/mediawatch-comparing-media-reforms.pdf

that would campaign for and be a voice to the journalists in the region. Since 2005, the organization had offered emergency assistance to Burmese journalists working from in the country and along the eastern and western borders who faced threats, placements for journalists in fellowship programmes, training on digital journalism and investigative journalism, as well as monitoring of the state of press freedom affecting the people. In early 2011, there was talk of a political opening, exiled journalists and activists returning to the country, and plans for media reforms. As an organization with an interest in the country, we asked ourselves if we were prepared to respond to the changes and if we had enough funds to step up our programmes. These questions were simultaneously being asked at a wider scale within the diplomatic, aid, and international media development communities.

The first open discussion on the media that took place in Myanmar since the quasi-civilian government took office in 2012 was the Conference on Media Development. Striking to an observer was the zeal with which some of the international organizations and foreign missions wanted to invest in and support media reforms. Around the table in what was one of the most expensive hotels in the capital, Yangon, were representatives of various embassies, international media foundations, international and regional non-governmental organizations, and trainers and journalists from Myanmar. After a series of presentations by international consultants, local trainers, and activists on suggestions for reforms and work done to support independent media prior to the opening, one embassy representative stood up, holding a briefcase and announced that he had arrived with funds and all he needed was to know who to give the monies to. Across the room, one could hear muffled gasps. Media development actors who had worked with the local partners before the opening were disappointed with this top-down development approach, which they had worked hard to dispel. The optics of the man in a suit with a bagful of money was not welcome in the 21st century. Others made similar observations.

> "In many ways, the 2012 Conference on Media Development in Myanmar exemplified the sudden shift in the sector. Instead of the many familiar faces that had been quietly collaborating for years, the stage was filled with new faces talking about a country in which many of them had just begun to work. At one point, a newly arrived donor shocked long-term donors by announcing that he wanted to support training but that he could not

find any existing projects. These new arrivals felt an urgency to carve out their own territory, but without necessarily having the time, or inclination, to learn about the two decades of work that had come before. Their sense of urgency was often at odds with the caution and scepticism of many of the longstanding donors and media implementers who were waiting for their Burmese partners and grantees to set the agenda, but who were also criticized for reacting too slowly to the unexpected opportunities." (McElhone & Brooten, 2019, p. 121)

The sentiment echoed Price's reflections from the two decades since the changes in Eastern and Central Europe in the early 1990s.

"I start with a memory of the early 1990s. It could have been Prague or Budapest or Kiev or other similarly situated cities outside the capitals of the former Soviet Union. A darkish room, a group of functional metal tables arranged in a square, and a delegation from the Council of Europe or the USA, preparing to lecture on the merits of a proper transition in the media sphere. At the table sit one or two of the invariably young, charming, talented figures—proud to serve as bridges between the lately oppressed and the newly triumphant, the fresh holders of knowledge about the world into which their country was marching. Next to them are the ever-present representatives from the USA or Western Europe, toeing the line between arrogance and ignorance—individuals designated as carriers of progress, confident that their media systems held the key to "democratizing" media in the region, yet unfamiliar with the politics of the location and—just as likely— the complex meanings of their legal practices at home. The other seats are filled with individuals who are not quite sure why they are there but with some sort of obligation to those organizing the event. This was the early world of media assistance—delegations sent mostly from the USA and also from France, the UK, and elsewhere—consisting of journalists, professors, regulators, managers, specialists, and entrepreneurs sent to talk to their counterparts. One of the jobs of the young representatives in the field was to round up warm bodies to listen and react, with sufficient attention, to provide the illusion that wisdom was being proffered and to some extent imbided. At times, there was advice fatigue. The task, increasingly more difficult, was to obtain the critical mass of local

influentials, individuals who would turn the gruel of advice into the exactness of legislation or business plans or trainings that would justify the time and expense—flights, hotels, and dinners—of the experts. Reports had to be written, donors satisfied, that the expenditure of government or private philanthropic dollars was obtaining results." (Price, 2009, p. 486)

Over the next few years, from an office in Bangkok, we would witness dramatic changes in the media sector in Myanmar and the roles played by the state and international bodies with journalists and civil society to take advantage of this 'window of opportunity'. Past experiences with the military regime reneging on their promises left many concerned that this would be another one of its gimmicks or window dressing to gain international acceptance. At SEAPA, which was based in Bangkok, Thailand, we were constantly asked why we never set up an office in Yangon, as some of the other international organizations had begun to do: the perception was if an organization did not occupy a space within the country, people would 'forget our face' and our work. The statement made us reflect on who the changes were intended for and about, and what the presence of a regional non-governmental organization (NGO) offered to the people. Related to this was the question of how people, who were affected by the political changes and plans for media reforms, were articulating their expectations of what an improved situation meant to them. Theoretically, greater spaces for the media would translate into better governance and public participation. But how would improvements in a legal system translate into better rights or freedoms for the people? Was there meaningful participation in the state- and international NGO-led processes and decision-making? What were the experiences of those who had been part of the changes against the contemporary developments?

The thesis recognises the wealth of literature by academic and non-academic sources on the role of communications, media and journalism in democracy and development, as will be discussed in Chapter 2, and takes inspiration from this rich body of work. At the same time, the role of development aid in transitional societies has also been extensively researched and critiqued and offer useful frameworks. This research brings three critical areas – media development, participation, and political economy - that converge on the analysis of media. As

such, the research aims to make three main contributions. *Firstly*, the research hopes to offer new empirical data and analysis to the study of media and politics in Southeast Asia by comparing Indonesia and Myanmar as academic work on media during political transitions in Southeast Asia have largely focused on Philippines, Thailand and Indonesia, which experienced upheavals and reforms as early as the mid-1980s. *Secondly*, the study aims to present a critical view of the reforms processes and who and the agendas they represent. It challenges the taken-for-granted assumptions of the role of media in democratization and consensus on the paths for reforms. *Thirdly*, the research has the potential for informing global discussions and decision-making regarding media reforms in societies in transition. This is particularly relevant for the affected societies as well as international and regional media development and aid organisations, which have a big influence in shaping media reform decisions and actions. It is hoped that the research will be able to generate reflective discussions among scholars and the international media and development communities, with the aim of rethinking the ways in which transformations can be achieved meaningfully.

Political background and changes

This section discusses the political histories and key incidents in the two countries to provide a background to the transitioning years and the changes that affected the media. It is not meant to critique interpretations of events, such the controversial 1965 massacre in Indonesia or the 2007 Saffron Revolution in Myanmar, or the fall and rise of leaders; instead these are important references that shaped the struggles, the policy responses, and the collective memories of societies. Scholars on Indonesia and Myanmar are right to point out that any analysis that only begins with the moment of change will unfortunately exclude the complexities in political ideologies, values and power plays that are in a constant state of flux. Lall's in depth analysis of the reforms in Myanmar is an example of the historical importance of how various groups and the multitude of strategies used by different groups negotiated the limitations imposed by military rule for decades (2016). The analysis of actors involved in a number of actions preceding the political change in Indonesia by Budiman and Törnquist (2001) succinctly

demonstrates the effectiveness of local, national, and international movements seeking changes on a range of issues leading to the *reformasi* movement in 1997 and the fall of Suharto.

Indonesia

Indonesia, once a Dutch colony, and Southeast Asia's largest country in terms of size and population, is today recognised as one of the most democratic countries in the region, after a *reformasi* movement following the Asian financial crisis in 1997 brought down President Suharto, who had been in power for 32 years. He was the second president since independence and during his time, Suharto introduced the 'New Order' and Pancasila (five principles) to replace former President Sukarno's old order and his notion of Guided Democracy (Berger, 1997; Wiratraman, 2014). *Reformasi* refers to the people's movements, which was, to a large extent, fuelled by the Asian Financial Crisis in 1997 that resulted in uncontrolled rise in prices for the ordinary citizens. The causes of the regime downfall have been debated, while economists pointing to the financial crisis and subsequent government responses, and political scientists attributed it to a series of events, such as the 1994 banning of three independent magazines (*Tempo, Editor, and Detik*), as well as the incident in July 1996 in which Suharto intervened in the leadership selection process of the opposition Partai Demokrasi Indonesia (PDI) to replace Megawati Sukarnoputri (daughter of the first president, Sukarno) with a government appointee (Budiman & Törnquist, 2001; Kingsbury, 2005; Sen, 2002). The attack on PDI "unleashed a public outpouring of anger and resentment at the New Order on a scale unseen since 1974" (Sen, 2002, p. 70). Rather than the middle class, it was the working class, against the backdrop of the growing economic challenges, and the numerous financial and business scandals, that weakened Suharto's grip on politics (Berger, 1997). In the media sector, global technological changes and contradictions within Suharto's New Order's own policies of political control as well as economic growth put the media beyond state control. Following the deregulation and privatisation of the media in the 1980s and 1990s, mainly to satisfy entrepreneurs close to Suharto, the number of television and radio stations and cable providers increased to offer more context to audiences. The print industry also expanded with foreign publications entering the market and newsprint was no longer dominated by the Information Department. As a result, people received more information that was not necessarily dictated or censored by the government. With the 1998 *reformasi*, a host of reforms, including press freedom laws, were put in place by the transitional government of B.J. Habibie (Aspinall & Fealy, 2003). More than two decades since then, the country has made remarkable strides in institutionalizing professional journalism, self-regulation and citizens' access to public information. However, the media

landscape that was once controlled by Suharto cronies and replaced by a free market of players, is now threatened by the concentration of media and large conglomerates that define the country's business sector and which strongly influence policymaking. In the immediate years, the transition government that replaced the Suharto regime was not without challenges; it was made up of former members of the regime, it had to contend with weak institutions across the board and public distrust of them. The military in particular, saw its powers in politics curbed after *reformasi* (removal of the allocated seats in parliament). Regional claims for independence in Aceh, Papua and East Timor, fuelled concerns that the military would retake power from civilian rule and abort the democracy movement (Schwarz, 2004). The following sections trace the historical trajectories of governance and leadership, and the impact on media and expression in the country.

<u>Independence and Sukarno</u>

Indonesia had been under Dutch rule for over 300 years, and it was in the early 20th century that nationalist and independence movements stepped up, among them led by the reformist Islam groups like Sarekat Islam and Muhammadiyah, while the elite-scholar community found its representation in the Parti Nasional Indonesia, led by Sukarno. The Dutch responded harshly to any opposition or ideas of independence by arresting and jailing leaders, and launched its army to crush any rebellions in the regions. With the advance of the Japanese army in 1942, the Dutch were quick to retreat and surrendered. As in other countries under Japanese occupation, they were first welcomed but this quickly changed, and local nationalists pressured for liberation from the new occupying forces. Sukarno and other leaders like Hatta proclaimed independence after the end of World War II. The Dutch returned and attempted to reclaim its control, but the global wave of anti-colonialism had rendered it a lost cause, and with international power, they ceded control of Indonesian territories in November 1949 (Schwarz, 2004).

Independent Indonesia with Sukarno as president experienced parliamentary democracy between 1945 and 1959, after which, the country was steered back towards a more personal and authoritarian style of governance. Sukarno's Guided Democracy (1959-1965) was nationalistic and sought the support of the religious groups and communists (Indonesian Communist Party, or PKI). These unlikely coalition members were in fact,

opposed to each other, and would later be viewed by the military, as threats. By 1964, Sukarno had grown ill, and had failed to grow the economy, and against the backdrop of hostile relations between different political factions, the army launched a coup. It followed the kidnapping and killing of seven senior army officers by pro-Sukarno leftist officers, and this sparked a series of crises that would end his rule. The attack was said to be a "pre-emptive strike aimed at preventing an imminent coup by a Council of Generals" (Schwarz, 2004, p. 19). The army, led by General Suharto responded by denouncing it as a counter-revolutionary move and seized control from the civilian government and conducted what would be described as a massacre of thousands of people accused of being part of or sympathising with the PKI. Numbers vary but up to half a million people could have been killed by army units and local vigilantes, and the bloodbath marked the start of Suharto's leadership and the New Order (Berger, 1997; Schwarz, 2004; Zurbuchen, 2002). Similar to the transition in Myanmar (discussed below) in 1962, the press becomes one of the main casualties: between 1963 and 1967, more than 160 publications deemed to be pro-communist were closed down and media workers arrested or killed (Kakiailatu, 2007).

Scholars and observers have long noted the absence of details or an authoritative account on the incident, known as '30th September Movement' – *Gerakan 30 September* (G-30-S), or the international condemnation over what is one of the worst episodes of mass killings. The dominant narrative taught in schools and promoted in public discourses was that the treasonous move was instigated and carried out by the PKI, despite sketchy evidence available to support it (Schwarz, 2004) and as such, the party and its supporters had to be eliminated at all levels of society (Zurbuchen, 2002). Attempts were made to publicly discuss the issue,[2] including plans for a truth and reconciliation process, and a statement of apology from President Gus Dur during his tenure. However, the silence over the topic has lasted more than five decades and the anti-communist sentiment that had been embedded in society was difficult to undo (ibid). Ariel Heryanto wrote in 2018 in the context of hoaxes that have come to influence political discourses in Indonesia's recent political history, that the biggest

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[2] The late novelist Pramoedya Ananta Toer (nicknamed Pak Pram), who was jailed during the Dutch administration for being anti-colonial and later by Suharto in 1965 for his nationalist and pro-Sukarno stance, was released in 1979 but kept under house arrest until 1992. His works were banned during Suharto's New Order, but in 1999, these were released and Pak Pram toured several parts of the country with fellow ex-prisoners and human rights groups to document the brutalities and promote rehabilitation for victims of the 1965 massacre (Zurbuchen, 2002).

hoax in the country was the G-30-S and it continued to serve narrow interests even under the current administration of President Joko Widodo.

> "After being reproduced for more than a generation, the G30S/PKI hoax has become established, and has entered the national imagination and everyday language. Thugs and weapons are no longer needed to safeguard the myth from the threat of counter-narratives." (Heryanto, 2018, para. 12)

<u>Suharto's New Order</u>

With the ousting of Sukarno, Suharto consolidated his power and for the next thirty years, his legacy was to weaken institutions of checks and balances, and strengthen his own vehicles of power. He disempowered the Cabinet from making policy decisions, and relied on Golkar (Golongan Karya) that represented various interest groups and unions as the prime parliamentary vehicle, while political parties that were present at that time were merged into the United Development Party (*Partai Persatuan Pembangunan*, PPP), consisting of the Muslim parties and, the Indonesian Democratic Party (*Partai Demokrasi Indonesia*, PDI) consisting of the nationalist and Christian parties. *Pancasila*, or the five principles of the Indonesian state,[3] not only remained as the national ideology that had to be adopted by all, it became a convenient tool by the state to crackdown on any groups or individuals that violated or breached them.

Indonesia was a major recipient of aid and assistance due to its troubled economy in the 1960s and in 1967, the Inter-Governmental Group in Indonesia (IGCI) was formed with representatives of donor countries and multilateral agencies as observers. The group would be replaced by the Consultative Group on Indonesia in 1992, but was one of the most well-known coordinated bodies for bilateral and multilateral assistance. By the 1990s, the country was recording 6-7% in annual economic growth, with a mix of state control and private investments through crony capitalism. However, in 1997, as a result of the fall of the Thai currency and related capital outflow, the economies of East Asia and Southeast Asia were severely affected as their currencies also fell, Indonesia included. Coupled with a weak banking system and severe measures imposed by the International Monetary Fund, Indonesia

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[3] The five principles, as introduced by Sukarno in 1945 are: Indonesian unity, civilized humanity, democracy, social justice and belief in one God.

faced the worse of the crisis which led to soaring prices and unemployment. Much has been debated about the causes and consequences of the crisis, but it was without a doubt a major trigger for the changes that would take place in the country. A people's movement, led by students called for *reformasi* (reforms) eventually toppled Suharto, who was then replaced by his deputy, B.J. Habibie who was previously also a member of Suharto's cabinet and embroiled in controversies (Suryadinata, 1999). Dewi Fortuna Anwar, who served as assistant minister/state secretary for foreign affairs during Habibie's administration, admitted that his transitional government was unpopular, but it managed to introduce more than 200 new laws, chief among them were to strengthen the institutions such as the judiciary and create spaces for civil society (Anwar, 2016).

Reformasi-era presidents

Habibie was in office for over a year in the *reformasi* era, after which he was replaced by Abdurrahman Wahid (Gus Dur), who was a former leader of the Islamic organisation Nahdatul Ulama. On the one hand, Gus Dur was criticised for his style of governance, but on the other, he was credited for pushing the agenda of moderate Islam, and addressing some of the difficult issues involving ethnic tensions and regional demands, such as in Aceh. He was later impeached by parliament 21 months into his presidency for his "erratic leadership". The People's Consultative Assembly (MPR) appointed Gus Dur over PDI leader Megawati Sukarnoputri, because it "disliked her", and the "politicians went so far as seeking a religious justification to foil her bid for presidency".[4] As Gus Dur's vice-president, the MPR then had to endorse Megawati as the new president. Key during these transition years were the opening up of spaces for political parties and competition, although economic growth had been slow. Tensions that had been kept under wraps came to the fore after Suharto's downfall, but partly because the cards were now on the table – especially by Habibie and Gus Dur – about the autonomy of provinces such and East Timor, Aceh and Papua. Habibie oversaw a referendum for East Timor in 1999 that overwhelmingly sought for independence from Indonesia, which was formalised in May 2002. Sectarian conflicts broke out in the Maluku and Sulawesi related to religious and ethnic tensions, raising the alarm bells over

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[4] Purba, K. (2021, July 29). "Impeaching Gus Dur, a blind but visionary president – Opinion" The Jakarta Post. Available at: https://www.thejakartapost.com/academia/2021/07/29/impeaching-gus-dur-a-blind-but-visionary-president.html.

whether the *reformasi* governments were able to manage the diverse nation and deliver a peaceful change (Schwarz, 2004).[5]

<u>People's Choices (2004-)</u>

The first direct presidential elections since *reformasi* were conducted in 2004, and some observers described the 'rotations' as relatively peaceful, although the transition between Gus Dur and Megawati was more tense and risked a state of emergency (Webber, 2006, p. 399). In the elections, candidates for the president and vice-president's posts came from seven political parties that met the criteria for nomination, but later, two of these would either be disqualified or did not nominate candidates. The democratic candidate Susilo Bambang Yudhoyono and his running mate Jusuf Kalla won just over 30% of the votes and eventually won with 60% votes after a run-off with opponents Megawati, who had then sought the support of other parties, including Golkar. During the first administration, significant milestones included the peace accord, known as the Helsinki Agreement, and the resulting autonomy for Aceh signed on 15 August 2005. The decade would see positive efforts at institutionalising democratic systems and practices, decentralisation of power to the provinces, the enactment of laws to support freedom of information, the eradication of corruption, and the introduction of formal mechanisms to promote and defend human rights. However, scholars argue that the decline in democratic practices began during SBY's second term (2009-2014) and further put at risk with the election of Joko Widodo (Jokowi), a former Jakarta governor (Aspinall, 2018). At the time of writing of this thesis, Jokowi was coming to the end of his second term of presidency.

Myanmar [6]

Myanmar, which borders Thailand, Bangladesh, India and China, is a former colony of the British, which gained its independence in 1948. [7] In 1962, after a short experience with

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[5] Schwarz first published his book on Indonesia in 1994, and the second with updated content in 1999 just after the *reformasi*.
[6] The historical developments in Myanmar as discussed in this section is based on the introductory chapter in a co-authored and co-edited publication on the country in transition (Brooten et al., 2019)
[7] The country has seven states (Mon, Kayin, Kayah, Shan, Kachin, Chin, Arakan) and seven regions (Ayeyarwady, Mandalay, Sagaing, Magway, Tanintharyi, Bago and Yangon). There are also six self-

democratic rule, a coup was staged that set the country down the path of military dictatorship for five decades. It was said that Myanmar had a relatively free and vibrant press in the region, compared to its neighbours, but this changed with the 1962 coup, launched by General Ne Win who remained in power until 1988, during which political activism and the media came under full control of the state (Fink, 2009). Internal disputes within the military led to shifts in policies over the years on access to information and the media, but the 1988 student uprising was used by the regime to impose harsher restrictions. Pressures from international condemnation and sanctions eventually led the then dictator Than Shwe to put in place a transition plan, known as the Seven Step Road Map, in 2003, which would involve having a new constitution and organising general elections. In mid-August 2007, following years of growing inflation and economic difficulties, the regime suddenly announced a large price hike for diesel and compressed natural gas, which led to steep increases in the costs for transportation and food especially for the poor. In response, the Generation 88 activists organised protests but they were soon arrested. This led to a group of politically-aware monks to continue the protest (Saffron Revolution) but as a form of a peaceful and religious march. As the number of monks participating grew, the authorities reacted with violence which alarmed most people who hold high reverence for the monks. These events were significant as it became moments of mobilisation and expansion of pro-democracy activities. The road map, with its focus on discipline and control, was largely criticised by pro-democracy forces as being the opposite; undemocratic. But it at least revealed plans in a post-Than Shwe regime, under the Union Solidarity and Development Party (USDP), that included reforms of the media to begin in 2011. Yet, it was still a surprise to many when USDP's President Thein Sein focused on media reforms as one of the main agendas of the quasi-civilian transitional government. In the first two months of taking office, he made three policy speeches that touched on the importance of the media and its role as the Fourth Estate (Myint, 2012). Within three years, censorship of the media was removed and replaced by newer, yet still controversial, media laws that allowed for private and independent outlets to publish dailies. The euphoria among media entrepreneurs and returning exiled media was short lived as they struggled to build or

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administered areas, which are meant to allocate autonomy to ethnic minorities within their states in several areas of administration, though most of the groups claim there was still top down and central government interference in all aspects of local governance. These are the Zanu, Kokang, Naga, Pa'O, and Pa Laung Self-Administered Zones as well as the Wa Self-Administered Division.

sustain their media businesses while competing with the state media for advertising and distribution (Foster, 2013), much like in Indonesia in the immediate years after the *reformasi*. The reform process in Myanmar was also affected by the broader dynamics of the transition itself. Some observers described the period as a fragile power-sharing arrangement between the military and the civilian government (Fuller, 2015), and that the changes were part of the military's strategy for survival and that it intended to control the process of reform "with or without civilian window dressing" (Croissant & Kamerling, 2013, p. 122). Others had earlier cautioned that the form of Myanmar's democracy would be similar to the semi-democracy style with dominant-party rule in Malaysia or Singapore (Zin & Joseph, 2012), preserving the role of the military (Jones, 2014). In addition, there was a general lack of capacity in the NLD, as well as ethnic parties, to engage with civil society, despite drawing its legitimacy from the pro-democracy movement (Stokke et al., 2015). This political context not only hindered genuine reforms, but also deepened the divide between those who have power over, and access to, the media and information systems, and those who do not.

Independence and the union (1947-1958)

Discussions about Myanmar and the role of the military are essentially tied to its struggle for independence from the British and the significance of leaders such as Aung San, who came to the forefront in negotiating freedom in 1947. By this time, there had already been tension between the central government and the ethnic states, which posed challenges to the envisioned union. Several ethnic nationalities such as the Shans and Kayahs were given an option to leave the union after 10 years, but the Kachin and Karen states pursued a tense relation with the Burmese central government. The Rakhine, Chin and Mon states were not offered arrangements to leave the union at all (Fink, 2009). Independence was officially declared on 4 January1948, unfortunately without its figurehead, Aung San, who had been assassinated in July 1947. In the years post-independence, armed resistance would increase in a number of these states, taking the country further away from the spirit of the Panglong Conference convened by Aung San, who oversaw the first free elections in April 1947, for the states to have autonomy in their governance and respect for cultural and democratic rights (Kumar, 2014). For the most part of the 1950s, the people viewed the army (Tatmadaw) with general respect, given its role in the independence movement. However, this began to change as the military responded to the calls for autonomy in the ethnic states with concern. Senior

officers began voicing discontent with parliamentary democracy (Fink, 2009) and the then leader U Nu had to confront growing resistance from the military as well as from the ethnic nationalities. In 1958, he handed over power to a caretaker government led by General Ne Win, who initially seemed to resolve issues and promised fresh elections, but later reneged and seized power in a coup d'état in March 1962. The military consolidated its power and would restrict political participation, media and expression, education, and free enterprises for the next half a century (Brooten et al., 2019; Fink, 2009).

Military rule under Ne Win (1962-1988)

Once in power, Ne Win formed the Revolution Council, suspended the Constitution, dissolved Parliament, and took full control of the state, with the coup justified as necessary due to the failure of federalism which led to economic, religious and political crisis (Smith, 1999, p. 196). Ne Win introduced the Burmese Socialist Programme Party (BSPP), which was used to nationalise assets, manage all economic transactions (with the military having a major stake in all operations and businesses), and institute social control down to the grassroots. Critics or challengers of the "Burmese Way to Socialism" from among individuals or institutions were "co-opted or emasculated through socio-economic and administrative controls", or "dismantled or neutralised" (Kumar, 2014, p. 93). Expression was severely curtailed as the Printers and Publishers Registration Law of 1962 to regulate the media. By 1966 all media outlets were nationalised, editors and journalists arrested and private newspapers banned (Lintner, 2001). The ideology was anti-capitalist and foreign exploitation, and its leaders opted to isolate the country from foreign investment and ties (Fink, 2009). In 1974, the Revolutionary Council was dissolved and the Constitution revived to affirm the position and power of the BSPP, with provisions on a single-party system and BSPP as the sole political party (ibid). The period also saw economic stagnation and inflation due to shortage of goods and the persistence of the black market (Maung Maung Than, 2006), and reliance on donor assistance (Steinberg, 1980). Several protests took place during in the 1970s involving university students and workers, whether on the worsening economic conditions, or when they challenged the government's refusal to adequately honour UN Secretary General U Thant (1974); all were met with troops being sent to quell the demonstrators and the closure of educational institutions (Fink, 2009).

By the late 1980s, it was abundantly clear that the socialist programme was not a success and Ne Win openly called for a change in system, including the reintroduction of a multiparty political system. The public upped its ante against the government through protests in several towns. A major demonstration was organised for 8 August 1988 (came to be known as the 8888 Uprising), which lasted until 18 September, and finally crushed by the state. At this point, a faction in the military which was known to still be loyal to Ne Win launched a coup and declared martial law. The army then established the State Law and Order Restoration Council (SLORC). For a brief period prior to the formation of SLORC, rules were relaxed and journalists, writers and artists were able to use the space to criticise Ne Win's rule and organize communications; by mid-year, publication licenses were given to about 90 magazine titles (Brooten et al., 2019, p. 20). Multiparty elections were held in 1990, and Aung San Suu Kyi's National League for Democracy won 392 out of the 485 parliamentary seats and declared victory. The SLORC refused to yield and hand over power and insisted that a new constitution had to be written before any proper elections could be conducted. In order to restore its economy, the regime began to allow private enterprises to operate and invite foreign investment, which also marked the entry of private media operators, some with close ties with the regime, while others were willing to navigate the laws on censorship. Activists who fled the country after the 1988 crackdown and the 1990 elections set up media in exile, such as The Irrawaddy and the Democratic Voice of Burma.

As the Asian financial crisis hit and campaigns for democracy received international attention with Aung San Suu Kyi's growing popularity in the country, the regime changed its name from SLORC to the State Peace and Development Council (SPDC) in 1997. Fink (2001:87) writes that the change was "meant to project a softer image, because the regime had been ridiculed for years for calling itself by such a monstrous-sounding name", but it also saw the military leadership realign its loyalists and for others to assert their positions. The military formed the Union Solidarity and Development Association (USDA), headed by Than Shwe, with its members heading committees at the wards, townships and regional levels to mobilise the public against Aung San Suu Kyi and the NLD. USDA youths were given training on how to intimidate and attack the then opposition leader and her supporters. "Their aim was to make it appear that the people, and not just the regime, were opposed to her and the NLD" (Fink, 2009, p. 88).

<u>Steps towards transition</u>

Than Shwe took over SLORC in 1992 (and later SPDC) and became head of government until 2011. He is attributed for the shift of the capital from Yangon to Naypidaw on the advice of astrologers, was paranoid, and believed in superstitions.[8] He maintained a hard-line approach on critics and refused to meet with Aung San Suu Kyi who had been placed under house arrest, but was more open to the Association for Southeast Asian Nations (ASEAN) and oversaw the drafting of the new constitution. In 2003, his head of intelligence Khin Nyut announces the Seven Step Road Map as discussed earlier. One of the steps was to formulate a new constitution, which was put out as a referendum in May 2008 at the heels of the devastating Cyclone Nargis that killed thousands of people and devastated most of the low-lying areas in Irrawaddy. The junta responded poorly to the natural disaster in a move was widely criticised internationally as a deliberate attempt by the junta to prevent opposition to the referendum (Martin & Margesson, 2008). A year earlier, protests had taken place following the removal of fuel subsidies and a generally stagnant economy. The state responded with arrests as it accused the protestors for undermining the ongoing convention on the constitution, but this crackdown sparked more protests, and drew the support of Buddhist monks who marched in thousands in the streets of Yangon and Mandalay. Known as the Saffron Revolution, in reference to the saffron robes donned by the monks, the protests were particularly significant because of the revered status of Buddhism and monks in society. When the army attacked monks like other protestors, it came as a rude shock to many. In the town of Pakokku, the army fired shots are monks who had gathered to denounce the fuel price hikes, some claimed one monk was even beaten to death.

> "Buddhist monks are revered in Burmese society, and the idea that soldiers should beat them caused outrage and revulsion. The fuse had been lit, and the movement grew." (Rogers, 2012, p. 174)

The constitution was adopted on 29 May 2008 despite the opposition and anger fresh from these incidents, and in 2010, the military organised elections that were largely boycotted by

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[8] Murdoch, L. (2015, November 12). "Myanmar elections: Astrologers' influential role in national elections". The Sydney Morning Herald. Accessed at: https://www.smh.com.au/world/myanmar-elections-astrologers-influential-role-in-national-decisions-20151112-gkxc3j.html

parties like the NLD. The military-controlled Parliament then endorsed the appointment of Thein Sein, a former army leader, as the president, making him the first 'civilian' leader since 1962. Thein Sein led the transition process, which included reforms of the media.

Reformers from the old regime

In Indonesia, political representation and structures remained with parties that dominated during Suharto's time and continued to participate in the elections and governance (Sen, 2011), while the military was not fully removed from the sphere of influence (Aspinall, 2010). Another institution that changed little or slowly during the transition was the bureaucracy, responsible for the implementation of the new rules introduced during the reforms. Despite coming from the old regime or the New Order, there was a sense that most of the politicians during the transition saw the benefit of change and responded positively to the calls for democracy, accountability and transparency. One example was Habibie's Minister of Information, Yunus Yosfiah, previously an army man, said to be a reformist and was keen to change the fundamental paradigm of the government to one that would protect its citizens' rights (Ispandriarno, 2008). Romano (2003) problematises the role of Yunus Yosfiah, who despite pushing the legal reforms, represented the New Order and who was said to be behind the killing of five journalists in East Timor in 1975. Yunus and many others from the Suharto regime, leveraged on the calls for *reformasi* to reinvent themselves and remain relevant by strongly endorsing and pushing for more liberal reforms. To some degree, the existence of a professional bureaucracy during Suharto's time, despite its limitations, distinguishes it from Myanmar as it allowed for civilian authority to lead the country during the period of transition (Kipgen, 2012). Kipgen (2012) compares the transitions in Indonesia and Myanmar, the former in the context of the Asian financial crisis that removed Suharto in 1998, and the latter at the end of Ne Win's 26-year dictatorial rule (1962-1988) as leader of the Burma Socialist Programme Party. He argues that while an economic crisis prompted a change in regime in Indonesia, as proposed by scholars such as Mark Gasiorowski, it further entrenched military power and authority in Myanmar (ibid: 762). He cites Gasiorowski, whose modernization theory makes a link between the levels of socioeconomic factors and the resulting political regime: the higher the level of socioeconomic conditions, the more conducive it becomes for democracy (751).

In Myanmar, political contest was even narrower within the intra-elite of the military, the opposition, and the ethnic groups over the years (Kingsbury, 2005). This explains how the regime still maintained full control as it 'allowed' for the opening up of media spaces. In interviews with media freedom advocates in Myanmar, some credited President Thein Sein and the outgoing minister of information, Ye Htut, for the reforms that had taken place. In other words, those who could bring about change already had access to power or had done so because of shifting interests and willingness among regime leaders for more openness and democracy. This is not surprising as media reforms involve policy changes that need to take place with the legislative and executive processes. Waisbord (2016) writes that the state and its institutions continue to be an important and necessary site for negotiations regarding policy reforms. In other words, the political changes in the countries occurred largely within the established rules or frameworks of the old regime. Military dominance features strongly in discussions about transitions in the region, as seen in the Philippines and Thailand. It is also typical in the case of Southeast Asia, that dominant state institutions see themselves as caretakers to ensure stability, although the power and control they yield can be considered excessive and unjustified. Political personalities and leadership direct much of these changes, but equally important is that specific moment in history when opportunity knocks, that can trigger change (Segura & Waisbord, 2016). B.J Habibie and Thein Sein were both part of the authoritarian regimes that governed Indonesia and Myanmar, respectively, for decades, but were seen as instrumental in putting together key legislations and policies before their departure, leaving behind a legacy as the 'reformers'.

Geopolitical push factors

Geopolitical considerations and interests in opening up markets play a role in expediting the political changes. The twin policy of political and economic liberalisation still dominates the approach being taken in the transition processes, which means agendas can also be set by international institutions or foreign governments that bring in aid, financial support, and investments for local industries. In Myanmar, the popular perception is that the trigger was the attempted assassination on Aung San Suu Kyi in 2003, leading the UN Security Council to consider sanctions, although the decision was vetoed by China. In return

or its support, the Burmese government was expected to open up its economy and investments to the Asian giant. The regime soon became wary of being under the control of China and sought to change the situation. An opening was part of a very concerted plan to reduce that stronghold and to welcome more opportunities for investments, including from the north or western countries. In Indonesia, a media activist who campaigned for the freedom of information law, said the role of external agencies and economic interests was significant in pushing for a more open regime and to lower the costs of investments and business in the country.

Social movements and resistance

In addition to the external factors that were related to the economic gains of those in power as well as the major role of the state in political shifts, pressures also mounted within the country from civil society, media and the middle class. Activists and opposition members (including at times, with armed groups) would mobilise resistance to the state powers, in which media was a central part of the campaign. In Indonesia, the media was subject to a restricted environment until the late 1990s. In the 1970s, while most of the media had to comply with press regulations, some would use caricatures to critique the state establishment, even if it meant facing closure. The ban of three magazines in 1994, as discussed above, provoked widespread reactions and resulted in a strong media activism. Here, activists and like-minded journalists set up underground journals, among them *Suara Independen* (Voice of Independence) and *Xpos* (Expose) and several other internet-based content, as well as alternative journalists' groups to protest the ban (Siriyuvasak, 2005). Steele (2014, p. xiv) argues that while Tempo – set up in 1971 and was one of the three banned publications – had an ambiguous relationship with the New Order, it was able to offer independent perspectives on the nation and society for an audience that sought alternatives to government propaganda.

> "Indeed, it may have been this independence that rankled most with Tempo's enemies in the Soeharto regime. The banning of Tempo marked the beginning of the end of the New Order." (ibid).

The subsequent Asian financial crisis of 1997 that led to the increase in prices of goods became a trigger for the mass protests organised by students, who also called for overall

political reforms, which included establishing a free press. In Myanmar, during the conflicts between the ethnic communities with the Burmese Army (*Tatmadaw*) in the 1970s and 1980s, the ethnic rebels among the Karens, Shans, Kachins, Palaungs, Pa-Os, Karennis and Rohingya Muslims in Rakhine state published underground magazines and newsletters in their own languages even though these were in limited circulation (Lintner, 2001). Rebel broadcasts along the Myanmar-Thailand border would later prompt the military to obtain capability to jam the transmissions, which were then used to disrupt broadcasts from other influential radio broadcasts, namely the Myanmar language services of BBC and Voice of America (ibid). Exiled media founded by activists from the 1990s along the borders with Thailand and Bangladesh, and further away in Norway, such as *The Irrawaddy* and the Democratic Voice of Burma (further discussed in Chapters 5 and 6), became important sources of alternative information not only for those living abroad, but also inside the country. In 2002, up to 100 journalists were working along the Thai-Myanmar border, whether to provide information to international news services or for the ethnic and Burmese media outlets (Neumann, 2002). They were simultaneously activists and journalists, a position they would struggle to reconcile with until they moved their operations into the country during the opening. Exiled media are a unique phenomenon in highly repressive countries, where individuals are forced out of their countries or voluntarily leave, and work to send back news and information back to their societies (Ristow, 2011). According to a 2011 report, there were about 50 exiled media operating globally then, including those from Myanmar. Their successes were not to be measured in the numbers and distribution, but by the very act of penetrating the strongly guarded spaces for information exchange set up by the governments of their countries, and the attacks received (verbally, physically or through disruptions in the dissemination) from the state actors.

> "Scattered around the world, working in homes or in offices, using websites or shortwave radio or Facebook or the printed word, scores of people like these journalists are living in exile from repressive homelands. They are devoting all their available time and resources to sending news and information back into those countries, and telling the rest of the world about what is happening there. Many of them weren't even journalists until they found themselves in exile; many, in fact, were political activists, and had to learn about concepts such as balance and objectivity as they took on their new work." (Ristow, 2011, p. 4)

The broader space for civil society actors first began to open after 2004 with what Lall and Win (2012:75) described as the dismantling of prior security and intelligence structures. This led to local grassroots to develop and expand, while others from middle-class backgrounds focused their work on research and education (ibid). In the aftermath of the devastating cyclone that hit Myanmar in 2007, more civil society groups emerged and began expanding their work at the grassroots levels that also resulted in local empowerment (Centre for Peace and Conflict Studies, 2009). While facing their own challenges, these groups have introduced notions of rights, freedoms and community solidarity in ways that were different from the political organisations were fighting for in the 1980s and 1990s. Other scholars are more sceptical of the influence of civil society actors and the extent to which they were able to chip away at the military hierarchies (Kipgen, 2012). Despite the power and influence of the state in legal reform, civil society participation is also significant and can lead to successful media reforms (Segura & Waisbord, 2016). Policies can be affected by acts of resistance by consumer groups, activists and citizens in less official spaces (Freedman, 2006). This is especially important because the process can be used to raise public awareness and consciousness about the value and functions of free speech in a democratic society (Price & Krug, 2000). Political openings provide civil society the opportunity to form new alliances and initiate campaigns to engage the public as well as legislators to repeal problematic legal obstacles. Steele writes that the "unlikely coalition of journalists, old school political elites and forward-looking civil society groups" that pushed for the Press Law in 1999 in Indonesia paved the way for long lasting reform and could serve as an example for other societies undergoing political changes (Steele, 2012, p. 22).

The contexts above provide the backdrop against which this study of media reforms in the two countries takes place. Political openings occurred at different stages with undramatic change of 'guards', who were responsible for the necessary actions towards democratisation. The responses by the people, the media, and other national and international institutions merged to make it possible for them to stake a claim in the process, albeit in different ways.

The Myanmar coup – a postscript

On 1 February 2021, the Myanmar military (Tatmadaw) launched a coup to deny the National League for Democracy its mandate in governing the country. The 8 November 2020 general elections returned the NLD into power (giving it a second term after its win in 2015), taking 346 out of the 416 parliamentary seats, but the military had quickly contested the results. The coup took place a day before the newly elected parliamentarians were to be sworn in. A year-long emergency was declared and political leaders were arrested. In less than two months, thousands were killed (including civilians) and arrested for protesting the coup. The scenes were reminiscent of the outcome of the 1988 elections, with leader Aung San Suu Kyi being imprisoned once again and thousands of others fleeing for safety or remained to engage in battles with the military. A decade of work towards democratization that built on prior initiatives by independent media and advocacy groups may have been undone, although I argue elsewhere that unlike the previous crackdowns, this time around, civil society and the media were better mobilised, and had a wider network of information providers to counter the military's propaganda (Venkiteswaran, 2021). Myanmar's position today is a stark reminder of the unique circumstances and challenges that influence reforms and development, and at the same time, pathways to resistance that offer glimpses of hope for the peoples to reclaim their freedoms and rights.

Research questions

This research is fundamentally about understanding how power relations and inequalities that exist in societies are reflected in, shape, and are impacted by media reform processes. With a background in press freedom advocacy at the regional level, it was obvious that there were gaps in the exercise of fundamental civil liberties, including freedom of expression, across Indonesia, despite the success stories in many areas of governance, anti-corruption, justice, and democratic practices. At the same time, the developments in Myanmar also warranted a critical eye as stakeholders negotiated the ground rules for media reforms and decided on the implementation of these rules. Was it going to be an entirely top-down approach given its history? How will the people's voices and capacities fit in the process? What were the experiences of other societies that saw changes in the media landscapes during political transitions? To what extent can the experiences be compared with

societies that had undergone similar changes? Based on these, I set out the following as the research objectives:

1. To explain how the reforms were conducted and what the outcomes were in the two countries
2. To critically analyse the reforms processes and whether these have impacted on the people or changed working conditions for the actors in the two countries
3. To investigate any inequalities in the relationships between the different actors involved in media reforms such as the media, wider civil society, state institutions, donors, and activists, and their agendas.

The specific research questions below will address the structural constraints and highlight the agency of the different actors in the interactions:

1. Who are the actors involved in the media reform processes? How did they get involved and what are their roles?
2. Which actors were more influential in setting the agenda or direction of the media reforms? What are the tensions or overlaps in interests?
3. How far have regional and gender-based identities and regional and gender equality goals informed the reforms?
4. How do the various actors describe the outcomes of the reforms and the impact on the respective societies?
5. What are the relationships between the different actors and how have these changed over time?
6. To what extent are alternative and/or social movements present in the two countries in countering challenges posed during the transition?

Thesis structure

The thesis is organised into nine chapters. The following Chapter 2 engages with literature on media and politics, starting with the traditional paradigms of media systems and moving on to discussions about transitional politics, democratisation and the role of the free

media. It also introduces research in the field of media assistance and development, and trends in ownership globally that point to growing risks of capture. I introduce country cases where media reforms accompanied political shifts, ending with an overview of work that focused on Indonesia and Myanmar. Chapter 3 proposes a theoretical framework and methodology for research, combining theories on the political economy of media in transition, international media assistance, and participation in change. Chapter 4 discusses the changes that took place during the transition years that involved and affected the media and expression. The following four chapters (Chapters 5-8) are organised around key themes that emerged from the field work: Chapter 5 discusses the extent to which different actors were influential in setting the reforms agendas; Chapter 6 discusses the relationships between the various actors - the political institutions, businesses, media owners and civil society - and how far these changed and what the consequences to the overall reforms agendas were; Chapter 7 discusses the articulation and perceptions of various actors on the outcome and goals of media reforms and democratisation; while Chapter 8 discusses the reforms in the context of minorities, whether based on ethnicity or gender. The final Chapter 9 offers an overall conclusion and recommendations.

Conclusion

Media reforms are often analysed in the context of political transitions and in many countries, the changes have involved aid or assistance from state or private donors. However, experiences across different countries and regions, as in the case of Eastern and Central Europe, have led to critiques of models of reforms as well as the overly positive expectations of transformations and political and media freedoms. In Southeast Asia, several countries have gone through political transitions, with corresponding changes in the media industry, which produced a rich body of work especially between the mid-1990s and mid-2000s. This research compares two countries – Myanmar and Indonesia - at different junctures of their experiences to address some of the challenges raised by scholars by offering new perspectives and data. It also aims to challenges some of the taken-for-granted assumptions about democracy and reforms and inform global dialogues about aid and assistance in this field. The chapter introduced a brief history and context for the two countries to highlight

moments in histories that shape memories and narratives as well as the articulation of ambitions during political changes.

Chapter 2: Literature review

Discussions about reforms, notably by media development and freedom organisations as well as rights-based groups, looked at the ways in which the changes affected the media's ability to work, and whether they were able to enjoy freedoms. The legal environment is a key focus of analysis given that reforms were mainly aimed at removing oppressive laws and structures, in favour of a more enabling environment. Media reforms and changes to policies and practices in the field of journalism and media are related to the building and supporting institutions of democracy (McChesney, 2016) and sometimes expressed as movements. They can be explained as part of the struggle for democracy and social justice, carried out for its own right (campaign for independent or grassroots media) or grow organically from a pro-democracy campaign to improve the information and communication capacities that had been restricted before (Freedman & Obar, 2016). The purpose of this chapter is to situate literature about media reforms in the context of political transitions especially since the late 1980s through discussions of the methodologies and analyses of the outcomes.

But why discuss or compare media reforms? Advocates of democratic change and a free media in Eastern Europe, who experienced wide ranging reforms after the fall of the Iron Curtain, offered cautionary tales of adopting the models of media from the advanced nations more than a decade after their respective political transitions (Peruško, 2013).

> "It is possible to blame the wrong approach to "media democratization" where the models of media regulation, institutions and professional culture have been simply transplanted and imitated from the western countries. But is it also possible to blame and question the model itself?" - Brankica Petkovic, Peace Institute

Yet, these models in question were repeated as part of the reforms projects in other transitioning societies as well. The chapter begins with the dominant, though problematic, approaches to media and politics, and is followed by an overview of research done on transition studies and democratization, political economy and globalisation, and media reforms, freedoms and movements. Country experiences will be highlighted and the chapter will draw attention to the literature on media and politics in Indonesia and Myanmar.

Media systems studies

Discussions about the role of the media in changing societies and how new political configurations affect media are not new. The study of media and politics in modern history has mainly been framed by the political systems and relations between government and the press. The publication by Fred S. Siebert, Theodore Peterson and Wilbur Schramm, *The Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility and Soviet Communist Concepts of What the Press Should Be and Do*, in 1956, continues to influence the ways in which scholars study media and politics. The book was an attempt at explaining why the press in different societies behaved the way they did in the western world, essentially pointing to the social and political structures within which they operated. The four were the authoritarian theory and its extension, the Soviet Communist theory which signalled the prominence of the Cold War politics then; and the libertarian and social responsibility theories, the latter a variation of the former to accommodate the communication revolution and a scepticism of the philosophy of Enlightenment (Siebert et al., 1963). Journalism scholars note that the main appeal of the four theories is the neat categories of the different political systems and how these defined the press in the respective systems. In the more recent decades, these categories have been subject to much criticism (John, 2002). Nevertheless, the reference can be traced as the starting point for many studies even in the region such as Wiratraman's (2014), in studying the legal framework for press freedom in Indonesia, and Kumar's (2014), in his thesis on Myanmar's media in an authoritarian state. The other widely cited work assessing state and media relations is the media systems framework by Hallin and Mancini (2004), who proposed a different set of systems to understand and explain media across North America and Europe, partly disputing the work of Siebert et.al in *Four Theories of the Press*. The gaps in the 1956 work, they argued, were that the categories were confined and influenced by the Cold War and could not provide a comparative analysis of the different systems and countries, while the media were assumed to be a dependent variable that merely reflected the society and political systems. They used four dimensions in media systems to conduct discourse analysis and case studies of media in 18 countries:

1) Structure of media markets and in particular the development of a mass press,
2) Political parallelism or the extent to which the different media reflect distinct political orientations,

3) Professionalisation involving dimensions such as levels of autonomy of journalists, distinct professional norms, public service orientation and the instrumentization both by state and commercialization, and

4) Role of the state, primarily focusing on the public service broadcasting, or state-owned media, as well as use of subsidies for the press, postal and telegraph services, tax breaks and state advertisers; and the use of laws as state intervention (Hallin & Mancini, 2004).

They proposed three models based on the analysis in which the countries gravitated towards based on the units of analysis: Mediterranean Pluralist (France, Greece, Italy, Portugal, Spain), Democratic Corporatist (Austria, Belgium, Denmark, Finland, Germany, Sweden, Netherlands, Norway, Switzerland), and Liberal Model (UK, US, Canada, Ireland). Several patterns in the geographical trends could be explained by the spread of Protestanism and industrialization happening together in the north rather than the south and the import of the political, economic and media institutions to Ireland, Canada, US and France to Italy and the Iberian Peninsula. These categories may not necessarily explain other countries with similar systems, as even the authors found anomalies in the selection. When applied to non-western countries, the distinctions begin to breakdown and actors in the media ecosystem are far more malleable than predicted. The authors published a later version in conversation with critics of their first book and the 2012 volume – *Comparing Media Systems Beyond the Western World*, addressed some of the concerns. McCargo (2012) applied this model for Asia but warned that there were so many exceptions to the rules and models that they tended to obscure and not explain the nature of the media systems. His observations of media in Asia suggested that they were "always adept at creative borrowings and imitation – would at different junctures assume certain features of almost any given model, yet their attachment to such characteristics would be fickle, transitory, and ambiguous" (McCargo, 2012:202). Rather than study the media as business enterprises, which he described the systems theories tended to do, media in Asia were organizations that were not always profitable in a conventional sense and that informality existed in all levels of analysis, be they the markets, censorship, or political parallelism:

> "The proliferation of the informal makes the business of analysis and classification much more slippery. This is not to suggest that I am portraying "Western" media as an ideal type, devoid of informal pressures, hidden rules,

and clandestine practices. Indeed, I strongly suspect that such informal dimensions are much more widespread in the West that is generally assumed, especially in Southern European (Mediterranean) cases. Nor does it mean that I am averse to all efforts at classification: it is simply that I approach them with some trepidation." (McCargo, 2012:204)

McCargo (2012) focuses on agency instead of structures in his analyses, while Roudakova (2012) found it more relevant to analyse the changes on the ground (micro level) and those that were potentially historical (macro level) to address the grey area or uncertainties in media-politics relations as an ethnographic project. She further critiques the use of the hybrid politics or systems to describe the typically non-Western political and media landscapes and suggests that order maintaining and order eroding happen as part of the process of change. In separate studies, Chakravartty and Roy (2013) note the problem of the systems analysis in their research on media pluralism and suggest a different typology of media systems in the context of India. They make the following theoretical interventions:

- The evaluation of the media-politics relationship must take into account the variegated mix of formal and informal politics in many parts of the country
- Drawing on political parallelism, they argue that the understanding of media-politics relations must go beyond the reflexive models as mirroring politics, rather towards generative models where media are active shapers of political power (example of creating the new media elite and their cosy relationship to power)
- The typology of partisan and network media systems should accommodate more grey areas in which media alliances or loyalties may work, the flexibility, and the informal mechanisms of control of media.

For their intranational comparative framework, the unit of comparative analysis is the subnational region or state as "context-driven methodology" (Chakravartty & Roy, 2013, p. 365) given the diverse state-level regional political arenas, instead of the singular and unified arena in India. The approach highlights the importance of studying media reforms at the regional levels as well because of the contested ideations of the 'country' and the state that define many post-colonial societies.

Media and political transitions

Changes to the media are inevitably discussed within the transition or democratization paradigms, mostly analysing the phases of changes politically and how these would impact other institutions, including the media. These are contentious terminologies and concepts, although by and large, there is consensus in research that transition into democracy is a desired form political governance and that media is a critical force in political transformations with the potential to empower citizens. Essentially, changes in the political and media landscapes towards rule of law, competitive politics, less state control and a more active citizenry would lead to a more just and fairer environment for the enjoyment of political, economic, social and cultural rights. From a normative standpoint, political theorists have expounded the virtues of democracy and democratisation as the best form of governance. These refer to the citizens, who are able, through competitive processes, hold elected rulers accountable. There are minimum conditions in terms of procedures; for example, the decision-making and implementation of public policies is done by the government and public officials, conducting free and fair elections at regular intervals, rights of citizens to seek for information and express themselves without facing punishments and rights to be part of associations and political parties. Theorists such as Seymour Martin Lipset, Robert Dahl, Samuel Huntington, Larry Diamond and Arendt Ljiphart are widely referred to for their work on the forms of democracy, including the principles and procedures, as well as the studies on transitions.[9] These changes occur due to movements initiated from above or below or both, and involves transfer of power (Stradiotto & Guo, 2010). In their cross-national statistical analyses, Stradiotto and Guo (2010) found that the most stable transitions, which are shaped by the relative balance of power advantage between competing groups (old regimes, new political forces), come from higher levels of cooperative pact between the different forces, when compared to other modes which are conversion, collapse, or through foreign intervention. As many other attempts at categorisation, there are potential grey areas but for the purpose of this research, it can be argued that the countries under study

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[9] These theorists are discussed in Mainwaring (1989) and cited in Randall (1993), Rozumilowicz (2002), Voltmer (2013) and Jebril et.al. (2013) in the context of media reforms. Whitehead (2002) and Carothers (2002) refer to them in their critique of the dominant paradigms of democratisation.

– Indonesia and Myanmar – experienced changes through cooperation between the elites in power and the opposition.

Table 1: Description of modes of transition

Modes of transition	Description
(a) Conversion	Elites in power are stronger than the opposition and take the lead in democratization. The incumbent elites are willing to initiate the reforms and to convert the state, with some support or involvement of the opposition. Examples of countries include Spain, Taiwan, and Hungary.
(b) Cooperative	Democratization is a result of the incumbent government and opposition groups through a pact, negotiation or compromise. The ruling elite will want to protect their interests in the regime change while the opposition has strong legitimacy and can push the reforms agenda, although not strong enough to overthrow the government. Both sides will be engaged in a back and forth process that could entail protests and demonstrations as well. Country examples include South Korea, South Africa, Mongolia, and Uruguay.
(c) Collapse	Opposition groups lead by overthrowing the authoritarian government or collapse, often through mass protests, revolution. Countries include the Philippines, Argentina and East Germany.
(d) Foreign Intervention	Use of military interference to forcefully remove an authoritarian regime and its leaders. Iraq and Afghanistan are such examples.

Source: Stradiotto & Guo (2010:17-19)

Transitology was developed in the 1950s to explain and prescribe the changes from authoritarian or fascist rule to a democratic one. It suggested the concept of phases in which societies and political actors go through to put into place the systems or processes that would institutionalise democracy through constitution building, the reform of governance institutions, and conduct of free and fair elections. These phases are described as liberalization/opening, democratization, and consolidation (Mainwaring, 1989). However, the

phases approach in transitional politics have been criticised as being teleological and not useful in non-Western countries that have different experiences with colonialism and conflicts. Critiques suggest democracy needs to be seen as a gradual process rather than as an end project; or that it treats as given the ability of all citizens to participate on equal footing when inequalities are known to have been deepened as market-based economies developed. Feminist scholars have gone so far as to question whether democracy is even an adequate political system as it continues to exclude a majority of the population in decision-making (Cornwall & Goetz, 2005). The transition paradigm has been losing its relevance and accuracy, according to Carothers, who argued that the three-part process of democratisation – opening, institutionalisation and consolidation – is not often followed and most developing and post-communist countries described as being in transition, were more typically in between a full-fledged democracy and an outright dictatorship (Carothers, 2002, 2007). Nevertheless, literature on politics and to some extent, media, are still dominated by the theories of democratisation and transition. There is abundant scholarship on Indonesia that debate the political stages, the influence of the military and the different leaderships, which retain the overarching framework related to the theories of democracy – consolidation being a buzzword (Abdulbaki, 2008; Anugrah, 2020; Freedman & Tiburzi, 2012; Mietzner, 2011).

In offering a model of analysis for the study of free and independent media in transitional democracies, Rozumilowicz (2002:17) hypothesises that the process can be broken into four theoretical stages that mirror those proposed for democratic transition as defined by the leading scholars on democracy. The model identifies strategies and approaches that are distinct in the different stages that can be used by media reformers and policy makers (ibid:24).

Table 2: Stages of transition for media reforms

Country	Stages			
	Pre-transition	**Primary**	**Secondary**	**Late or Mature**
Details	Preliminary stage of media reforms usually comes before any political	Period of systematic change within the formerly authoritarian regime. Culminates in	Newly formulated structures will have been put into place - this stage then focuses	Defined by the emergence of a coherent new system.

| | transition process has begun, and lays the groundwork for continuation of the process. The phase is signalled formally or informally by the regime in place or the "opening" up of economic, social or political arenas. At the most basic level, it could mean the regime is open to some criticism. But it can easily backslide as it happened in Poland until 1989. Yet, the possibility is always on the horizon and reformers can take advantage. | the destruction of the old system and the establishment of new institutional and regulatory structures. Characterised by willingness of regime to transit through formal or informal devolution of power or some part of it to the opposition forces. Through internally pacted transition (structured), there is formal agreement between former regime and newly emerging opposition forces, and elections is one of the ways to achieve it. Externally pacted ones involve a third party like the UN intervention, and this is less stable. The last is unstructured, where ruptured transitions from revolutionary movements overthrow the previous regime (not to be mistaken for regime factionalism). Period is marked by enactment of media legislations and | on the fine-tuning of the media legislative framework. What can happen during this stage is immediate consolidation, authoritarian backlash, or institutional revision. First is least likely, what is likely is the capture of institutions by elites, which can then stifle the process towards non-democratic ends. Problems in this stage are inappropriate structuring whereby the political, legal, economic, social structures are incomplete or bear the remnants of the former regime; inappropriate utilization is when the structures are complete but implemented by dominant groups in a manner inappropriate to their reformist design. | Different goals and problems emerge at this stage that need to be addressed in order to safeguard the newly emerged system. Main task in this stage is to consolidate commitment to this new system while drawing every larger segments of society into the forum. |

		establishment of legislative framework for all media sectors. Policy making and implementation take centre stage for reformers.		

(Rozumilowicz, 2002, pp. 20–23)

The matrix revealed mixed results: in some countries that experienced transitions, there have been increased and improved public participation in political and public processes facilitated by the media, but in others, the media have been captured by old and new state and non-state forces. As rightly cautioned by Rozumilowicz, the risk of backsliding is always present. The post-Communist eastern and central European states, once under the Soviet bloc, have had momentary successes through the legislations of new laws to protect media freedom and remove state monopoly of media outlets. Political participation improved through media coverage of public interest issues and investigative journalism, as well as the professionalisation of the journalism sector. However, there were pitfalls in the introduction of public service broadcasting that were modelled after the institutions in the UK and northern Europe, while a new class of capital owners and members of the old regimes have stepped in to take control of the media outlets and content for their own interests.

Free media and democracy

The link is not always clear between having a free and independent media, and political freedoms and social justice (Jebril et al., 2013), but it offers a useful tool to analyse the focus on and the interpretations, and functions of the media in societies undergoing political shifts. In studies of political transitions in numerous countries, journalists and media organisations were part of the reformist groups or opposing forces that eventually brought down authoritarian regimes, and were later parties to, and targets of, changes in political rules, laws and policies. The country-level and collective experiences have formed a substantial body of work on the topic of media reforms in transitional politics, which discuss

and debate whether the reforms – including legislative changes and other policies and practices – have indeed increased and improved the access of citizens to information and expression important for them, and for the media to function adequately as the watchdogs of the powerful institutions. Hence, in the context of media and political changes, while scholars acknowledge the shortcomings of the democracy and transition paradigms, they do apply the general ideas as empirical tools to critically examine the role of and the impact on, the media, vis-à-vis the state, other political actors and the economic structures (Jebril et al., 2013; Milton, 2001; Peruško, 2013; Price et al., 2002; Rozumilowicz, 2002; Voltmer, 2013). While noting the limitations of the Western liberal view of the press in democracies, even Kwak's analysis of South Korea focuses on the role of the media in transition to and consolidation of democracies (2012).

The theme of media in transitional democracies is at the heart of Voltmer's (2013) global study, which adopts Hallin and Mancini's media systems models, but raises questions of what the priorities for the transition should be and who would set them. Voltmer noted that the liberalist perspective is to put the watchdog role first while others argue that a corporatist media may not provide space for different views, and that some form of regulation is necessary for quality public communication. She proposed two standards of democratic media, because media themselves are not democratic by nature: (i) *independence* from state and other powers, and (ii) internal and external *diversity*. Her analysis that is based on a large regional and case specific research is more nuanced and critical.

> "It is not the media as a means of communication that makes a democratic force but particular norms of their institutional structure and the quality of their performance that establish them as a cornerstone of democracy." (2013, p. 23)

Her book affirmed observations that media could only fulfil their democratic functions if the state was committed to democratic governance, if markets were effective in providing resources for quality journalism, and citizens were willing to engage in open and tolerant public debate. A functioning state was needed for democracy and a free press, and one that could support moderated public debate to remove the uncivility or worsen the cleavages in societies (due to ethnic, religious or other sources of political contests). Her analyses showed that not all commercial media that operated in the post-transition period were necessarily

independent media and that there was a need for rules to curb political power of media ownership. The findings echoed those of Milton (2001) who wrote that the democratic forces in post-Communist East states that come into power after the Communist regimes, retained the media dependence that characterised the old regimes. Regardless of ideology (whether nationalist, Nazi or Soviet regimes), political actors "will use available political opportunities and resources to pursue their own political goals, and therefore institutional relations of media dependence will persist because this serves the agendas and interests of the political actors charged with granting media independence" (Milton, 2001, p. 518). Generally, he observed that there was rhetorical consensus about the need for reform, but not practical agreement about what such reform should actually look like.

Media in transition has generally not produced new theories or concepts but academic writing has "eschewed any notion of 'THE media', including generalized assumptions of their impact on the process of democratization, thus making it necessary to look at micro-level and empirical studies of media structures, regulations and practices (Sen, 2011:2, emphasis by the author). News and information based media are important actors in the transition processes (Voltmer, 2013), as agents of change, restraint, or opposition (Brooten et al., 2019; McCargo, 2012; Page, 1996), and act as contributors and beneficiaries of policies, rules, and practices during the political change. From the perspectives of deliberative democracy and public sphere, news media have the roles as watchdogs, agenda setters, and gatekeepers (Norris & Odugbemi, 2010). From a comparative perspective, McCargo's works have been particularly relevant as he explored the role of the media during political transitions. For example, he compared Philippines, Thailand, and Indonesia following the toppling of the unpopular governments by mass protest movements, in which the media played an important role. He noted that a similar movement occurred in Myanmar in the late 1980s, but where it was unsuccessful in removing the military regime. The core assumption in most literature on democratization is that a more independent press with greater freedom will make a positive contribution to political change and support the democratic transitions. He concluded that in the cases of political upheavals, media served as a sophisticated political actor in their own right, not simply to serve the state, or the public interest or opposition movements. Individual publications or media outlets were often 'polyvalent' – they tended to play a supporting role in political transitions but when the crisis was over, the media may decline in effectiveness as an institution of civil society (McCargo, 2003).

Curran (2007) not only challenges the centrality of news in the analysis, he questions media as the intermediary institution in democratisation as it downplays the role of social groups, political parties, civil society, ideology and globalisation, making it disconnected from the ways in which contemporary democracy works. The media and democratisation theories tend to focus on political journalism and not the wider fiction or entertainment media that make up the bulk of media content people generally consume. Furthermore, the focus on the role of the media is in monitoring the state but little on other forms of power, such as social, cultural and economic sources. Curran (2007) proposes that the democratic role of media entails strengthening the organised groupings of civil society and the political system, while the media systems are not a single entity and can represent different sectors or roles. Furthermore, the public consumes more non-news content and are more likely to be influenced by them, thus making them important sites of identity and ideological constructions as the news media do (Haryanto, 2011). This is especially true with the changing nature and affordances of media technologies, which allow for audiences to interact much more actively with content, compared to the typically one-way communication channels of the past. In the digital age, the definitions and roles of journalists, broadcasters, producers and others have become more complex. Contemporary references to journalists are media workers or content producers, to reflect expectations of production against the backdrop of media convergence. They co-exist in the media landscape with other individual internet users, political actors, and commercial or not-for-profit brands who also produce content. Social networking sites have provided common spaces for the various content to occupy and/or interact, thus reducing the once dominant news or journalism as the main source of public information (Franklin, 2014). The digital technologies have also introduced new forms of threats to and control over journalism through instances of online abuse or harassment, hacking, doxxing, and surveillance by state and non-state actors (Henrichsen & Shelton, 2022; Masduki, 2021). While this research will not analyse all media formats or content, it will attempt to include the perspectives of practitioners from the creative and digital sectors that are known to be important sites of contestation. Some examples of non-journalism media are the production and screenings of human rights short films or documentaries, the use of social media in political debates, and the work of poets and writers. The thesis does not set out to study legacy and social media as distinct fields but proposes to

address the structural affordances and limitations that contribute towards the changes and are factored in the reforms processes.

Media and financial assistance

A key set of actors in media reforms involves providers of aid and assistance, whether from state or non-state bodies to support a range of activities and objectives. Against the backdrop of the post-World War global reconstruction through modernization and diffusion of technologies, communication was seen as a tool to advance the well-being and interests of people especially those who were politically and economically marginalized (Deane, 2014; Miller, 2011). The Rome Consensus defines communication for development as involving listening, sharing knowledge and skills, building policies, debating and learning for sustained and meaningful change (*World Congress on Communication for Development: Lessons, Challenges, and the Way Forward*, 2007). Communication for development became a popular activity in development but was heavily challenged due to the imperialistic features and calls were made to decolonize the creation and flow of information and communication, which later saw the adoption of the New World Information and Communication Order. The 1980s saw the emergence of media development organizations that focus on creating free and independent media. With over 60 years of implementation and evaluation of media projects for development, there is still frustration over how the situation in recipient societies have worsened and for the most part the "history of early development media projects had no mention of women's roles or how they might benefit" (McPhail, 2009, p. 1).

A study on the links between international media assistance and media democratization in five Western Balkan states that sought integration into the European Union (Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Serbia) adopted the phase-approach, summarised as below:

> Phase 1: supporting independent media (1990s-2000s) tackling media monopolies, and reconciliation

Phase 2: Media reforms and institution building (1998-2005) that involved assistance for legal reforms, introducing independent self-regulatory bodies, public service broadcasters, advocacy organizations, and journalists' associations

Phase 3: Phasing out of the international assistance (from 2005) with the significant roll-back of assistance to handover ownership and responsibility to local stakeholders (Irion & Jusic, 2013:24).

International media assistance in these five countries resulted in high level of formal compliance of local media laws and institutions with European best practices, although there was a mismatch between the quality of the laws and the practical implementation due to obstructions from local elites. The results were mixed when it came to improving the overall performance and public standing of media regulatory bodies, with some successes but mostly top down approaches in setting up independent mechanisms for the media and public service broadcasters. The iron triangle of media, politics and business existed in these societies, which raised the potentials for media capture and re-politicization of the media (ibid: 35). There was little to no transparency in all aspects of media governance – such as ownership and financing of media operations (39). The constraints were primarily due to local context and the miscalculation by international media assistance in importing solutions from the more democratic societies. Transformation perceived as a linear process proved to be a challenge as "all…cases…have experienced retrograde processes and a sliding back after the external push for change weakened" (Irion & Jusic, 2013, p. 41). However, the authors concluded that the absence of coordination among donors and long-term strategies may have also contributed to the shortcomings.

There have been debates about the differences between media development and communication for development, and also concerns that the communication for development agenda may have co-opted but these have become blur (Deane, 2014). This is an important consideration to make as there are competing interests and agendas of the supporting organizations, which are driven by their own values and objectives. An example here is support to build the knowledge and skills of journalists to cover health or disasters versus support for the independent newsrooms to promote investigative and critical reporting. Given

the changes that have taken place due to increased use of media technologies and the globalized nature of movements and issues, one approach to reconcile the two fields is to view it as a continuum, with one end focused on the instrumental use of the media and the other would be the intrinsic support of independent, plural, sustainable, professional media as an intrinsic democratic good (ibid).

> "Between these two ends of the continuum would be an exploding dynamic field of highly innovative, geographically dispersed, impactful initiatives cutting across both the media development and communication for development communities where media at one end of the spectrum are supported purely in terms of a ser of institutions in society regardless of their social or public interest role. At the other is support defined purely in terms of how the media can be advanced to meet what the investing organization determines is a public good irrespective of whether this supports or nurtures the role of the media themselves." (ibid: 240)

In this continuum, we find a range of actors: international media NGOs, as well as the national or local organizations, with their respective personnel and experts. The international NGOs occupy an interesting position: they are non-state actors but Miller (2009) argues that they conduct essential interstate relations and hold themselves as champions of the universal and contemporary custodians of the values and principles, in this case, related to the media. He warns us that the media assistance project is a "dubious undertaking" and goes beyond questioning the effectiveness of aid to one of the influence that international NGOs have through their political-cultural interventions.

> "Their financial support comes from those same states and from the individual citizens of them, who may prefer NGOs' global posture – anti-political, apolitical, supra-political – to their home country's perceived partisanship. NGO's self-representation (and even self-identification) emphasizes their altruistic humanitarianism, but often in a fashion associated with product branding and other types of slick image-making. NGOs possess only quasi-accountability, since it is not always clear to whom they primarily answer: funders, 'members', boards, clients, the 'international community', multilaterals, fellow NGOs, etc. NGO personnel, as their numbers grow in

size, the character of their expertise becomes more arcane and their fields of operation shift to places far removed, increasingly constitute an occupational realm with the usual self-interests or regulating entry, determining qualifications, sustaining a need for itself and the like. These complex, conflicting qualities invest the nongovernmental organization with a significant and probably historically novel source of power." (Miller, 2009:26)

In this light, a study on the U.S. journalism foundation, Internews provides useful insights. While it does not aim to generalise all players in the sector, the study raised questions about how development staff viewed their roles in relation to their recipients (Geertsema-Sligh, 2019). Staff interviewed were conscious of the dangers of offering cookie cutter solutions, they expressed belief in the value of the work, and that the beneficiaries were adequately consulted. But study also supported earlier ones about the missionary aims of media development and the extension of global power and politics, especially when the organizations are located in and supported by state funds and grants. But can aid determine the success of reforms agendas? An analysis of 26 out of the 28 post-socialist countries as of 2014, using the Reformers' Dilemma model, concluded that for reforms to be successful, the political agents in the transitioning societies must overcome the dilemma – whereby one set of political agents use aid to own and implement policy while the other uses the aid to cater to special interest groups or vested agendas (Leeson & Coyne, 2007). Their study that used data from the World Bank (World Development Indicators) and Freedom House (media freedom indicators) supported their theory that greater media freedom will be associated with higher levels of economic development. Secondly, the Reformers' Dilemma will predict that free media is important as a monitoring mechanism and the potential misuse or abuse of foreign aid.

> "In fact, our theory indicates that increasing aid in nations without free media may actually worsen economic development since in these places more aid translates into increased capacity of predatory politicians to pursue activities that benefit themselves at the expense of the public. Conversely, in countries where the media is independent of the government, citizens can use the media as a tool to monitor and punish deviant political actors. As such, foreign aid is more likely to contribute to economic advance. Our theory therefore predicts

that greater media freedom will increase the productivity of foreign aid." (ibid: 244)

The authors suggested that there should be conditionalities to the aid to prevent use of aid for narrow interests and that aid is given once the threshold for media freedom has been achieved. They further recommended that the development community efforts "would be best spent creating an environment in which independent media sources can flourish in reforming countries *before* doling out assistance or tackling more policy oriented issues" (ibid: 248, emphasis by the authors). However, the issue of aid conditionality – typically related to fiscal contributions and policies - is a controversial one, with the general consensus that it worked better when applied on democratic governments (Montinola, 2010). There are also structural problems with the application or use of the grants, as aid that mostly went to governments risked misuse or corrupt practices (McPhail, 2009).

Media reforms and movements – country cases

The 1990s saw a wave of 'democratization' in a number of countries in the African continent, followed by the opening for media that included guaranteeing press freedom in the respective constitutions, replacing state broadcasters with public broadcasters, and reforming laws that had been used to silence journalists and critics (Ocitti, 1999). The role of civil society is particularly important in pushing for reforms. Civil society organisations, together with independence and reformist media outlets or leaders, became increasing active and open during this period and found themselves in situations where they had to negotiate with other stakeholders from the old regime. Groups considered to be anti-state or anti-regime and operated as underground or in exile used the open environment to conduct consultations, meetings and mobilise for change, while some focused their work as watchdogs to monitor reform plans and democracy initiatives. There are differences in the notions and agendas in articulating reforms or people's media as seen in some of the country experiences. The Asian experiences particularly demonstrate this tension and will be discussed below. The phrase media movements is relevant here as it could be used to describe civic initiatives in changing laws, media content, and practices to expand citizens' access (Waisbord, 2010). In his

analysis of Uruguay and Argentina, Waisbord (2010) found that media movements were effective when broad coalitions were built, combined advocacy and legal actions, and found receptive allies in key government positions. Both policy reform and civic advocacy journalism examples showed that the political elites had unmatched power in policy making as well as news making, but movements and civic society held a progressive view of the state, as allies in the process of change (ibid).

Literature from the early years of the reforms were already critical of the directions and accomplishments of the reforms. Reflections two decades on pointed to the reversal of gains made for the media and citizens' participation in democracy (Ocitti, 1999; Wasserman & Benequista, 2017). In Uganda, Kayanja (2002) writes that the country's authoritarian past and weak institutions such as the judiciary hindered much of the developments for independent media and public access to information. Oppressive media laws like the Newspaper and Publications Act and Press Censorship and Correction Act were repealed and replaced with the Press and Journalist Act after the resistance-led new constitution was adopted in 1995, ensuring that undue banning of publications was no longer practiced. However, other laws continued to criminalise journalists on the grounds of sedition and libel, while the state used other means to pressure opposition media and journalists critical of the government (ibid).

Historically, many of the countries in Latin America and Asia experienced authoritarian regimes that consolidated control of the press and broadcasting in the hands of the state. Since the late 1990s and especially the early 2000s, economic liberalisation allowed for the growth of private television networks that boosted media technologies and convergence. However, these did not push any social agendas, and media were largely uninterested in diversity or the inclusion of diverse voices (Doleac, 2015). Most were aligned strongly to the regimes in power against the backdrop of a political economy system that supported patronage, clientelism, and rent-seeking (George & Venkiteswaran, 2019; Nain & Anuar, 1998; Sen, 2002). The subsequent media reform strategies included guaranteeing communication rights, which empowered communities and citizens to set up their own media and prevent media monopolies, where large media companies continued to dominate the markets. The shift towards ensuring fair distribution of spectrum for broadcasting and support

for non-profit or communities (the third sector of media) challenged the hegemony of the market logic over the media system (Gomez Garcia, 2013).

Taiwan had been under martial law until 1987 and media were mainly controlled through ownership, licensing rules, and content restrictions. In Taiwan during the democratisation period in the 1980s and 1990s, the guerrilla media had worked with civil society and the parties in opposition to challenge the regime. Among the measures taken during the liberalization by the Kuomintang was to separate the state from media ownership, although there was significant challenge to remove all ties to the newspapers and television stations, which the Democratic Progressive Party took up after it won the elections in 2000 (Rawnsley & Feng, 2014). However, those media that participated in removing or challenging authoritarian regimes, sought to take advantage of liberalization in the transition or post-crisis situation. The Taiwan guerrilla and underground media of the opposition party, especially the radio stations, dropped its oppositional nature in favour of the benefits of the market (Chin-Chuan, 2003). During the second wave of democratization, the reforms involved more targeted media policies, prompted by ongoing civic movements in response to domestic issues, calling for an end to the media monopoly (Rawnsley & Feng, 2014). The Anti-Media Monopoly campaign succeeded in 2013 to prevent a buyout by existing media conglomerates of China Network System (then the second largest cable television provider in Taiwan) and the Next Media Ltd, a process that had begun in 2011 (ibid). Several organisations, namely student groups such as the Anti-Media-Monster Youth League and the 901 Anti-Media-Monopoly Union, led the reforms process. The campaign as well as the reforms process had revealed several weaknesses in the media sector in Taiwan. These were:

- Insufficient regulations to prevent media monopoly;
- A lack of coordination among media regulators to establish an overview and critical examination on cross-media ownership;
- Policymakers continued to view free market as the main priority even in discussions about press freedom and were reluctant to consider alternatives. Yet, empirical evidence from Taiwan and overseas had shown that unregulated commercialisation was as damaging to the free press as political interference.
- No satisfactory mechanisms in place to enhance the accountability, quality and efficiency of political debates regarding cross-strait issues. (ibid: 115)

In South Korea, it took about a decade before a civil society movement for reforms was borne, under the leadership of Kim Dae-Jung, described as the reformist government, since 1998. The number of civil society organisations almost doubled between 1997 and 2000, and the media reforms were led by the People's Coalition for Media Reform, set up in 1998 by representatives of various journalists' groups and other professional and interest-based associations. Their focus was on a new broadcast law and the unfair competition practices by large newspaper companies, as well as editorial independence (Kwak, 2012). While there was more relaxation in controls, the subsequent civilian governments used a number of laws on tax, the Press Arbitration Commission, and other lawsuits over 'unfavourable' media coverage to regulate the media (ibid). Using the concept of political parallelism, Kwak (2012) argued that while the democratization process allowed for the media to be open and liberal, whereby media were able to report on and criticise the governments, they tended to be aligned to the different political ideologies and by extension, political parties. This was obvious in the conservative bias of a majority of the newspapers and the broadcasters, while newer media outlets took on or supported the progressive roles. This partisanship was demonstrated through the relationship between media, civil society and political parties.

In Thailand after the 1992 Black May people's uprising, civil society lobbied for the inclusion of people's media rights in the new law and promoted the discourse of 'people's rights', while the business community insisted on the discourse of 'the free market'. The government pushed for a discourse combining centralized control and capitalism under the notion of 'national security' (Brooten & Klangnarong, 2009). People's groups and communities took to the notion of a people's media, which was put forward by academics and civil society, following this uprising. An academic forum in Chula University entitled "The Crisis of Communication" resulted in concrete recommendations including media ownership reforms, legal provisions to protect people's rights to accurate information and development of independent regulator. Brooten & Klangnarong (2009) wrote that the research continued until 1996 and together with public pressure, informed the drafting of the

1997 Constitution (widely called the People's Constitution). Articles 39, 40 and 41[10] of the 1997 Constitution were important to civil society media on guarantees of freedom of expression, public's right to access the airwaves and media professionals' right to conduct their work free from interference. Yet, the constitution was not necessarily followed by laws to guarantee those provisions and protections – as exemplified by the delay and resistance in setting up the regulatory body for the broadcasters for the next decade, which also became the cause of conflicts under subsequent civilian and military rules. They concluded that there should be a small but very active network of people committed to promoting and maintaining these rights. In the context of community radio, laws were necessary to support people's rights to access the media and express themselves freely. However, the unstable political environment in Thailand in reference to the 2006 coup[11], made that task difficult (Brooten & Klangnarong, 2009). They suggested that reforms that supported people's media needed two dimensions that should develop together: firstly, democratisation of the airwaves and the decentralisation media ownership, and secondly, promoting a deep-rooted concept of democratic, free expression. They concluded that if "civil society is allied with media groups in promoting communication rights, media reforms can be advanced even where legal obstacles exist" (Brooten & Klangnarong, 2009:115). Other studies of media reforms have adopted the communication rights and media democratisation approaches, which Hackett and Caroll define as "media-oriented activism that expands the range of voices accessed through the media, builds an egalitarian and participatory public sphere, promotes the values and practices of sustainable democracy outside the media, and/or within the media, and offsets the political and economic inequalities found elsewhere in the social system" (Hackett & Caroll, 2004). They assert the importance of critical social movements in the context of media reforms or democratisation as integral to any radical politics to challenge the dominance and consolidation of corporate power in the global communications sector. The idea is not new, and was widely promoted among media reformers in the US, led by media scholar Robert McChesney, who wrote on the urgency to reign in capital power, provide more support for non-profit media, and establish coalitions of people's and interest groups as a broad social movement to democratise society (McChesney, 1998). Thai media scholar

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[10] Asian Legal Information Institute (n.d.) Constitution of the Kingdom of Thailand 1997. http://www.asianlii.org/th/legis/const/1997/1.html

[11] Since 1932 when absolute monarchy was abolished, the Thai military has launched 22 coups, of which 13 were successful, and it has initiated 20 constitutional amendments. (Jakarta Post: https://www.thejakartapost.com/opinion/2023/03/24/thailand-a-country-of-military-coups-but-stable-and-prosperous.html)

Ubonrat Siriyuvasak applied these ideas, including the four sets of strategies for interventions, in the context of exploring people's media and communication rights in Indonesia and Philippines. She concludes from her study of the two countries that given the shrinking spaces for genuine public debate or alternative space for dissent, several people's media projects and use of digital tools have been able to "restructure the political economy of the communications infrastructure and the cultural environment to enrich themselves as active citizens" (Siriyuvasak, 2005, p. 259).

Birowo's (2011) study on community radio stations in Indonesia that developed during the transition period showed the important role of the coalition of civil society groups in articulating demands for the legal framework and in lobbying for the establishment of an independent regulatory body. In several regions, community radio networks were created that brought together academics, NGO activists, journalists, radio practitioners at seminars to promote community radio and create pressure groups for laws that would support such media – one of them being the Advocates for Draft Broadcasting Act (*Advokasi Rencana Undang-undang Penyiaran*) in 2002 to lobby for the inclusion of community radio in the broadcasting law (Birowo, 2011).

Developments in information and communication technologies (ICT) paved the way for grassroots activism and advocacy especially since the mid-1990s and how far these can change authoritarian regimes (Kalathil & Boas, 2003). For two decades, scholars focused the ways in which the internet facilitated mobilisation and transnational movements, alternative views and information, and community building. A meta analyses of papers addressing the topic across different locations found that there was little evidence to support either the techno-utopians or the critiques of technology, and that distinctions needed to be made between movements that combined offline and online work, and those that were primarily online (Earl et al., 2014). The IT as a fix for all problems in the development sector to has been challenged because of its overly-materialist presumptions and approaches, but that there were significant contributions in providing the platforms and building connections (Lee, 2017; Thomas & van de Fliert, 2015). Before too long, the euphoria that came with the successes of civic movements and internet activism have been threatened as new market forces start to capture media platforms. In closed societies like Myanmar, technologies such

as CDs, DVDs and the internet helped activists etch away at the regime control but these were not match for the overwhelming impact of repressive laws and actions against those who produced, curated, distributed or possessed anti-regime materials (Brooten et al., 2019). In Indonesia, while the internet had some impact in supporting civil society during the immediate months leading to the fall of Suharto , big media replaced the smaller, community based independent set ups that spread the information related to the *reformasi* and the civil society then lost its momentum or a common agenda (Lim, 2003). While the political environment was considered more enabling for participation in Indonesia, activists and students were aware of the repressive elements in the internet laws that constrained large scale online campaigns and movements (Suwana, 2018).

Media and politics in Indonesia and Myanmar

The topics of media affecting political change or being affected by external socioeconomic and political factors have been studied extensively in the two countries, despite challenges to access information and travel in Myanmar. The political economy of journalism in Indonesia was the subject of the late Daniel Dhakidae's PhD thesis completed in 1991 titled "The State, the Rise of Capital, and the Fall of Political Journalism: Political Economy of Indonesia News Industry". It remains an influential work that has shaped much of the research on media in the country for scholars from around the world. It provides a thorough critic of the economic system from a Marxist perspective. The dissertation details discussions about how advanced capitalism and the commodification of news essentially killed political journalism in the country. His is one of the few works by Indonesian scholars to have tackled the question of political economy during the New Order, and Dhakidae focuses on the press and conducted detailed interviews. Two other important sources of critical analysis on the topic are Farchan Bulkin ("State and Society: Indonesian Politics Under the New Order, 1966-1978" PhD dissertation, University of Washington, 1983) and Mochtar Mas-Oed ("Ekonomi dan Struktur Politik Orde Baru 1966-71/New Order Economy and Political Structure 1966-71", Jakarta / LP3ES / 1989) (Hadiz, 2002).[12] Dhakidae not only analysed the ownership and commercial aspects of the news media, where he focused on

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[12] Hadiz (2002), a political economist and who himself has made significant contributions in the study of oligarchs and elites, writes that references on political economy in Indonesia were done by non-Indonesians such as Australian Richard Robison and American Jeffrey Winters.

Kompas, Tempo and Pos Kota, his thesis traced the socio-political history of the press against the backdrop of the nationalist movements, independence and democratization, and content analysis of the media.

> "In spite of the large sections on state policy the most fascinating parts of the thesis deal with the "rise of capital" in the industry, specifically the rise of the giant *Kompas*, *Tempo,* and *Pos Kota* groups (the last owned by Harmoko himself). Key developments included the introduction of ever more sophisticated production technologies and the rise of advertising revenue. Thus, somewhat paradoxically, the more sedate and non-controversial news reporting became, the bigger it was as a business. Dhakidae goes so far as to suggest that *Tempo* became an "advertisement magazine…. became capital unto itself, being able to cut off its economic performance from its quality."" (Hadiz, 2002, para. 21)

In the immediate years of the *reformasi*, Angela Romano's work *Politics and the Press in Indonesia: Understanding an Evolving Political Culture* (2003) is particularly important in understanding how journalists navigated the challenges posed by the economic and political circumstances. She adopted a sociological approach to examine the changes in the news industry, as indicative of the trends that have happened in the wider political and socio-economic arenas in Indonesia. The shifting political culture from Suharto's repressive one, to the opening under Habibie, Gus Dur, and Megawati was used by those in favour of liberalising the media and journalism to push for legal and constitutional changes. The *reformasi*-era presidents were not without challenges for the press, among them, gaining access to official information or conducting interviews with ministers and bureaucrats who were yet to be comfortable with the notion of a free press. When Megawati became president, journalists quickly discovered her averseness towards the media, reminding them of the Suharto days, and quite the departure from Gus Dur and even Habibie (129-130). Romano also recognised the importance of interpretive-community analysis, in which the journalists and their informal networks were also studied to understand how they described and experienced significant events, citing Claude Levi-Strauss's use of the phrase 'hot moments' (Romano, 2003: xv).

"These 'hot moments' do not exist as an objective reality, but instead result from the individuals and groups whose discourses assign meanings and social significance to events regarded as benchmark moments or historically notable occasions." (ibid)

Around the same time, Janet Steele undertook an extensive look at the relationship between the political environment and Tempo's newsroom decisions over the 23 years until it was banned in 1994 during Suharto's time, with updates post-*reformasi*, including the defamation case against the magazine. The outcome of the 15-month long research starting in May 1999, is titled *Wars Within: The Story of TEMPO, an Independent Magazine in Soeharto's Indonesia*, first published in 2005. It involved observations of meetings, trainings, social gatherings and conversing with Tempo editors and reporters, was a rich narrative surrounding the complex issues that confronted the magazine, which many described as being critical, yet at the same time, adopting pro-establishment strategies during the New Order. The book dedicates much of the narratives to the role and influence of founder Goenawan Mohamad, who was the pull factor for young journalists to join *Tempo*, which had an influence and shaped audience perspectives particularly among the elites and middle class in and around Jakarta. "A child of the New Order but also its subtle critic, *Tempo* operated both within and outside the moral drama of Indonesian political life," wrote Steele (Steele, 2014, p. 176).

Ispandriarno (2008) traces the transition period and the state of the freedom of the press in the country, through a political communication framework. He analysed the profiles and roles as well as the "attitudes and efforts" of the political structures (including politicians, legislators, civil society actors, media representatives) in the legal changes that took place following *reformasi*. These were gleaned from interviews and content analysis of media that covered the debates about laws affecting the press. Ispandriarno's thesis focused on the discussions for the draft of the Press Law and its eventual debates and passage by the legislative bodies. Janet Steele noted how the Press Law "the crown jewel of *Reformasi*" was a result of collaboration between various actors: the journalists, the minister of information, the public, and the legislators (Steele, 2012, p. 2). She noted in particular how Habibie and the minister of information, Yunus Yosfiah, became the unlikely champions of press freedom. In the immediate days of his appointment, Yunus agreed to meet with journalists'

representatives and leaders, including those who had been banned during Suharto's time, to discuss reforms for the media. Among the advocates' demands that he adopted even before discussions about the law began were to annul regulations that restricted the press, opening the licensing process with no restrictions, and announcing that journalists could join any press or industry associations. She highlighted the contributions of key individuals for their involvement in the drafting process, including press freedom advocates Lukas Luwarso (then president of the Aliansi Jurnalis Independen), Atmakusumah Astraatmadja (the dissident journalist and later journalism trainer), Leo Batubara (representative of the Masyarakat Pers Indonesia)[13], and Toby Mendel (then the legal expert at ARTICLE 19), while the president and the minister were said to be the only two members of the cabinet that supported and pushed the press freedom agenda.

> "Although there will always be a variety of opinions about who deserves credit for the passage of the landmark 1999 Press Law, it was ultimately Indonesian journalists – and the students and civil society groups that backed them – who kept up the political pressure that led to the institutionalization of press freedom. As Atmakusumah put it, the initiative came from Yunus and the context from Habibie, but the movement came from the Indonesian people." (Steele, 2012, p. 21)

Herlambang Wiratraman's dissertation titled *Press Freedom, Law and Politics in Indonesia: A Socio-Legal Study* is an in-depth research into how the laws and the judicial system influenced press freedom in the country since colonial times until the changes post-*reformasi*. It presents a detailed historical review of the laws from the colonial period, cases and practices that affected the press and an analysis of the constitutional debates about freedom of expression. Wiratraman (2014) concluded in his dissertation that while freedom of the press had improved significantly after *reformasi*, the use of criminal and civil laws as well as administrative reviews, combined with the introduction of new rules, had the effect of stifling the media, even though the much-celebrated 1999 Press Law was meant to protect journalists. The struggle was for the judiciary to use this law when it came to censorship, defamation and attacks against the media, as it was not recognised as *lex specialis*. Notable positives in terms of supporting press freedom was a Supreme Court decision which affirmed

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[13] Ispandriarno (2008) interviewed these leaders for this research to explain the negotiations and considerations for the draft press law.

the role of the Press Council as arbiter in one of the four cases involving *Tomy Winata vs Tempo*[14] (Wiratraman, 2014, p. 222). This challenge was made worse by the violence against journalists, which were not only carried out by the state machinery, but had become privatised – whether by private business elites or members of society. The state had not fulfilled its role to provide the protections necessary to support the exercise of press freedom. At least 13 killings of journalists remained unresolved, leading to the threat of impunity.[15]

Given the long decades of a closed regime, academic research was hard to undertake in Myanmar. Reports by international non-governmental organizations were important references for media observers and researchers, as they contained a rich set of data on the media landscape in the country under strict censorship, with detailed accounts of arrests and jailing of writers and artists or publications that had been sanctioned. Journalist and consultant Martin Smith (1991) produced a country report for another international freedom of expression group, Article 19, titled *State of Fear: Censorship in Burma*, which provided much needed information about the state of expression under the military regime. Anna Allott's introduction chapter in an edited collection of short stories in *Inked Over, Ripped Out*, published in 1994, provides a comprehensive and historical overview of censorship in Myanmar and its mechanisms. Writers took advantage of the short reprieve in 1988 to publish their works that had been banned before, and the book was published by PEN America Centre, an international group that provided support for persecuted writers. Writing and reading between the lines was a strategy widely used by writers, poets and journalists under the junta, but they treaded a fine line between being creative enough to beat the censors and providing just enough clues to be able to speak to the audiences.

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[14] Tomy Winata, a banking business tycoon, was named in a March 2003 investigative report in Tempo as responsible for a suspicious fire that broke out at the Tanah Abang market on 19 February 2003. Winata filed for defamation against the company and its editors for the published stories as well as statements by the editors who had criticized him for the attacks they received subsequently, and was awarded damages as well as public apologies from the outlet. One of its editors was also sentenced to jail for defamation (Wiratraman, 2014). The case, together with others involving high profile politicians, came as a disappointment to the media and press freedom advocates who claimed that the courts were being used to decide in favour of powerful elites (Sipress, 2004).

[15] Committee to Protect Journalists (CPJ) website on cases of journalists killings between 1992 and 2023 for Indonesia:
https://cpj.org/data/killed/asia/indonesia/?status=Killed&motiveConfirmed%5B%5D=Confirmed&motiveUnconfirmed%5B%5D=Unconfirmed&type%5B%5D=Journalist&type%5B%5D=Media%20Worker&cc_fips%5B%5D=ID&start_year=1992&end_year=2023&group_by=location

"Of necessity, in a country where no direct criticism of government policy or of individuals who hold positions of power is permitted, writing is frequently allusive or ironical, so much so that even Burmese readers not keyed into the clues may not appreciate the point of a piece, still less those Burmese who have been living abroad for some time, and still less the foreign reader. A writer in Burma has, therefore, a constant dilemma: he is never quite certain how far he dare go, for, if his criticisms or his protest or his satire is too obvious it will not be approved by the censors and will be forced to lie unpublished in his desk drawer. Worse still, it may even bring about his arrest. On the other hand, if the work is too veiled, or couched in too allegorical or symbolic language, the message he is trying to convey will not be understood." (Allott, 1993, p. 2)

These two publications are among the most cited sources of information in the years leading to the opening. Scholars such as Lisa Brooten (writing on exiled media), Jennifer Leehey (on censorship and literature), and Jane M. Ferguson (on ethno-nationalism, music, and cinema) began researching and writing about various aspects of media and creative expressions since the 2000s, while the topic featured as chapters that provided updates on the status of publications and journalists operating in the country. Edited collections on the country tended to focus on the military offensive, ethnic nationalities and the political contestations, with minimal attention to media or expression. For example, in an edited collection published in 2012 by Nick Cheesman, Monique Skidmore and Trevor Wilson titled *Myanmar's Transition: Opening, Obstacles and Opportunities*, two chapters are dedicated to the media. The first is by Nwe Aye on the role of the media as a watchdog for corruption (p.186-203), and the other by Pe Myint (later NLD Minister of Information) on the emergence of weekly news journals in the country (p.204-213). The edited collection by Lisa Brooten, Jane M. McElhone and this author titled *Myanmar Media in Transition: Legacy, Challenges and Change* (2019) was the first to focus on media and expression over various platforms, strategies, and actors, bridging the internal and international factors and involving Myanmar and foreign contributors. The central argument of the book adopts McCargo's (2003) description of the media and actors of expression as agents of stability, restraint or change.

Conclusion

Media reforms in transitioning societies were mainly studied within the frameworks of transition politics and media systems. These were premised on the notion of a linear transition towards democratisation and its parallel results in changes for the media. Ideas of consolidated democracies, a free and independent press and the resulting developed society have been critiqued (Carothers, 2007; Curran, 2007) due to the assumptions of these ideals as universal goals and the overwhelming focus on the state as the primary sites of change, while others argue that the media industries and players are dynamic and diverse internally and externally, and are often located in gray areas in the economic, social, and political spectrums ((McCargo, 2012; Roudakova, 2008; Voltmer, 2013). From this perspective, transitions or phases are not clear as different actors with their own short or long term goals, are in a constant state of negotiation. Feminist scholars have also questioned the viability of the democratic system mainly because it tends to exclude women and minorities (Cornwall & Goetz, 2005). Advocates for communication rights from South America and Asia instead focussed on people's movements and demands for the democratisation of media, which also challenged the dominant structures and control of media resources (Birowo, 2011; Brooten & Klangnarong, 2009; Gomez Garcia, 2013; Siriyuvasak, 2005). As several authors find, the outcomes of the reforms and the extent to which a previously controlled or tamed media, is now able to function effectively as the fourth estate, are best described as mixed (Jebril et al., 2013; Kumar, 2006). Several themes offer important points of reflection in identifying the gaps that this research could address. The first is the perseverance, albeit with some changes, of the authoritarian features in the transitions, whereby the likelihood of regression or return to the controlling state, is high. The Central and Eastern European Countries witnessed capture of the media and the return of authoritarian forces, thus reversing much of the gains achieved during its transition. Similar trends were observed in Thailand and Indonesia, the latter witnessing the reconfiguration of old powers in and alongside the state structures. Secondly, scholars from the development sector have cautioned about its pitfalls and sounded the warning bells about the dangers of the 'one size fits all' approach. Yet, many media reforms and development initiatives which receive international aid, see the imposition of models from the developed societies to recipient transitioning ones. Thirdly, the literature on the topic mainly provide analyses at the country level, which did not take into account the political gaps between the so-called central governance and regions with different ideas of

political freedoms, independence and reforms. Chakravartty & Roy (2013) make valid points about the need for a new typology of media systems to better represent its pluralism, the role of both formal and informal politics, and the gray areas in which media alliances exist that introduce different forms of control.

Chapter 3: Negotiating power in media reforms – a framework for analysis

As the previous chapter has shown, the analysis of media in the context of political changes across Asia, East Europe and Africa, foregrounds the role and influence of the state, but at the same time, other actors are actively involved in different ways and to varying degrees of influence. The media systems analysis, with its shortcomings, can still be useful to provide a preliminary basis to understand the changes related to media during the transitions, but it cannot fully explain the experiences at the macro as well as micro levels, and how changes are articulated. These are addressed through a critical analysis of the power relations involving the different actors and stakeholders. For the purpose of the thesis, the analysis will include political actors, businesses, civil society, media, and the international community, as those who have the power to influence reforms, policies and decision making. Media reforms, at a minimum, are attempts at restructuring legal, political and social environments to enable the media to operate freely and independently, respecting diversity and plurality (Price & Krug, 2000; Unesco, 2008). It can be part of a broader campaign for democratization to fulfil the public's exercise of freedom of expression and information, or as campaigns to democratize the ownership of and access to the media (Freedman & Obar, 2016; McChesney, 1998; Siriyuvasak, 1994; Voltmer, 2013; Waisbord, 2010). The chapter presents the three frameworks for analysis of media reforms during political transitions in Myanmar and Indonesia: i) political economy of media in transition; ii) international development assistance and media development; and iii) participation and inaction in policy making law reforms.

Political economy of media in transition

The first theoretical framework involves the notion and power of the state vis-à-vis other actors and the extent to which they are influential in the political and change process in relation to the media. Globally, the political economy of transitions and media offers a resilient and relevant theoretical framework as it highlights the ways in which power is held and consolidated in relation to the institutions in society. Drawing from the Marxist tradition, scholars have used political economy in the analysis of political and regime change in various countries and regions, including Southeast Asia. In particular, these works highlight the ways

in which the role of oligarchs, patronage politics and crony capitalism involve a re-negotiation of networks in the economic and political sectors, most obvious during transitions (Ford & Pepinsky, 2014; Hadiz, 2013; Jones, 2014). In media and cultural studies, a political economy approach recognises that the media are a part of the broader system of industrial and commercial production, while also disseminating ideas about economic and political structures in society and where the media legitimizes and cements public consensus of the system in place (Golding & Murdock, 1997; Sudibyo & Patria, 2013; Wasko & Meehan, 2013). The growth of the capitalist class, seen in economies such as Indonesia, Thailand and Malaysia, also saw the proliferation of private media owners, first with the print and later with the broadcasters often benefiting from close ties with the ruling elites (Nain & Anuar, 1998; Pongsudhirak, 1997; Sen, 2002; Thomas & Nain, 2004). On the one hand, the states lose the full and direct monopoly over the media, but the manufacture of consent is now created through the favourable treatment for allies through unfair regulations, high barriers to enter the market and other interferences in newsrooms (Golding & Murdock, 1997). As discussed in the previous chapters, scholars agree that a media structure that is free of controls (government, business, interest groups) can better support the process of democratization that often define the political transitions. However, there have been challenges to the democratization paradigm (Whitehead, 2002), as well as studies in media reforms, including assumptions that post-authoritarian states and the media would inherently support democratic transitions and consolidation. This occurs because the new political forces that replace authoritarian regimes also have an interest in retaining control over media (Voltmer, 2013). Weak states are more likely to derail reforms because the governments are unable to provide the necessary conditions for the people to have freedom of political expression (Rotberg, 2004). In the context of the media and the public's right to expression in the democratization phase, Voltmer (2013:135) argues that a strong state is one that is "capable of implementing and enforcing legislation and the allocation of resources" while simultaneously restraining itself so that it "is willing to devolve power and to tolerate and encourage public spaces where divergent views and dissent can be expressed". Yet, media policies formulated by new governments, as in the case of post-Communist East Europe, tend to be mere improvements or successions of the old ones and do not meet the traits of a reformist agenda (Milton, 2001; Papathanassopoulos, 2015). Milton (2001) writes that the post-authoritarian political actors will retain media dependence and use political opportunities and resources to pursue their own agendas. In time, old and new state and non-

state forces capture the media, thus narrowing the spaces for expression and independent reporting (Rothman, 2015; Schiffrin, 2017).

Feminist political-economists argue that the relationships between the different actors require an analysis of structure and agency and how they navigate around the minefields and challenges. In the context of the media, including the digital media, the studies of ownership and control are important to analyse power relations, existing class systems and other structural inequalities (Steeves & Wasko, 2002). Martin (2002) suggests that we interrogate the location of power in the infrastructures and processes of systems of communication, who has control within the social agencies related to these structures and their interests, and if any shifts in power and control are possible (58). In a study of the Mexican media using the feminist political economy framework, Montiel (2012) finds that despite developments in the media and political liberalisation, women were underrepresented at the macro, meso, and micro levels in the media industry; due to the patriarchal capitalism, there were only a few actors (ownership, management and staff) and they were hardly any women (ibid: 314). The prevalence of inequalities, especially in the global south, warrant inquiries about how factors such as class, geography, gender, ethnicity and other identities could intersect to influence media experience and participation (Crenshaw, 1989). As the research also problematises the gendered aspects of participation, it is possible that men and women respondents would answer differently or tell the stories differently (Berger, 2014), as such, the analysis will need to be able to identify some of the sources of these differences. With that, it is hoped that the academic discussions about gender and media move beyond portrayal and representation, towards a critical analysis of voice and influence.

We can observe in transitioning societies that changes to the political systems and even the media are fundamentally questions about who would benefit from the outcome, and how the existing power structures define the scope and substance of the reforms. For example, law and policymaking can represent the battleground for contrasting interests and the legitimation of various actors' ideologies, including that of the state and its institutions, political parties, interest groups, media businesses, journalists' associations and international institutions. The interaction between different actors, the institutional structures within which they work and the objectives they pursue determine how the different groups get involved in

or are excluded from the law-making process (Freedman, 2006). The following sections will explain the scope of three of the key actors in this thesis: the state(s), media, and civil society.

States as power holders and arbiters

Tackling the question of who the power holders are can be a complex undertaking. The power elite theory suggests that there is a small group of people who exercise control and influence in economy, politics, culture, and other areas of authority and "who impose their world views and everyday regimes on those who lack 'elite' power" (Freedman, 2014:32). The power elite theory by C. Wright Mills is based on three main variables for the power elite: the political, economic, and military, informed by a particular historical context in the US. There can be differences inside elite groups but the conflicts on position or policy are generally tempered by the overall common interests of the dominant class (ibid). Critics have argued over the years that the focus on the elites as a unified group ignored the fragmented and diffused nature of the elites even in Western societies and the changing nature of politics, which had become globalized, as well as the roles of opposition politics and community representation (Horowitz, 1981). The state, its institutions and elite non-state actors hold more power than the other stakeholders because they dominate the law-making structures and processes or within the business structures, the ownership and distribution of media outlets. As emphasised by Winters (2014), the relevance of the oligarchy as discussed in the Indonesian context, is that it is not to ignore that there are other equally important actors and processes but that these elites and oligarchs have disproportionate power.

As the framework relies quite significantly on the state, it is important to provide some definitions and nuances. The 'state' can be described as a "set of institutions with determined functions - the ability and the resources to exercise power within a certain territory", and acts as a "strategic terrain or arena for the competition over power" (Waisbord, 2015:36-37). Rather than treat the state as an entity, it is more useful for political analysis to adopt the state as systems and as ideas, and as such, the relationship between political and non-political power (Abrams, 1988: 82). Migdal (2001) argues that authority is "fragmented and contentious" (14) and the state should not be defined against the ideal type that has come to dominate scholarship on states, whether successful or deviating from those ideal standards.

In his thesis of state-society relations, the two important elements of state are the image/perception of the state (represented by the territorial boundaries and separation between the state and other social actors) and its practices.

> "The state is a field of power marked by the use and threat of violence and shaped by (1) *the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by that territory*, and (2) *the actual practices of its multiple parts*." (Migdal, 2001: 15-16; emphasis in original text)

Migdal's use of the term 'field' to encapsulate the image and practice, is informed by Pierre Bourdieu's concept, which refers to a multidimensional space where the symbolic and material elements of the relationships are equally important, i.e. the image and practices and where power denotes "the struggles over who dominates" (2001:22). The state is paradoxical and should be seen in dual terms simultaneously,

> "first, the powerful image of a clearly bounded, unified organization that can be spoken of in singular terms…as if it were a single, centrally motivated actor performing in an integrated manner to rule a clearly defined territory" and secondly "as the practices of a heap of loosely connected parts or fragments frequently with ill-defined boundaries between them and other groupings inside and outside the official state borders and often promoting conflicting sets of rules with one another and with "official" Law" (22).

The state also continually morphs which means its "organization, goals, means, partners, and operative rules change as it allies with and opposes others inside and outside its territory" (23). According to Migdal, at the same time, the state boundaries – part of the image - are also not fixed and can be assigned different meanings to different actors: the lines that draw the territories may be resisted by secessionist movements or other types of social formations including smuggling rings or tribal and religious relationships. The multiple faces of the state and its constituents are particularly relevant in the discussion of the post-colonial nations that have developed along geographical, economic and cultural lines in the new countries. Literature on democratic transitions have discussed this as part of the centre-periphery

relationships, in which centres tend to be more privileged, powerful, and positioned as the resource- and culture-rich and dominant locations, whereas the peripheries are less developed, remote, with parochial cultures and separate identities (Thawnghmung & Htoo, 2021). Most scholars and discussions of the core-periphery framework refer to Johann Galtung's three characteristics: attributes that distinguish the core from the periphery, exchanges between the core and periphery defined by the goods and nature of the exchange, and the pattern of interaction between the two (Wellhofer, 1989). The two main schools of thought relevant to this discussions are the neo-classical and neo-Marxian theorists who have among others, questioned the nation state as the unit of analysis, the former arguing that markets and voluntary associations that for the central mechanisms of social order are self-regulating institutions that will maintain the equilibrium and where conflicts are seen as productive competition, while the neo-Marxians argue that markets are politics are not voluntary or self-correcting mechanisms that will result in inequalities and that conflicts will be disintegrative (ibid: 341-342). This perspective is relevant for the study of Indonesia and Myanmar where historically, several nations or kingdoms existed and were formed as nations during and after European colonization. The 'modern' states inherited the centralized administration and the imbalance in power and influence with the states, regions or provinces in favour of those who controlled the centre. In his study of two provinces - Oaxaca, Mexico and Santiago del Estero, Argentina - Gibson (2005) theorised the possibilities of subnational authoritarianism within a nationally democratic nation-state and where the relationships between the centre and periphery are mutually interdependent and not only one of subordination (of the periphery). The framework used suggests that there are potentials for boundary control and opening for local and national oppositions as a result of the local power asymmetries between subnational incumbent and opposition parties in authoritarian provinces (Gibson, 2005, p. 129). The agents for the boundary opening were party leaders in Mexico and central government officials in Argentina. Subnational authoritarianism and the concepts of boundary control and boundary opening help explain the driving forces and political trajectories at the local and regional levels that may run counter to or be different from national developments in the democratization process.

Media businesses

Media ownership and media conglomeration are critical issues in the discussion of reforms through the lens of political economy. Conglomeration, which refers to how corporations acquire or develop operations across multiple media platforms, such as newspapers, television, internet, and events, often restricts fair competition in the market. Scholars have cautioned that such trends could significantly limit the voices in the media, reduce the ability of different stakeholders to engage in meaningful debates, and affect the ability of citizens to participate effectively in politics (McChesney, 1998). Conglomerates have the power to influence policy making, thus consolidating their hold on media markets (Klimkiewicz, 2009; Schlosberg, 2017). Laws prohibiting cross-ownership of newspapers and broadcasters may be common especially in countries with high levels of press freedom, but neoliberal economic policies have ignored public interest arguments, making it easy for conglomerates to exist across the board. In addition, digital technologies and media formats have rendered some media regulations and licensing policies irrelevant. Technologies were supposed to allow for democratization of media ownership, but studies show that existing large media companies gain the most advantage from the adoption of digital tools to expand their market reach. Although the most salient distinction in ownership type is between state and private owners, media scholars have observed that different kinds of private ownership have different implications for editorial independence. Traditionally, many leading newspapers were owned by individual or family publishers, for whom the publication was a source of social status and a vehicle for their political ideals, not just a profitable enterprise. Some of the world's most highly regarded newspapers, such as *The New York Times* and *Washington Post* in the United States and *The Hindu* and *Indian Express* in India were or are in this category (George & Venkiteswaran, 2019). Many media owners today, however, are corporations attuned to shareholder value and returns on investment. This can be especially problematic in the case of diversified conglomerates in which the news divisions form a small part of their total portfolios. In such cases, directors and top executives may be insensitive to the need to protect editorial values against commercial interests.

A study by the International Media Concentration Collaboration project in 30 countries showed that 90 owners control 30-50% of the world's major media assets, the most being the state, followed by institutional asset management firms and lastly, individual and family owners (Noam, 2016). While most of the early research focused on the corporate media in the liberal democracies of North America and western Europe, studies of post-

colonial societies and transitional democracies have shown a blurring of the lines between state and private ownership (Downing, 2011; Klimkiewicz, 2009; Thomas & Nain, 2004). Djankov et. al. (2003) argued that government-owned media were typically associated with countries that were poorer and more autocratic, and where the levels of civil liberties and access to public interest information were low. However, scholars studying media from a political economy perspective have been skeptical about expectations that economic development or globalisation necessarily reduced the state's role in media. Where there has been a shift away from total state control of media to open market systems, there are trends in media capture by power elites, with governments and corporations owning or taking over media (Schiffrin, 2017), while states continue to regulate and dominate the television markets in many countries (Turner, 2016). Furthermore, the state still plays a large role in licensing and subsidising telecommunication and other digital technologies, and is often a direct investor in such enterprises. Media convergence has altered the relationships between state actors and other stakeholders, but it has not necessarily rendered state institutions less powerful (Flew et al., 2016). Scholars have also highlighted how supposed liberalisation can be followed by the recapture of media by owners who were closely associated with the old authoritarian regime (Milton, 2001; Splichal, 2004); or the use of financial inducements or outright corruption to bring the media agenda in line with politicians' interests (Besley & Prat, 2006; Schlosberg, 2017).

Media ownership in Southeast Asia tend to be dominated by a small group of individuals and organizations, mostly adhering to neoliberal ideologies irrespective of political systems, where oligarchs, tycoons and cronies are common references in ownership structures (George & Venkiteswaran, 2019:31). Under Rodrigo Duterte's administration in the Philippines, the President went on an offensive against what he described as oligarchs and their media, while in Indonesia, presidential elections since 2014 saw the involvement of tycoons who used their media for their own political campaigns as candidates or to support preferred candidates (George & Venkiteswaran, 2019). Indonesia political economy scholars Vedi R. Hadiz and Richard Robinson argued that local oligarchs who were incubated and nurtured by the previous patronage systems were given the lifeline during the country's democratization process and whose "authority is embedded in the enforcement of institutional and legal practices that are antithetical to liberal notions of society and markets" (Hadiz & Robison, 2014, p. 45). Despite the Asian Financial Crisis which exposed both the

failings of the international financial architecture and the widespread corruption and cronyism at the national levels, the main business oligarchs retained their influence and position over the years without having to radically transform their ways. This was primarily because of the influence that the oligarchy had on the bureaucracy and key financial ministries and courts that gave them immunity (ibid). They argued that the neoliberal reformers and the oligarchs have had complex relationships but that it is important to recognise that the way in which the oligarchy consolidated itself was not to always reject market rules, rather, it succeeded mainly by "selectively exploiting and expropriating them" (ibid: 47). Even the decentralization of governance that was instituted after the fall of Suharto, which allowed for more vigorous electoral politics at the local levels, has also provided opportunities for social interests as during the New Order, that represented the old authoritarian regime.

> "The point is that while the new institutions may have made some things newly possible, what really matters, at the local level as well as the national level, are the kinds of interests that are able to organize politically to influence and profit from the institutions." (Hadiz & Robison, 2014: 53)

Winters (2014) adds that the links between the oligarchs, politics, and media has become a strategy to gain or retain power, where contenders for different offices especially the president's, must have media access whether through its backers or in owning them. Oligarchs and politicians, he argues, play the game of money, position, law, and extortion to survive in the country's challenging political economy.

> "This is not a transient aspect of Indonesian politics that is likely to face as the "quality of democracy" improves in the electoral cycles that lie ahead. Rather, it is a defining characteristic of how oligarchy and democracy are blended in contemporary Indonesia" (Winters, 2014:29).

The continued dominance of the oligarchs in Indonesia was demonstrated in the expose by investigative journalist Metta Dharmasaputra on how one of Indonesia's conglomerate, the Asian Agri Group, evaded tax payments, and where independent institutions such as the Anti-Corruption Commission were challenged by years of state patronage that propped up such businesses (Dharmasaputra, 2014).

Ford et.al. (2016) make a distinction between cronies and oligarchs: the latter like cronies benefit from state patronage, but they do not share cronies' dependence on particular regimes. In their study of Myanmar, Ford et. al. (2016) noted that the country's opening since 2011 created a new oligarchic class of business elites that are distinct from the cronies who operated under the military junta for decades. These oligarchs "may or may not benefit from patronage but…are sufficiently wealthy and established so as to exercise independent power" (Ford et al., 2016, p. 32).

Civil societies

Civil society is at the heart of all discussions on reforms. It can be defined as "*the arena, outside the family, the government, and the market, where people associate to advance their interests*" (Malena & Finn Heinrich, 2007:340 emphasis by authors), and is distinct from non-governmental organizations and voluntary associations, which can be subsets of the broader notion of civil society. In their definition, Malena and Finn Heinrich (2007) argued that the notion of civil society cannot be limited to formal and registered organizations, and must take into account experiences of non-Western societies when it comes to forms of citizen actions. They also warn of the normative aspects of civil society that assume democratic values or only aim for public good, when there could also be uncivil and undemocratic civil society (Malena & Finn Heinrich, 2007, p. 341). Taking this further, other scholars suggest that the state, the economy, and civil society are not discrete, predefined domains, that encounter each other through linear processes of mutual influence (Klein & Lee, 2019).

> "Rather, actors situated in such fields continuously cross the boundaries between them, redrawing their institutional relationships and attempting to use the resources and capacity generated through the intersection of fields to advance their political programs." (Klein & Lee, 2019, para. 55)

But instead of realm or space, Klein & Lee (2019) theorised that civil society was a set of diverse and intersecting projects that involve different actors and where strategies of political

infiltration occurred. This happens when civil society infiltrates into the state and the economy through the:

i) Politics of influence – civil society actors seek to influence formal political and economic actors through contentious action such as public awareness, advocacy, lobbying, and protest or other forms of cooperative interaction

ii) Politics of substitution – civil society actors take on some central functions of the state or the economy or to build key governing functions within civil society independent of the state's influence. The strategy is aimed at shrinking the state sector through civil society's capacity for self-organization and voluntarism

iii) Politics of occupation – occurs with the entry of representatives of civil society into critical state or economic realms or the institutionalized participation of civil society in the administration of state programmes or economic institutions (ibid).

The framework for infiltration also suggests that the political and economic actors could reshape civil society with the primary aim to control and regulate it (ibid), typically occurring in authoritarian societies. Both Indonesia and Myanmar have had histories of repressed civil society under authoritarian regimes, even though various non-governmental organisations, community groups, voluntary societies and trade bodies operated within the restrictions (Antlöv et al., 2008). In Indonesia, student and youth movements for democracy and anti-corruption were present, and somewhat tolerated (the causes focused on corrupt individuals around Suharto) until the 1974 *Gerakan Malari*, when the state responded with an "iron fist", marking the start of harsh treatment of movements deemed anti-state (Budiman & Törnquist, 2001, p. xxviii). From the late 1970s, development NGOs began to operate and mainly supplemented the work of government agencies to provide services such as health, nutrition, sanitation, clean water, informal education, family planning, and microcredit to the lowest strata of society, but they were not allowed to form mass or broad-based member organizations or criticize government policies (Antlöv et al., 2008). Budiman and Törnquist (2001) argue that prior to the fall of the Suharto regime, there were several movements that could be described as pro-democracy taking place at local, national and international levels on various issues: labour rights, exploitation and environmental threats of the extractive industry, press freedom, military abuse, and political representation. Some were more

successful that others and prevailed after the transition, while others were discontinued, but together laid the foundation and inspired subsequent civic actions (ibid). However, those that operated out of the large cities as opposed to the provinces, were more organized and put forward the democratization discourse were more likely to be effective in the long run (ibid). In the case of Myanmar, studies of civil society and non-governmental organizations in the past have highlighted the dominance of state-sponsored or -endorsed groups and networks operating at the village, local and national levels, versus the more independent ones, which had to operate discretely and clandestinely, or focus on areas seen as safe (religion, education, health, culture etc) (International Crisis Group, 2001; Steinberg, 1999). The 1988 military crackdown after the elections led to the formation of political and pro-democracy groups, while Cyclone Nargis that hit the country in 2008 spurred the setting up of local NGOs, the expansion of existing ones, and the networking across groups locally and internationally (Lall, 2016). Lall (2016) writes that despite the threats of a repressive regime, civil society, including community-based organizations that had developed since the 1990s ceasefire between the army and ethnic groups, had a role to play in the political reforms that came after 2010. She suggests that organisations such as Myanmar Egress, set up by Dr. Nay Win Maung in 2006, and which had close ties the regime,[16] was crucial in the reforms process as it was one of the few organisations that provided training and education for young adults, many of whom went on to join or form other NGOs and CBOs. While some were clearly linked to Aung San Suu Kyi's National League for Democracy, many others sought to build alliances or relationships with officials in government.

> "What is interesting to note is how the relationship between CSOs and the
> government developed over the years. Whilst the NLD as a political party was
> persecuted for decades, the emerging local NGOs, CBOs and CSOs needed to
> form local alliances and personal relationships with officials within the regime
> in order to function…Today most civil society leaders are only able to have the
> social and political impact they seek because of the networks and social
> relationships they have created over the years. These networks have also helped

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[16] Dr Nay Win Maung was at that time friends with the son of the former Prime Minister and Director of the Military Intelligence, General Khin Nyunt, who led the ceasefire process in the 1990s and the Seven Step Roadmap to Democracy. He was arrested in 2004 but the two processes and the gap in military intelligence leadership during the year, allowed for a 'new' civil society that was secular and political to emerge and test the grounds for the first time. (Lall, 2016, p. 19)

convert officials into allies and champions of the cause. Myanmar's structures always operated on networks – originally socialist party and military networks. What is interesting is how civil society leaders appropriated this model, creating new networks which now dominate policy-making. In doing so these organisations are now able to complement the role of the government, bridge the gaps between citizens and the state and become the channels of communication between society and the government." (Lall, 2016, pp. 8–9)

Media and civil society have often worked in partnerships or as movements, either in advocating for democratic or social change (Ocitti, 1999; Segura & Waisbord, 2016; Triwibowo, 2011), as was observed in both Myanmar and Indonesia. At various points, they have played different roles as adversaries and allies of institutions of power, dominated by the state and businesses. Key to this approach is recognizing the various locations of power within the different actors.

International media assistance and media development

The role and impact of media assistance from donors can provide an important analytical lens, with a large number of foundations, organisations and governments dedicating funds towards improving the media systems in countries they support. As such, the second framework relates to the critical inquiry of international aid and development in general, and in relation to media assistance, which began at the end of the Cold War and the fall of the Berlin Wall (Frère et al., 2014). Foreign aid for development can be defined as "the transfer of concessional resources from one government to another government, nongovernmental organization, or international organization" to bring about long term change, especially in poverty reduction, in the recipient country (Lancaster, 2009: 799). While operating at different levels from official assistance, there is considerable presence of financial and technical assistance that may or may not involve state coordination fully, where government and private donor and development agencies work with civil society actors on issues related to media, often as part of the wider human rights, governance and democracy strategies. These include the USAID, Sida, The Asia Foundation, Ford Foundation, Open

Society, and Hivos, among others. Other foreign organizations or NGOs, however, are focused only on media development, such as Internews. However, media and communications only make up about 0.3% of all development assistance, according to reports by the Center for International Media Assistance based on data for the years 2005-2007 and 2010-2015, with the top three contributors between 2010 and 2015 being Germany, United States and Japan (Myers & Juma, 2018). Aid for media mainly featured in the 1980s and focused on Latin American countries. In the 1990s, three significant events would lead to the increased attention in and amount of funds for media development: i) the fall of the Soviet Union and subsequent democratizing societies in East European and Central Asian nations, ii) the genocide in Rwanda and former Yugoslavia, which saw the media in the hands of the state of dominant ethnic communities acting as a powerful force that could incite violence, and iii) the threat of international terrorism that was linked to the absence of democracy and a free press especially in the Middle East (Kumar, 2006).

Media development

Media development refers to support for the development of free and independent media in developing countries and can include initiatives such as capacity building for journalists and other media workers, costs for the media outlets, use of information and communication technologies, legal reforms, media management, press freedom and community participation in media (Kumar, 2006; Myers, 2009). Much of the media assistance focuses on the journalism sector and reforming the legal framework to accommodate the shift from predominantly government-owned or –controlled media to public (especially in the broadcasting sector) on independent private media and self-regulatory mechanisms (Kumar, 2006; Price & Krug, 2000). Other initiatives include building professionalism among journalists, supporting media associations, and providing funds to set up independent media outlets. The media development "industry" is largely motivated by the belief that a free and independent media environment is key to democratising society, especially in improving public participation in political and public processes. As researchers, we should not make the simplification that all media are democratic on their own (McCargo, 2000), however, we can legitimately expect them to meet certain normative standards that make them valuable as the cornerstone of democracy (Voltmer, 2013). In his assessment of seven countries that had received media assessment,

Kumar (2006) concluded that the interventions were largely successful especially in setting up and supporting independent media and community broadcasters and the multiplier effects of journalism training and the adoption of press freedom as a shared value, but faced challenges in law reforms and the financial sustainability of the independent media.

In operationalizing media development, UNESCO came up with a framework in 2008 that required changes in five categories to demonstrate changes in legal, political, social, and media environments. Assessments are intended to be conducted through multi-stakeholder initiatives to encourage wider ownership in media development Media non-governmental organisations – local and global – in about 30 countries that have experienced political transitions, have used the indicators under the framework to assess the state of media. The five categories in the Media Development Indicators are:

i)   a system of regulation conducive to freedom of expression, pluralism and diversity of the media,

ii)   plurality and diversity of media, a level economic playing field and transparency of ownership,

iii)   media as a platform for democratic discourse,

iv)   professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity, and

v)   infrastructural capacity is sufficient to support independent and pluralistic media (Unesco, 2008).

This study does not aim to assess the extent of media development using the UNESCO indicators, but the framework can shed light on how the different actors articulate and frame the changes taking place involving the media, and to unpack the drivers of the reforms.

The problem with aid

Several issues emerge with the international or foreign bodies, whether as part of official assistance or other forms of financial and technical assistance. Within the field of international development, the questions of effectiveness, the impact of local politics and

reforms (imposition of conditionalities), the coordination or harmonization of aid disbursements (Winters, 2012), asymmetries in power (Bissio, 2013), and public participation are among the focus of research and critique. These are elaborated below. Given the criticisms, the international community responded with a set of principles and guidelines to improve the aid and development programmes. The 2005 Paris Declaration on Aid Effectiveness for example, provides a framework on improving the quality of aid and impact on development, based on five principles: ownership, alignment of donor countries objectives with local systems, harmonization of donor countries procedures and information, results that are measurable, and mutual accountability between donors and partners in ensuring development results (OECD, 2008). Meanwhile, the Accra Agenda for Action 2008 reiterates the importance of recipient countries and societies owning the development processes through wider participation in policy formulation, promoting inclusive partnerships, and focusing on capacity development so countries manage their own futures (ibid). These may seem logical but rely on assumptions that international and intergovernmental bodies work only for the benefit of the transitioning or developing societies without their own vested agendas, or that in calling for ownership and inclusivity, there are common and united sets of values and goals in those societies.

The subject of foreign assistance, especially from the north and western societies, in supporting media initiatives, continues to be controversial. It tends to be influenced by donor priorities and impact assessment (Deane, 2014), and because it is managed as projects with budgetary and time constraints, it is often conceptualised and implemented in a top down manner (Waisbord, 2008). Among the main issues with international media assistance in supporting journalism is that the sector in transitioning societies is modelled after dominant political and economic powers in the US and Europe, the two regions with the highest allocation of funds for media development (Kalathil, 2017), and criticisms about western approaches to training in the developing societies (Miller, 2011). Among others, media development organisations fail to consider the complexities of the countries in which they work, as they possess "an overly normative approach to media development, rooted in belief that a free and plural media will always achieve positive democratic outcomes, is at least open to question" (Deane, 2014:238). Others point to the influence of international non-governmental organisations (INGOs), which occupy an interesting position: they are not part of governments or businesses, are non-state actors but conduct essential interstate relations

(Miller, 2009). While many of those involved in the media assistance, typically from among experienced journalists and trainers in the western societies, are engaged in this process for altruistic reasons, the structural power they hold and can use in the political-cultural interventions associated with media development should be cause for concern (Miller, 2009). The research adopts the critical stance in analysing international media assistance, which will be useful to interrogate the relationships involving international donors and how far the donor community took into account local contexts, issues, and agendas.

Participation and inaction in policy making law reforms

The third framework for research is participation in the media reforms processes. The term process is used because reforms involve decision making, negotiations, and material and behavioural changes – whether as a result of law or policy reforms, attitudes, or practices. Using theories developed for participation, development studies, communication for development, and participatory communication, the research analysed actors who participated in the processes and how were they involved in defining or redefining rules and agendas, whether the processes were inclusive, and how different actors benefitted or otherwise from the processes.

From the perspective of democratic theories, participation is the involvement of the citizenry in institutionalised politics; it is one of the elements of democracy (whether minimalist or maximalist) with the other being representation. Participation allows for individuals to be heard, as opposed to having their voices carried by representatives. Carpentier (2012) adopts the democratic-participatory theory for media and suggests six principles in participation: i) the key defining element of participation is power; ii) it is situated in particular processes and localities and involves specific actors; iii) it is contingent and itself a part of the power struggles in society; iv) it does not presume to replace hierarchies and create utopian sense of equality; v) participation is invitational (allows for the right to not participate); and vi) it is not the same as access and interaction as it involves not only presence and socio-communicative relationships, but also the ability to make decisions together (Carpentier, 2012). The participatory framework was introduced in the 1990s, as aid to recipient countries in transition increased significantly and questions were asked about the effectiveness of international aid, as discussed earlier in this chapter. Development

programmes that tackled poverty, health improvements, agriculture reforms and others are essentially time bound projects with their own contributors, stakeholders and actors, and tasks, and have used a range of methods to measure and monitor the outcomes. The sector has also seen new change theories adopted since the 1990s to reflect commitments to the long-term impact and sustainability of the change, as well as attention to gender equality and protection of the environment. As a development and research methodology, the participatory communication framework calls for a more engaged process, especially through dialogues and trust building in development. Participatory communication can generate new forms of knowledge that can "empower people to come to the notion that changes can be made to improve their lives" (Liao, 2006:115). It is a departure from the top-down and prescriptive approaches of the modernisation paradigm although there is still much work to be done to reduce elite domination in the process (Melkote & Steeves, 2015:390). It is also important to recognise some limitations in the participatory paradigms. For example, Liao cites Ang & Dalmia (2000) in arguing that while the participatory paradigm prioritises "people's knowledge and tradition from the bottom up, it assumes a benevolent nature", when in reality these "could be powerful constraints especially for women" (2006: 111). It is a useful reminder for this research to be aware of the various levels of constraints and how women and marginalised communities navigate their roles and how they view the changes taking place. Aid providers from states/governments such as the USAID (US Agency for International Development) and Sweden's Sida noted in their respective reviews on the importance of participation by local communities and the use of a gendered lens to ensure success of the projects (La Voy, 1999; Rudqvist & Woodford-Berger, 1996). Other challenges include the institutional and professional priorities and approaches that could limit the possibilities for participatory communication in international aid (Thomas and van de Fliert, 2015; Waisbord, 2008). There has been much criticism of the ways in which development aid has been implemented, including by the World Bank. Communications are hardly part of the design and priority area, and there is a tendency to keep local politics at an arm's length, and this can be seen in the media development sector as well (ibid). Thomas (2014) argues that participation in the context of communication for social change, has become mainstreamed and permeated not just the world of development, but also technology, fair trade, activism, and cultural consumption. It is a buzzword used as the basis for donor-recipient relationships in reporting but not as an ethic, skill or process in the building of capacities of local populations, or bringing about transformative changes (ibid, p. 10).

Kothari (2001) adopts Foucault's theories of power in her critique of participatory development and research, and cautions that the inclusion of those who were typically marginalized or denied of access to resource and knowledge, reproduces and reifies structures of power that can come from the conventional stratifications of power and the everyday power in people's lives (Kothari, 2001: 144). Kothari explains that participatory approaches are about identification, collection, interpretation, analysis and (re)representation of particular forms of (local) knowledge constrained by the exercise of power.

> "Power is not only manifest in the workings of the development practitioner but also more widely played out by other cultural intermediaries, such as translators. Thus, there are more articulations of power through participatory processes and in the wider context within which knowledge is re(produced). Development practitioners as interpreters of the social world further exercise economic control through the disbursement of aid and resources, which are allocated on the basis of the external donor agendas and their policies, and not necessarily founded on the information gathered through PRA exercises." (ibid:143)

The inequality in power does not mean that aid recipients or beneficiaries are unable to stake a claim or respond to the processes, as Kothari (2001) suggests that participants can be subversive by not participating or performing as they wish in the spaces set out for the development methodology. Citing Erving Goffman's ideas of the presentation of the self, she argues that local participants apply the back stage and front stage metaphors in choosing the levels of their participation in the aid or development related activities. It is also useful in this regard to refer to James C. Scott's concept of the weapons of the weak to describe the tools and strategies adopted by ordinary folks, specifically peasants, to counter the hegemonic state. In his influential work, Scott, who observed a rural village in Kedah, Malaysia, that was part of the green revolution, between 1978 and 1980, on the class conflicts and the ways in which they took on the elites and government officials through methods that were not conventionally identified as protests. He found that instead of analysing resistance as organized activities, we should look into the daily forms of resistance such as "foot-dragging,

dissimulation, desertion, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so on" – which require little coordination and are more individually-oriented (Scott, 1987:xvi). Scott also suggested that participants will use rumours, gossips, metaphors, folklores, and rituals to resist abuse of power and the 'public transcripts', which are established ways of behaving and speaking that fit particular actors in particular social settings. Class resistance, according to Scott,

> "includes any act(s) by member(s) of a subordinate class that is or are intended either to mitigate or deny claims (for example, rents, taxes, prestige) made on that class by superordinate classes (for example, landlords, large farmers, the state) or to advance its own claims (for example, work, land, charity, respect) vis-a-vis those superordinate classes…It focuses on the material basis of class relations and class struggle. It allows for both individual and collective acts of resistance. It does not exclude those forms of ideological resistance that challenge the dominant definition of the situation and assert different standards of justice and equity. Finally, it focuses on intentions rather than consequences, recognizing that many acts of resistance may fail to achieve their intended result." (Scott, 1987:290)

In Myanmar, aside from the prominent pro-democracy protests and upheavals that took place inside the country, many other forms of daily interactions and quieter and non-violent struggles formed part of the people's resistance to the military regime (Mullen, 2016). The changes in the country could be understood as a result of combined strategies or techniques over decades. These were:

    i.   Contention or contentious politics (Tilly, 1997) in which people organized and mobilized to publicly challenge or confront political targets or those in power. In countries like Myanmar and Indonesia, the military and authoritarian regimes were typically the targets of contentious performances (Tilly, 2008).

    ii.   Subversion included the use of ordinary and daily forms of resistance, as theorized by Scott, which were more commonplace as it allowed "even the most marginalized and threatened communities to disrupt the system" (Mullen, 2016:8).

iii.   Creation or reconstructive politics where individuals and groups as studied in the case of Myanmar, undertook "compliance, negotiations, relationship building, concealed capacity building, avoidance and bribery" intended to "avoid, disorient and persuade officials" to bring about changes in a "brick-by-brick process" (ibid:9)

Reforms occur at moments of political conflict, crisis, and change to update, amend or replace existing laws, to introduce new policy or set a particular direction for the reforms (Crouch, 2016). Policy can be defined as "a series of decisions or activities resulting from structured and recurrent interactions between different actors, both public and private, who are involved in various different ways in the emergence, identification and resolution of a problem defined politically as a public one" (Knoepfel et al., 2007:39). Public policies are described as top-down attempts by the state and its institutions to impose or exercise domination over other groups, reproduce or emphasizes divides in society, or to serve the internal interests of bureaucratic actors, and reward supporters from electoral wins (ibid). To understand policy outcomes, it is not only sufficient to understand the constellation of group and institutional forces but also how the past relationships and roles affect contemporary action, as this thesis set out to do (Thomas, 2004:61). The dominant schools of thoughts on interest groups and political systems view the interactions with the policy processes differently. For example, neo-Marxist argue that state policies are to reproduce or emphasise the divides between the social classes; the neo-Weberian school supposes that "state intervention can only enable the satisfaction of the internal interests of bureaucratic actors"; rational choice theory defines policy as the "(re)distribution of the costs and benefits between the electoral groups in exchange for votes and/or partisan support"; while the neo-corporatist approach "believes that policies protect the interests of organised groups who are able to 'capture' the political-administrative institutions and establish clientelist relationships with them" (Knoepfel et al., 2007:22).

Discussions about media reform and the explosion of digital technologies have acknowledged the challenges in addressing digital media convergence. Scholars argue that it is important to recognize public interest and how the public is mediated at the heart of these policies (Cuilenburg & McQuail, 2003). Others say that the pervasiveness of information

technologies make the boundaries in the field of media policy difficult to discern. As such, media policies and laws should move beyond regulating media types, to also deal with the structures of ownership, and how content is created, processed, transported, stored and distributed (Braman, 2004). In addition to laws and regulations, there are also non-binding rules, conventions and accountability mechanisms that informally govern the media, such as professional codes of ethics, public opinion and political lobbying (McQuail, 2010). Studies on media policies have documented two other strategies that can be found in the different strategies of participation discussed earlier - policy inaction and policy silences. Policy inaction is the absence of policy; examples can include not intervening in media editorial decision making, which can be positive, or creating unintended consequences such as anomalies between the traditional and new media (Papathanassopoulos, 2015). Policy silence is a strategic decision taken by elites, through state mechanisms, to promote their hegemonic interests, which could result in the exclusion of certain agendas, stakeholders, or real options for the legal framework (Freedman, 2006). When it comes to the transitions, policies are not likely to change radically even when significant milestones may have been achieved. For example, the closure of state-owned media or the removal of licensing regime for newspapers but retaining criminal defamation or no specific rules to democratize ownership of the media. Milton's (2001) analysis of the Central and Eastern European states in post-Communist rule showed the absence of real reforms and the return of old power holders who prevented the reforms agenda. Often, there is a continuation of policies rather than an outright change. Participation in media reforms processes is critically analysed using Carpentier's principles and the various ways in which participation is expressed and exposes power relations, which includes inaction or silence on the part of different actors when it comes to policy making. As Thomas and van de Fliert (2015, pp. 47–48) suggest in their critique of communication for social change, participation can be problematic because of how it has become imposed through the institutional and organisational agendas, assumptions that its meaning is shared across the board, that non-participation is seen as a failure instead of indicating possible empowerment, and finally, that facilitators of these process will always have their own agendas.

Methodology

      This section explains two methodological approaches used in this research. The first is the research method itself, which is ethnographic, and secondly, the comparative study approach. Ethnography as a research methodology was decided after a pilot study involving key informants at the start of the research. The study was conducted between October 2015 and May 2016 with individual actors in the media development and press freedom sectors in Myanmar, Indonesia and Thailand. During this pilot study, I inquired about perceptions about the media reform processes (either ongoing or completed or none) and if these would have positive impact and for whom, what their expectations were of media reforms, the actors involved in the processes, and recommendations for interviewees. The pilot study was particularly relevant for Myanmar as it was used to gauge the availability of information and the willingness of people to speak without fear (as recent as 2010, researchers and journalists faced difficulties accessing information and conducting interviews openly in the country). I included Thailand because at that time, I considered a comparison with this country relevant for the research. While not a focus anymore, literature on Thailand as well as the experiences of civil society were useful references to examine Myanmar and Indonesia, primarily on the role of civil society in the reform processes. The pilot study surfaced useful insights which were used to identify the research methods and formulate questions. The key informants included a total of 13 representatives of media, media freedom activists and academics: three respondents were from Thailand, five from Indonesia, and five from Myanmar.

Ethnography

      Ethnography is a qualitative research method developed from anthropology in which the researcher studies a particular social or cultural group in their own setting (natural setting) to gain better understanding. It may involve full participation or immersion with the identified communities, and where researchers may also conduct face to face interviews. Some methodologists have also suggested that archival research is necessary as a means to triangulate and validate information gathered from the observation and interviews (Angrosino, 2009:51). Two basic principles of ethnography are that:

- Researchers or ethnographers look for patterns from the careful observations of lived behaviour and from detailed interviews with people in the community under study. The observations are generalized abstractions based on numerous bits of data in ways that make sense to the ethnographer who has a global overview of the social or cultural whole that people living in it may lack.
- Ethnographers must pay careful attention to the process of field research, how they gain entry to the field site, establish rapport with the people living there, and become a participating member of that group. (Angrosino, 2009:14)

As will be discussed below, ethnography is a commonly used method in much of the research on journalism and communication studies, as well as media reforms. The method is particularly valuable as it allows the researcher to document experiences and perceptions of the participants on site within their own contexts. There are challenges to the method in terms of reliability of the data (responses about past events could be inaccurate or missing information) and observer bias, but these can be overcome with ethical and responsible practices involving the following: informed consent, privacy, harm, reciprocity and exploitation, and the consequences for future research (Hammersley & Atkinson, 2019:216). The research is also aware of the importance of institutional ethnography that helps us understand how people's experiences can uncover institutional power that structure and govern those experiences. Institutional ethnography is an approach developed by Canadian sociologist Dorothy E. Smith to "better understand women's everyday experiences by discovering the power relations that shape those experiences" (Babbie, 2010:311). Smith's work is located within the women's movements. This approach allowed me to observe and take note of incidents or events that happen in particular places, under definite conditions and with definite resources, encouraging the incorporation of the individual's subjectivity and their experience (Smith, 2003). With institutional ethnography, there is an attempt to get behind the professional discourse and to make visible what people do, before making sense of what they do (ibid).

Comparative study

The second methodological approach is the use of comparative study of two countries. The comparison goes beyond the country level and uses media reforms and media development processes to critically analyse the roles and influence of state and non-state actors related to media and political transitions. The research takes guidance from the most similar systems design (MMSD) in the study of comparative politics (Landman, 2008). MMSD is one of the two approaches in comparing few countries (typically between two and 20 countries), and studies using this method compare the similarities to "uncover what is common to each country that accounts for the observed political outcome" (ibid: 28). Used particularly to research politics where the country is the unit of analysis, the framework has been and can be applied for studies in media and communications. For example, MMSD was used by Irion and Jusic (2013:11) to study the approaches and consequences of media assistance in five Balkan states with the assumption that "the contextual factors are similar enough across the studied countries." Of the five countries, Bosnia and Herzegovina and Kosovo received high levels of media assistance post-conflict, while Albania, Macedonia, and Serbia were targeted at lesser intensities, but all had similar political histories as states under the former Yugoslavia and were pro-Soviet where media and political participation were highly centralised and controlled by the state. In focusing on the media, they explain that while there were differences in the overall democratic transition, there were shared characteristics, for example the nature of media markets, political interference in the media, weak professionalization but strong instrumentalization of journalism, and lacklustre implementation of media reforms (Irion & Jusic, 2013). Other earlier research on media and communication employed case studies that compared a number of countries, some looking at two, others at a regional or global level. The media systems studies from the works of Hallin and Mancini (2004) were designed to compare the influence of the political regimes on the media in North America and Europe, and updated later with cases outside the Western world in response to critiques of the model they proposed (Hallin & Mancini, 2012). Price et.al. (2002) in an edited volume on media in transition showcased country cases that attempted to establish a wide geographical spread and as such used countries with the greatest difference – the Most Different System Design (MDSD), but to allow for comparability, were selected based on their relative similarity within the political transition process, as part of their methodology. The following table shows the phases of transition, as discussed in Chapter 2:

Table 3: Country cases based on phases of transition

Phase of transition	Countries selected
Pre-transition	China (totalitarian), Uzbekistan (post-totalitarian)
Primary	Indonesia, Bosnia-Herzegovina (transformation under international authority), Jordan
Secondary stage	Ukraine, Uganda (post-colonial, authoritarian)
Late or mature stage	Poland, Uruguay, India (post-colonial, democracy)

(Price et al., 2002)

In comparative studies for communication, Matos (2012) writes that the increasing globalization of media and the ways in which media regulations in one country can affect the others warrants the comparisons. Her work on the public service broadcasting in Latin America - particularly Brazil - is compared to the UK, using theories on modernization, cultural imperialism, and globalization. She argues that it is important to contrast the studies between advanced capitalist societies and less developed ones, "...the impact of neo-colonialism on the region and the ways in which the social, political, economic as well as the cultural development of countries like Brazil is both tied to tackling the nation's social and inequality problems as well as its subordinated position and relative weakness still within global democratic decision-making." (Matos, 2012:12).

Comparative study in Southeast Asia is a popular theme. The region is made up of 11 countries – Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor Leste, and Vietnam – with a diversity in terms of political histories and systems, size, demographics, economic growth, and cultures. Scholars have researched Southeast Asian countries in the context of the regional organisation – the Association ASEAN, or more often in clusters of similar characteristics, but it is a region that is challenging to theorise (Peou, 2014). Political scientists have struggled to define the political systems and offered typologies to accommodate the contradictions and anomalies; for instance, the lack of compliance to the links between economic development and political liberalisation thesis (Peou, 2014), and the instability of competitive authoritarian regimes

(Carothers, 2018). Semi- and hybrid democracies have been used to describe countries like Malaysia and Singapore for instance, and they are, usually subjects of comparison due to the shared history of British colonisation and past ties, while Indonesia, Thailand and Philippines have been compared for the people power movements and democratisation between the mid-1980s and late 1990s, respectively. Military rule is a theme especially when studying Myanmar, Vietnam, Indonesia, Thailand and the Philippines. The Asian Financial Crisis of 1997 highlighted the differences in the political and public responses in Indonesia, Malaysia and Thailand, especially in analysing why some transitioned into democracies and others didn't. For this research, the countries with the most similar backgrounds that could provide a basis for comparison, especially in analysing the media, are Philippines, Thailand, Indonesia and Myanmar. The first three are usually cited as examples of political liberalisation as a result of people's movements, resulting in greater spaces for individual liberties, including press freedom. Other scholars on media in the region have made comparative studies, for example, Brooten (2011) uses the backdrop of the militarised states of Myanmar and the Philippines to study the impact on the media and journalists, where media reforms efforts have tended to focus on the rights to safety of the journalists instead of media as a public service and social force. In a recent study, Brooten (2016) examines the strategies used by media reformers in Myanmar, Philippines and Thailand and the challenges faced in expanding the rights to access to information, protection against criminal libel laws and impunity in attacks against journalists. Siriyuvasak (2005) justifies her selection of Indonesia and the Philippines to study people's media and communication rights on the grounds that the two are important players in ASEAN, have varying degrees of media freedom and political transformation that could provide for a dynamic comparative perspective, share colonial histories with different western powers and both share a rich tradition of cultural diversity and natural resources. She argues that in both societies, the people and the media believed their rights to communication were essential for democratic rule and fought against the dictatorships using people's media to transform passive citizens into political actors. McCargo (1999) compares the role of media against the backdrop of political upheavals and 'democratic transitions' in the Philippines, Thailand and Indonesia between the 1980s and 1990s, noting the need for nuanced analysis of the polyvalent nature of the media and the intricate web of patronage within which the media operated.

This research compares the media reforms processes in two Southeast Asian countries – Myanmar and Indonesia. The two countries were chosen because of the political objective for a freer media and expression of people's aspirations for the same. Both countries have some similarities in terms of historical, political, social and economic traditions especially as post-colonial societies that have specific challenges with nationhood and prolonged periods under military and authoritarian rule. Two other factors support the comparison: firstly, both countries had crucial geopolitical interests for global powers, especially the U.S., to counterbalance China at the different periods (Chern et al., 2023). Prior to the opening, the Obama administration had begun planning for the engagement with Myanmar, and during the two visits in 2012 and 2014, together with the European allies, reinforced support for the transition government (ibid.). Indonesia was an important U.S. ally since the Suharto years with this strong anti-Communist position, but continued to get its backing as a force of stability in the region (Bodirsky, 2012). Secondly, the two countries were major recipients of international aid and grants for the political transition, with dedicated support for journalism and media reforms (Kumar, 2006; McElhone & Brooten, 2019) on scales that could be considered higher than other recipients in the region.[17] However, rather than attempting to do a country comparison of the respective characteristics, this research focuses on the comparison through the theme of media, which foregrounds the analysis.

The comparative study excludes Timor Leste, which has been described by observers as achieving important democratic milestones, but like Cambodia, the political changes and media reforms occurred within a specific circumstance of intervention by the United Nations. If these countries were studied by Price et.al. (2002), they would have been described as "undergoing transformation under the supervision of an international authority" (5, quotes used by authors). The UN peacekeeping mission in Timor Leste was put in place after its independence from Indonesia, known as the UN Transitional Administration in East Timor (UNTAET) from October 1999 until May 2002, while the UN Transitional Authority in Cambodia was set up in 1992 after the end of the country's civil war. Other countries in the region that were also excluded from the study due to the large variances are Brunei (absolute monarchy), Singapore (dominant party rule), and Laos and Vietnam (one-party communist

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[17] The Philippines was a major recipient of U.S. funds since World War 2 and was a key U.S. ally even during the period of martial law in the 1970s, but the bulk of the support was for programmes on defence/military and food (The Lugar Center, 2019).

system). Furthermore, civil society is largely missing from the latter three societies especially in defending and promoting civil and political rights, though one could argue that Vietnam has witnessed a growing community of active civil society within the country since the 1990s (Bui, 2013). When the research was conceptualised, Malaysia had not gone to the polls that eventually resulted in a change of the six-decade old government at the federal level. Furthermore, there would have been researcher bias due to strong vested interests in the national reform agenda.

Data collection

The data collection was done primarily through qualitative research using interviews, observations and archival research. The units of analysis for the research are *people* involved or excluded from the media reform processes as well as *interactions* or relationships between different respondents or between respondents and institutions to establish the role of power relations and social inequalities in these processes in Myanmar and Indonesia. Face to face interviews were conducted with respondents who were selected using the snowball sampling, which is a purposive non-probability sampling method. Using this method, the researcher collects data from a few known target population that can be identified and they will then be asked to locate others they know, thus leading to an accumulated number of respondents (Babbie, 2010). The interviews were conducted using qualitative and open-ended questions to allow for interaction between the researcher and the respondent, using a conversation style. It is based on a general plan of inquiry but not a pre-determined set of questions that need to be asked in a particular order (ibid). The selection of the respondents and the size was based on the study done by Brooten (2011) in Myanmar and the Philippines, in which an estimated 60-80 participants were identified and selected from among media groups, journalists, academics, policymakers, media development, press freedom activists and civil society. Burrett (2017) applied the similar methodology in her research on the media's role as both an agent and subject of political change in Myanmar, where she conducted face-to-face interview with 57 journalists, editors, media owners and trainers. In his analysis on press freedom in Indonesia during the political transition, Ispandriarno (2008) interviewed respondents who were involved in the discussions of the 1999 Press Law in Indonesia, 'representing' three former presidents (B.J Habibie, Megawati Sukarnoputri and

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Abdurrahman Wahid), media, civil society and political parties. The interviews were recorded and participants were asked to state if they wished to remain anonymous. I prepared a tentative list of interviewees based on suggestions from the pilot interviews, and it was cross-referenced with other experts to ensure that the list encompassed relevant and a wide range of perspectives. It started with my personal contacts from my work with regional journalists' organisations since 2010. The list took into account representation of these categories: journalists and media leaders, journalists organisations, donors, journalism trainers, activists of press freedom and freedom of expression, press council members, and academics. While not necessarily a systematic sample for the two countries, these respondents can be considered as being involved to different extents in the reforms processes, either as decision makers, implementers, observers, or beneficiaries. Importantly, they would be able to articulate their own understandings and interpretations of press freedom, reforms, and democracy (Pons & Hallin, 2021). Using the snowball method, I also received recommendations during interviews that led me to other respondents (Burrett, 2017; Pons & Hallin, 2021). A total of 56 interviews were conducted, all of which were face to face except one (this was done via email). The interviews lasted between 45 mins and 90 mins on average and were conducted at the offices of the respondents, at conference and workshop venues, and other locations as suggested by the interviewees such as cafes. Interviews were held between February 2016 and August 2019 in Indonesia (Jakarta) and Myanmar (Yangon, Hpa-An in Karen State, Mrauk Oo in Rakhine State and Mandalay). The following is a breakdown of the respondents interviewed by category and gender:

- Media (journalists, editors, leaders): 18 (8 men, 10 women)
- Activists, journalists' associations, training institutes, other NGOs: 26 (18 men, 8 women)
- Donors and international media assistance: 9 (5 men, 4 women)
- Academics: 3 (all women)

The study could have included official accounts but access to public officers or former members of the governments was restricted. Publicly available statements, announcements, and speeches were used instead.

For the interviews, I used a mix of structured and unstructured questions to allow for the conversations to raise other spontaneous questions or to refine their answers (Burrett, 2017). The questions and observations drew from previous studies on media reforms, such as Siriyuvasak's study on people's media in Indonesia and the Philippines (2005), Byerly & Ross (2006) on women and media, Brooten (2016) on the media in transition in Myanmar, Tapsell (2015) on the experiences of the media at the subnational level in Papua, Indonesia, and Gazali (2003) on the perceptions of the reforms in Indonesia's broadcasting sector. I also attended conferences and meetings to gain insights on the responses of the media community to the reform process (Brooten, 2016). I participated in media trainings, workshops and discussions with journalists, other advocates, donors and public officials. All these observations and information provided a nuanced understanding of the role of the various actors such as ministers, government officials, civil society organisations, and media representatives within the political developments in the two countries. I attended events between April 2016 and August 2019 listed below:

- The 4th Ethnic Media Conference in Mrauk U, Rakhine State in February 2016
- World Press Freedom Day discussions and workshop organised by the Indonesian Press Council and UNESCO, Jakarta, 3 May 2016
- The ASEAN Literary Festival, Jakarta, 6 May 2016.
- Discussion on workers' rights among creative media workers in Jakarta on 28 April 2017
- World Press Freedom Day in Jakarta, 3-4 May 2017
- Press freedom forum on West Papua in Jakarta on 2 May 2017 on the sidelines of WPFD2017
- The Myanmar Women Journalists Network Annual General Meeting on 20 May 2017 in Yangon
- The 25th anniversary of the Karen Information Centre in Hpa-An on 8 June 2017
- Myanmar Digital Rights Forum, Yangon, 18-19 January 2018
- 2nd International Conference on Burma/Myanmar, Mandalay, 16-18 February 2018
- Forum in conjunction with the 25th anniversary of the Aliansi Jurnalis Independen on 6 August 2019 in Jakarta

Secondary research was used to gather historical data as well as details on incidents and issues. Sources included news reports, organizational reports, academic and semi-academic writings, and public statements by officials that provided information about participants at a meeting, and insights into decision making. Ispandriarno (2008) analysed minutes of meetings from 1999 on the draft press law in Indonesia to gauge the position and arguments made by different actors on what the law should entail. This method was used to draw specific information to be analysed within the context of this research. It was particularly useful because of the historical nature of the transition, where I could no longer access respondents who were involved in the reforms processes earlier, or had passed on. Indonesia's *reformasi* is a widely studied field and much of the data available is still relevant and applicable for a different research focus. In both countries, especially Indonesia, respondents were asked during interviews to recall experiences, knowledge and opinions held some as far back as 16 or 17 years back. Given that there are time lapses and a need to search for historical experiences, it is important to recognise that during interviews, people may choose to withhold information, forget accurate information, tell you what you want to hear or use languages in different ways (Berger, 2014).[18] At the same time, as the research prioritises situated and location-based knowledge (Liao, 2006), the responses will be important as how they are expressed at the point of the interviews. The research is open to the idea that people have adjusted their thoughts about incidents and experiences, forgotten details, or choose to express a new sense of hope or frustration. Thus, secondary research was used to triangulate some of the information, or to act as the main reference where current interviews could not obtain the required information.

Limitations and challenges

During the pilot study, key informants in Indonesia and Myanmar recommended that I spoke to respondents from outside of the centre/cities, especially to gain better representation of how the reforms were viewed and had impacted the other regions and communities. However, due to limited financial resources, this was done in Myanmar as indicated by the

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[18] Berger cites Edward Said's questions about true representation that are often embedded in language, culture, institutions and political ambience of the representation and if "is it the truth or their truth?" (Berger, 2014:173)

locations of interviews, but not in Indonesia where the research was primarily conducted in Java. For one of the respondents from Papua, challenges also included security considerations. In order to overcome this challenge, I organised to meet respondents who were from outside of Java at events or meetings held in more accessible locations, such as Jakarta.

Conclusion

In this chapter, I provided the theoretical framework used in this research to analyse how power relations and social inequalities between and within various actors and institutions, were reflected in, impacted by and shaped media reform processes in Indonesia and Myanmar. In the case of media reforms, actors are represented by the states, the donors, the media, and people affected by the changes taking place and intending to achieve their goals. At the heart of political events and processes, is power; power to set the agenda, to determine policy making, and even delay or prevent certain outcomes.

The first framework is political economy of the media in political transition, in which reforms are influenced by the different institutions of power in interaction with non-state actors. Media, which is the focus of the research, is one of the actors, whose ownership histories and patters are complex but reflect the strong ties between politics and business (Hadiz, 2013; Schiffrin, 2017). Secondly, the research adopts a critical look at the ways in which international media assistance functioned in the two countries, how far the donor community took into account local contexts, issues, and agendas, and their relationships with other actors in the media development and reforms sector (Kumar, 2006; Miller, 2009). Thirdly, I propose that media reforms must be analysed through a critical look at how different actors participated in the processes. Participation is not only access and interaction, but involves ability to make decisions together (Carpentier, 2012) against the backdrop of differential power dynamics (Kothari, 2001; Thomas and van de Fliert, 2015). Various strategies are deployed to express and facilitate participation especially in policy making related to media reforms, which includes inaction or silence on the part of different actors. The study compares Indonesia and Myanmar on the basis of Most Similar Systems Design (MSSD), and with shared experiences in international aid during the transition as well as the

geopolitical interests. Data collection was done through face to face interviews, observations, and archival research.

Chapter 4: Changes during the transition related to media and expression

This chapter discusses the developments that took place during the transition years that affected the media reforms and democratization processes, with most of them related to laws on media and expression that were introduced, repealed or amended. These developments in particular offer a window to the ways in which the different forces interacted in response to the calls for, and promises of, reform or change within the context of democratization. Law making should not to be taken for granted as a process that is objective or progressive as scholars argue the historical structures and contesting agendas can constrain the outcomes. In both countries, state forces – especially the military – were the main source of repression for decades, though not without pushback, especially given the long histories of struggles for independence, respectively. Overt crackdowns on the one hand, and fissures in the ruling establishments on the other combined with shifting economic goals allowed for the media and other political stakeholders to make the push towards democratization (George & Venkiteswaran, 2019). References will be made to the set of restrictions and developments imposed that have affected the work of the media and people's expression before and after reforms were announced. For the purpose of this thesis, the Suharto administration in Indonesia and the Ne Win military rule in Myanmar – both which came into power in the early 1960s – will be referred to although the main focus of the study will be post 1998 Indonesia and post-2010 Myanmar. They represent the most significant departures from prolonged authoritarian/despot rule in the two countries. A quick overview of the state of press freedom in the two countries will highlight the challenges that continued in the new environments. These developments have occurred against the backdrop of increased reach and adoption of social networking sites (Abud, 2012), rising conservative politics and religious intolerance (Hamayotsu, 2013; Lee, 2016), and information disorder, generally referred to as fake news, and specifically as hoaxes in Indonesia (Kwok, 2019). Finally, the chapter discusses the presence of international development assistance and the national mechanisms set up to coordinate support for the broader aid goals or specifically for media related reforms.

Laws on media and free expression

Indonesia and Myanmar were at different eras when the main political openings or transitions happened – Myanmar played catch up to the global tech platforms given the longstanding controls of information and communication technologies in the past, be it in the infrastructure, ownership, or content wise. Due to privatization policies under Suharto, Indonesia had a longer lead time with media technologies, whether with broadcasting or the internet, however its main challenges would be faced a decade on after the *reformasi*, with laws that would prohibit freedom of expression online.

Controls over the press and free speech were in place since colonial rule and were retained well after Indonesia claimed independence from Netherlands in 1945, though it would take another four years before full transfer of sovereignty. Nationalist leader Sukarno came into power and introduced the 1945 constitution together with a set of values to guide the new nation, called Pancasila. [19] The national constitution underwent several iterations, the third in 1950 detailed guarantees for individual freedoms, enshrined parliamentary system of government and made the presidential role ceremonial (Schwarz, 2004). Debates around the constitution in post-independent Indonesia represented the tussle between the integralists (feudalistic) who rejected individualism, the Islamists and the constitutionalists (ibid).

Legacy laws such as the penal code continue to exist, but in post-independence Indonesia, the government of Sukarno passed at least 10 laws and regulations to control the printing and distribution of publications and political speech. Wiratraman (2014) writes that there was a brief period of freedom for the press between 1954 and 1956 mainly due to revocation of a 1931 Press Banning Ordinance, but Sukarno's Guided Democracy, which was launched in 1957 ensured an authoritarian style leadership, using legal, cultural, executive and military controls on the press and free speech. The declaration of emergency in 1957, prompted by concerns of threats from the regions to Sukarno's consolidation of power, meant the vast powers of the military to intervene in a broad range of political activities, including the press. The return to the 1945 constitution, a step back from the 1950 one which featured

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[19] Pancasila refers to the five principles introduced by President Sukarno as the foundation of the independent Indonesian state. The five are: "Belief in the one true god; A fair-minded and civilized humanity; Unity of Indonesia; Democracy led by wisdom of consultation; and Social justice for every people of Indonesia". It is contained in the Preamble of the Constitution of the Republic of Indonesia 1945. http://www.humanrights.asia/indonesian-constitution-1945-consolidated/

parliamentary democracy, reinstated the role of the army as central to political arena (Schwarz, 2004).

> "The regime introduced various mechanisms to create a 'guided press' through the control of ideology, organisation, personnel, and circulation of publications. This allowed Soekarno to arbitrarily act against journalists who criticised him, his administration of leadership." (Wiratraman, 2014, p. 84)

Sukarno's rule came to an end, and together with it his Guided Democracy, after the G30S/PKI incident on 30 September 1965, when the military stepped in to end an alleged coup attempt that implicated the communist party allied to the then president. Suharto and his allies used the killings of the six generals and subsequent military action against communist supporters and sympathisers and to impeach Sukarno, culminating in Suharto's ascension as president in March 1968. Recent accounts and analysis of the 1965 incident and the mass execution of PKI members gained the implicit support of the US and its supporters in their anti-communist propaganda, which essentially justified muted local and international coverage of the massacre (McDonald, 2015).

During this period, the press continued to face challenges. In 1966, while still under Sukarno's leadership, two press regulations were enacted – the first was a decree issued by the Provisional People's Consultative Assembly that demanded a responsible press and one that would uphold the Pancasila against other political ideologies, namely Marxism and communism. The second was Press Law 11/1966 which appeared liberal on the surface but was intolerant towards criticism and dissent. Following Suharto's presidency, the environment for the press suffered due to imprisonments, threats, bans and other forms of control. Under Suharto's New Order (Orde Baru), newspapers that were seen to have links to the left and the communist party were closed and journalists arrested, while the rest navigated the paradigm of the development press, to be a partner of the government in achieving national development goals. Development journalism was adopted by developing nations in response to the typically adversarial press in the West and where societies needed positive news, education and better representation of their economic, social and cultural issues

(Kalyango, et al., 2017; Romano, 2003). The Indonesian press were described as the Pancasila press and were often dictated by the 1983 Kopkamtib's[20] rules of MISS SARA – an acronym of topics that the press should avoid (Romano, 2003). The topics were those likely to be seditions (*menghasut*), insinuations (*insinuasi*), sensational (*sensasi*), or speculations (*spekulasi*) and those that could incite based on ethnicity (*suku*), religion (*agama*), race (ras), or groups (*antar golongan*). These were further strengthened through the enactment of a new law to regulate the press in 1982, which remained in force throughout Suharto's rule until his resignation in 1998. The 1982 regulations replaced the two separate licences for publishing and print, a self-censorship mechanism "whereby a journalist or editor had to develop a 'sixth sense' about what type of content might lead to one of these licences being revoked, and readers had to develop an astute ability 'to read between the lines' (Kakiailatu, 2007, p. 63). The new regulations required the press to apply for the Press Publication Enterprise Permit, or popularly known as the Surat Izin Usaha Penerbitan Pers (SIUPP), which made it easier for the authorities to revoke or cancel any permits (ibid). There were brief episodes of relaxing the rules to allow for free and open discussions, such as the policy for openness (*keterbukaan*) in 1990 for more public participation in decision-making. The policy was short-lived when the state went back to its old ways of shutting down creative expressions that were deemed as anti-national (Schwarz, 2004).

The media in Myanmar also had to deal with restrictions legislated through various laws and regulations since the British colonial period. The Penal Code of 1860 (India Act XLV) was one of the most often used law to arrest and jail activists, journalists and other human rights defenders. The law contains provisions that criminalize speech on grounds of unlawful assembly (a.141); insulting religion or anti-blasphemy (articles 295, 295(a) and 298); trespassing (a.451); defamation (articles 499-502); and publishing or disseminating content that could cause offences against the State or against public tranquillity (a.505(b)), among others.[21] Offences related to criminal defamation resulted in up to two years of imprisonment upon conviction. Two other colonial-era laws used against the media were the Unlawful Association Act of 1908 and the Official Secrets Act of 1923. The Unlawful

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[20] Kopkamtib is the short form for the Komando Pemulihan Keamanan dan Ketertiban, or the Peace and Order Restoration Commando.

[21] The text of the Penal Code can be accessed here: www.wipo.int/wipolex/en/text.jsp?file_id=181185

Association Act was used against people from the ethnic states, where several conflicts are ongoing, accused of acting against the nation. Activists working on issues of peace and reconciliation, and journalists reporting from the regions controlled by ethnic armed organizations have been arrested using this law while carrying out their work. The Printers and Publishers Registration Law of 1962, introduced under Ne Win, was notorious for its total control of the print media industry, as it was used to silence journalists and writers (Lintner, 2001) as well as dictate censorship rules. The law was often used in conjunction with others such as the 1950 Emergency Provisions Act (ibid) and the Press Scrutiny Board set up under the law actively censored content as publications had to submit their articles and pages for approval. It was a sword of Damocles held over the heads of publishers and journalists for more than five decades, until it was replaced by the new Media Law and the Printing and Publishing Enterprise Law.

Media and free expression laws introduced during transition

Following the resignation of President Suharto, the government of B. J. Habibie signed on several international treaties, which were then followed up with national legislations to support reforms and human rights. Among the key changes were the enactment of the Law on Human Rights (1999) (Law No. 39)[22] and the amendments to the 1945 constitution, namely Article 28 on the protection of the rights to expression and seek information. But the *reformasi* had already thrown most of the Suharto-era regulations and paranoia of control out of the way as both the bureaucrats and the media ignored the press registration requirements, known as the 'Surat Izin Usaha Penerbitan Pers' (SIUPP) that allowed for new media outlets to be set up and journalists reporting more freely (Romano, 2003). The SIUPP was eventually annulled through the Regulations of the Minister of

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[22] Article 14 of the law reads: "(1) Everyone has the right to communicate and obtain information they need to develop themselves as individuals and to develop their social environment. (2) Everyone has the right to seek, obtain, own, store, process, and impart information using all available facilities." (Republic of Indonesia, Law No.39 of 1999 Concerning Human Rights, downloaded from: https://www.refworld.org/docid/4da2ce862.html)

Information No. 1, 1998, which resulted in a spike of media outlets, titles, journalists' groups and media watchdog groups around the country (Ispandriarno, 2008).

The 1999 Press Law (Law No. 40) was a milestone in many ways and remains as a strong legacy of the reforms during the transition period. It was debated and passed after just two weeks in September 1999 although discussions for it had begun about a year earlier in 1998 through a coalition of civil society actors called the 'Masyarakat Pers dan Penyiaran Indonesia' (MPPI, or the Indonesian Press and Broadcasting Community). Even though the coalition included broadcasting, in reality, it was mainly dominated by those with experience in the print media. Kitley (2000) argues that the proposals put forward in 1999 were largely single-issue bill that was not attuned to the needs of the broadcasting industry, which had to operate under the 1997 Broadcasting Law until the new law replaced it in 2002. The Press Law specifically recognised media independence and freedom as outlined in Chapter 2. Specifically, Article 4 states that press freedom is a fundamental right of citizens, there can be no censorship or any forms of restrictions, press have the rights to seek, access and disseminate information and ideas, and journalists are protected from disclosures in a court of law (right of refusal). Article 5 reins in these freedoms by making it an obligation for the media to respect religious and moral norms, respect the right of reply and to make corrections. In a significant departure from the Suharto-style of control, journalists were now guaranteed the rights to join any associations (Article 7), effectively allowing participation in independent groups such as the Aliansi Jurnalis Independen (previously journalists could join one organisation, Persatuan Wartawan Indonesia (PWI), which was pro-government). The law also contained provisions for the setting up of an independent self-regulation body. The press council (as provided for in Chapter 5 of the law) replaced the government council formed in the 1960s.

In 1996, a draft law on broadcasting was tabled to the House of Representatives, but it faced government pressure, resulting from the Suharto family's concerns about losing their stake in the television market. A clause in the law provided for restrictions on the technical aspects of broadcasting which was interpreted as constricting the interests of Suharto's children. The law was passed in 1997 but without the said clause (Sudibyo & Patria, 2013). It came into effect in 1999 after the fall of the Suharto regime but it had never been applied.

Instead, a new Broadcast Act was tabled in November 2002, which among others introduced progressive ideas, albeit with criticisms, public service broadcasting,[23] an independent regulatory body, community media and anti-monopoly rules (ibid). Articles 13 and 21-24 of the Broadcast Act specifically recognise community radio, in addition to the public and private broadcasting, and the Press Law made it possible for all types of media to carry out journalism functions (such as producing news, features and talk shows) including community broadcasters. The reform period also saw the removal of restrictions on the language that can be used, even though alternative media were already using regional languages and dialects (Jurriens, 2009a).

A law to promote transparency and public access to information took much longer to get passed even though discussions had begun soon after *reformasi*. The Public Information Openness Act was passed in 2008 (Law No.14/2008)[24], recognising the fundamental right to obtain information and disclosures as essential to democracy, transparency and good governance. It came into force on May 1, 2010. A Coalition on Freedom of Information, comprising about 30 non-governmental organisations (NGOs) campaigned since 2000 for the law as access to information had a broad-based interest, including those working on transparency, human rights protection, the environment and anti-corruption. Although draft laws were developed as early as 2002, negotiations with legislators and the government were suspended and only resumed in 2005.

The gains offered by the Press Law and the Broadcast Act were generally restrained by other existing and new laws that curtailed free speech, including the rights of the media. In 2008, a series of new laws were introduced which directly affect free speech; Law No. 44 of 2008 on Pornography, Law No. 42 of 2008 on General Election and Law No. 11 of 2008 on

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[23] The expansion of the broadcast providers to include public and community broadcasters are contained in Article 13(2) of the act. See Republic of Indonesia, Law No. 32 of 2002 on Broadcasting, available at https://jdih.kominfo.go.id/storage/files/1574745791-_JDIH____2__Law_No_32_of_2002_on_Broadcasting.pdf. (Accessed 10 December 2020). Specific provisions for the public broadcasters were formally introduced through specific government regulations in 2005 governing the public television and radio broadcasters, TVRI and RRI, respectively.

[24] Text available at: Information Commission, Indonesia: https://ppidkemkominfo.files.wordpress.com/2012/12/act-of-the-republic-of-indonesia-number-14-of-2008-on-public-information-openness.pdf. Accessed 20 December 2020.

Electronic Information and Transactions *(Undang-undang Informasi dan Transaksi Elektroni, UUITE*) (Wiratraman, 2014). Critics have argued that the reforms ignored fundamental changes needed to decriminalize speech, largely contained in the criminal code which is a legacy of the Dutch colonial rule. Attempts to amend the law have been criticised by the public due to the increased restrictions on expression including penalties blasphemy and the insult of leaders.

In the immediate years after the *reformasi*, the spaces opened up for more critical and unfettered reporting. For example, topics related to the controversial East Timor independence could be covered and the military realised it could not pressure editors into censoring their content (Harsono, 2002). The increase in the number of media outlets and people joining journalism paralleled the sense of optimism that the press enjoyed greater freedoms. The concern then was about the quality of journalism, the lack of training and resources to pay journalists well, thus turning to sensational reporting (ibid). Sudibyo and Patria (2013) write of the expectations and the outcomes of the law on broadcasting a decade on:

> "…the spirit of the post-New Order broadcasting regulations is to prevent over-arching control either by government or by big business…The spirit of the Act, however, has not been reflected in the actual implementation. On the contrary, entrenched business interests continue to be dominant while bureaucratic intervention has found a new lease on life in the broadcasting industry." (Sudibyo & Patria, 2013, pp. 259–260).

Critics of the broadcast industry noted that the public broadcasters that once used to be under the state, merely changed status as per the law, but had not undergone total transformation; the staff were considered as civil servants and the work culture inherited from the past (Ndolu, 2009).

Unrelated to the media but with significant impact were the laws on political and fiscal decentralisation by Habibie in 1999 (Laws No 22/1999 and No 25/1999). These laws were meant to empower local governance, effectively rewriting the relationships between the

central and local governments (districts and municipalities), bypassing the provincial governments. Two provinces were given additional autonomy – Aceh and Papua – on their local affairs and revenue sharing (Nasution, 2016). While there have not been serious political or financial problems arising from the decentralisation, which Nasution (2016) argues was implemented hastily given the lack of capacities at the sub-national levels, the policy has had mixed results. Public participation has certainly increased with local issues getting the visibility after decades of suppression, though in some cases corruption has become diffused (Aspinall & Fealy, 2003).

In Myanmar, one of the first changes introduced during the transition was the repeal of the 1962 Printers and Publishers Registration Law. This is similar to the Indonesian experience where the old Basic Press Act was replaced with the 1999 Press Law. The first draft law to replace it was the Media Law, and was written by the Ministry of Information in 2012 with support from UNESCO and international experts. However, journalists and publishers resisted the draft legislation, which they said was prepared without consultation. The task of coming up with a new draft was then given to an Interim Press Council (IPC), which sought input from representatives of journalists' associations. While the revised draft was an improvement, there was little meaningful consultation and the ministry had the final say on its content. As the discussions on the law continued, the ministry caught the IPC and the rest of the media community by surprise by bulldozing the Printing and Publishing Enterprise Bill (PPEL) through parliament in July 2013 (Brooten, 2016). Civil society and the journalists' associations organized a public campaign to reject the law, however, both the Media Law and the PPEL were eventually passed by the Upper and Lower Houses with little public input or participation from the NLD lawmakers.[25]

The Media Law signalled a departure from the old regime by ensuring no prior censorship (article 5), journalists' right to public information (a.6) and recognition of journalists' safety (a.7). It recognises the role of the media as the fourth estate with full

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[25] Unofficial translations of the Media Law, the PPEL and the Broadcasting Law can be found at: www.burmalibrary.org/docs17/2014-Media_Law-en.pdf ; https://www.article19.org/data/files/.../Printing-and-Publishing-Enterprise-Law-Bill.pd… and www.burmalibrary.org/docs21/2015-08-28-Broadcasting_Law-en-red.pdf

freedoms and rights (a.3), including the right to critique the executive, legislative and judicial institutions (a.4). However, the law was still problematic as it only nullified orders, directives, notices and declarations made under the 1962 law that restricted freedom of expression and contradicted the new law (a.32), but it does not prevent the use of other laws to criminalize speech. The law defines news media as "print media, broadcasting media, internet media and other public media services," which is vague and does not recognise the need for different legal structures or regulatory frameworks for the different aspects of content production and dissemination (Venkiteswaran et al., 2019). And while the law provided for the creation of a self-regulatory body, the President and the Upper and Lower Houses of Parliament also nominated candidates, in addition to the media and civil society representation. The law lacked clarity as to how the council could maintain and assert its independence.[26]

Another law introduced as part of the media-related legal reform was the Broadcasting Law, passed in August 2015. Given the smaller number of players in this sector, all of whom had close ties to the military junta, it was not surprising that discussions about the law were confined to those with vested interests. This included the Ministry of Information and its state broadcasters, as well as the private companies that established joint broadcasting ventures with the ministry, namely Forever Group and SkyNet, the latter owned by Shwe Than Lwin Co Ltd.[27] Apart from the state and commercial broadcasters, the law introduced two new categories – public service broadcasting and community media. Myanmar's reform plans for a public service broadcaster was envisaged vis-à-vis a transformation of the state media, while the community media was intended to provide more opportunities for media at the local level, particularly in the ethnic states.[28] However, there was little information as to how these media would eventually be set up. While the law allowed for wider private participation, the reality was that the state broadcasters already had an unfair advantage over any new entrants or independent players. The Public Service Media

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[26] Human Rights Watch. (2016, June 29). "They Can Arrest You at Any Time": The Criminalization of Peaceful Expression in Burma. URL: https://www.hrw.org/report/2016/06/30/they-can-arrest-you-any-time/criminalization-peaceful-expression-burma

[27] Five private companies won the temporary bids to broadcast television through these joint ventures and they served as content service providers for the state MRTV digital free-to-air channels.

[28] Information Minister Ye Htut when speaking at the Myanmar Media Development Conference in Yangon, 10 December 2015.

Bill, tabled in parliament in March 2014, sought to clarify the role of public service broadcasting by legislating state support not only for its broadcasters, but also the state-owned newspapers – the Myanmar language *Myanmar Alin* and *Kyaymon (The Mirror)* and *Global New Light of Myanmar* (in English). The proposed law drew much criticism, especially for its inclusion of the state newspapers, and weak guarantees of editorial independence, content diversity and pluralism as well as public participation in the governance mechanism. In a rare move, it appeared as though the Ministry of Information paid heed to public pressure as it eventually withdrew the bill in March 2015. It claimed the reason was to improve the draft and for many observers, this was unusual as it was the first time a government bill was withdrawn after it was tabled in parliament. Journalists' associations and members of the News Media Council wanted the state media to be privatized and not given any special privileges, but were open to idea of a public service broadcaster if it was fully independent of the state (Venkiteswaran et al., 2019).

The most controversial among the new laws in Myanmar was the Telecommunications Law. It was drafted by the government with support from the World Bank, but the process did not see as many groups get involved as with the media laws. Representatives of non-governmental organisations (NGOs) criticized the drafting process, as well as the World Bank, for favouring private and state interests over human rights protections (Igoe, 2014).[29] The law mainly set the framework for the liberalization of the sector to provide for private sector operators, allocation of spectrum as well as rules regarding competition and access.[30] The scope of violations related to content and content distribution in the law, and its aggressive use during the transition against journalists, activists and ordinary individuals, especially under Section 66(d),[31] were widely criticised.

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[29] The World Bank allocated a USD31.5 million credit for the sector's reform project in the country in 2014 "to improve the enabling environment for the telecommunications sector and extend coverage in selected remote pilot locations. It also established priority eGovernment technological foundations and institutional capacity for the government to embark on its public sector reform program" (World Bank, 2014a, ¶10).

[30] The Telecommunications Law regulates the licensing, numbering, competition, spectrum allocation and interconnectivity targets in the sector. To date, the regulatory body in charge is not independent and is seen as a barrier to creating a healthy competition between the incumbent and private telecommunication companies. For a criticism of the regulatory body, see: ARTICLE 19 (2017).

[31] Section 66(d) is a criminal law provision that permits penalties of up to three years in prison for "extorting, coercing, restraining wrongfully, defaming, disturbing, causing undue influence or threatening any person using a telecommunications network." The law initially did not allow for bail but this was changed in August 2017.

The NLD's repeal of two security laws represented a positive development during the period under study. In May 2016, parliament abolished the Law Safeguarding the State from the Danger of Subversive Elements (State Protection Law), which was used under previous military regimes to repeatedly place Aung San Suu Kyi under house arrest. In October 2016, parliament also repealed the draconian Emergency Provisions Act of 1950. Military members in parliament opposed the repeal, arguing that the law was important for national security, but the NLD prevailed. Several NLD representatives were themselves imprisoned under the law during the military regime. The repeal was widely welcomed, although activists pointed out that more than 200 political prisoners remained in jail, convicted under other laws. Up to this point, the process of law making was fundamentally dominated by the military junta and until 2015, by Thein Sein's Union Solidarity and Development Party (USDP) government. The NLD, as the opposition party until it won the November 2015 elections, was less invested in the media reform process, although it had endorsed the military's transition plans (Zin & Joseph, 2012). It was only when it was transitioning to form the government that its representatives appeared in public to share the party's limited plans regarding the media, though some of the initial comments by Aung San Suu Kyi as State Counsellor took on a critical tone of the media.

Several other laws and their uses during the transition also affected the media sector. The Right to Peaceful Assembly and Peaceful Procession Act was introduced in December 2011, giving citizens the right to hold protests, but only with official permission and subject to punitive actions if found to be contravening the law. To some extent the law was a significant change from the earlier one that prohibited public gatherings of more than five persons, but those implementing the law were quickly seen to be favouring some groups over others. For example, protests led by monks against the international community on issues related to the crisis in Rakhine State and over the award of a telecommunications licence to Qatar-based Ooredoo were allowed, while those organised by student activists campaigning on education reforms, or farmers fighting against land grabs and even journalists covering the protests, were targeted by the authorities. Subsequent changes to the law were regressive: the amendments in 2014 (under the Thein Sein administration) and in 2016 by the NLD government did little to reverse arbitrary arrests or the crackdown on protesters, and failed to

meet international standards on freedom of expression and peaceful assembly.[32] For instance, the 2016 amendment gave police the powers to deny notifications of protests, as shown in their handling of protests calling for peace and government intervention to rescue displaced persons trapped in forests amid clashes in Kachin State.[33] Despite calls to rein in the abusive elements of the law, in 2018, the NLD tabled new amendments that were passed by the Upper House. The amendments reversed the 15-day deadline for authorities to bring about any criminal charges against participants, and required protest organisers to include details of their estimated budget and source of funding in their notification to the authorities. In addition, anyone who contributed financial, material or any other means of support to encourage protest seen to be against national security, rule of law, public order or public morals faced a three-year imprisonment and unlimited. The changes received a lot of flak from civil society and even the Tatmadaw representatives in Parliament.[34]

The Electronic Transactions Law of 2004, another legal tool used by the earlier regimes against bloggers, activists and journalists, was amended in 2014 to reduce the severity of punishments to three to seven years, from the earlier term of seven to 15 years. However, the offences, which included sending or receiving information detrimental to national security, law, order, public tranquillity, national solidarity, national economy or national culture, were largely retained.[35] Discussions on the right to information law and on anti-hate speech were initiated during the transition but were never finalized. With Myanmar signing up for the Extractive Industry Transparency Initiative (EITI) in 2014, there could be motivations to have a right to information law, but one of the barriers was the Official Secrets Act 1923, which has protected state institutions and public officials against scrutiny and disclosures. Journalists could use the News Media Law to seek information but they faced public and military officials who remained unwilling to give information. The environment

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[32] Human Rights Watch. (2016, May 27). "Burma: Proposed Assembly Law Falls Short: Remove criminal punishment, overbroad speech restrictions". https://www.hrw.org/news/2016/05/28/burma-proposed-assembly-law-falls-short

[33] Kyaw Myo Min and Zarni Htun. (2018, 7 May). "Kachin State Evacuates More Than 130 Civilians Trapped by Fighting in Northern Myanmar". *Radio Free Asia*. URL: https://www.rfa.org/english/news/myanmar/kachin-state-evacuates-more-than-130-civilians-trapped-by-fighting-in-northern-myanmar-05072018161531.html/

[34] Progressive Voices. (2018, July 12). Myanmar Must Drop All Charges Against Peaceful Protesters and Amend The Peaceful Assembly and Peaceful Procession Law. URL: https://progressivevoicemyanmar.org/2018/07/12/myanmar-authorities-must-drop-all-charges-against-peaceful-protesters-and-amend-the-peaceful-assembly-and-peaceful-procession-law/

[35] Ferrie, J. and Aung Hla Tun. (2013, September 6). "In the new Myanmar, an old junta's laws survive and adapt". *Reuters*. URL: https://www.reuters.com/article/myanmar-laws-idINL4N0GU2MR20130905

supported a culture of favouritism among media, in which state-owned and government-friendly media had unfettered access to regional parliamentary sessions and government departments and their activities, while others (mostly private media) did not. Meanwhile, the government contemplated an anti-hate speech law, first referred to as the Interfaith Harmonious Coexistence Bill, and later the Protection Against and Prevention of Hatred Bill, although no public consultations were noted by February 2020. Part of the challenge of such a law was the subjectivity involved in defining rights and hate speech itself, and the spread of such speech on social media. In the earlier drafts, minorities, whose citizenship have yet to be recognised, in particular the Rohingya, were excluded from any proposed protections, and the draft laws fell short of international human rights standards and best practices on addressing hate speech.[36]

Self-regulation of the media

Voluntary self-regulation of the press is one of the cornerstones of media accountability and press freedom. Formed and led by the industry members, press councils (also referred to as ombudsman or media councils), uphold ethical and professional standards in journalism and act as mediators for public complaints against reporting. Most councils established in open societies tend to be voluntary in line with principles of press freedom and independence of the state, while many regions and nations have adopted co-regulation models, where the councils are set up by law but are run independently. The mechanism also exists in authoritarian societies where governments control the membership and functions of the council. One of the oldest and freest press councils that exist until today is the Swedish Press Council, established in 1916, by journalists' associations, to promote and adjudicate complaints based on journalism ethics and code of conduct.[37] In Indonesia, a press council was formed in 1968 after the passage of a law in 1966 stating its role to support the government. Law No 11/1966 was amended in 1982 that further entrenched the position of the council as advisor to the government. Journalists in Myanmar first formed a press council after the military coup by Ne Win in 1962 with the aim of protecting press freedom, but

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[36] See Article 19. (2020, February). Myanmar Briefing Paper: Countering 'Hate Speech". URL: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.article19.org/wp-content/uploads/2020/05/2020.02.04-A19-Hate-Speech-Law-Policy-Paper-final-3.pdf

[37] Swedish Press Council/Media Ombudsman website: https://medieombudsmannen.se/english/

within a year, the junta had closed down numerous publications and editors arrested, bringing an end to any form of independent scrutiny (Smith, 1991, p. 20).

The Indonesian Press Council, or *Dewan Pers*, is provided for under Chapter 5 of the 1999 Press Law and came into being in 2000. The functions of the press council as stipulated in Article 15 are:

1. To protect the freedom of the press from interferences by other parties;
2. To carry out studies to enhance the development of the press life;
3. To sanction a Journalism Code of Ethics and to supervise its implementation;
4. To give considerations and to help settle public complaints over press publication-related cases;
5. To facilitate communications among the press, the people, and the government;
6. To help press organizations in formulating regulations in the field of the press and to improve the quality of journalistic profession; and
7. To set up a data bank on press corporations.[38]

Membership to the council is based on nominations by journalists' associations, media companies, and public figures or experts chosen by the media representatives. No government members are involved in the council, although the council may receive grants and financial support from the state. Unlike the Suharto-era council, the post-*reformasi* council has pushed the press freedom agenda strongly and ensured society-wide adoption and respect for the legal protections for the media. Among others, an MoU between the council and the national police, first signed in 2012, ensures that criminal complaints against the media are referred to the ombudsman for mediation, instead of criminal investigations.[39] Since its establishment, the council has provided guidelines on practice and ethics, introduced a scheme to build and recognise the competencies of journalists, and launched a verification system for online media in 2017 to aid the public in identifying credible sources of information. The media council in Myanmar, on the other hand, had a controversial start. In

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[38] Press Council of Indonesia (2016). Indonesian Press Law & the Regulations of the Press Council. Available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dewanpers.or.id/assets/ebook/buku/2011241422_2016-09_BUKU_Indonesian_Press_Law_&_Regulations_of_the_Press_Council.pdf

[39] Anhari, I. (2023, 7 February). Polri dan Dewan Pers Teken MoU Terkait Perlindungan Pers. Rmol.id. URL: https://rmol.id/read/2023/02/07/562888/polri-dan-dewan-pers-teken-mou-terkait-perlindungan-pers.

2012, the transition government under Information Minister Kyaw Hsan, announced the setting up of the 20-member Myanmar Core Press Council (MCPC) under article 354 of the constitution. Many journalists shunned the council, which was made up of mainly pro-establishment individuals. When Aung Kyi was appointed the new minister, he dissolved the MCPC and replaced it with an Interim Press Council (IPC) with more members from the journalists' associations.[40] This IPC was given the task of preparing the draft media law, a code of ethics for media, and a plan for the safety of journalists; adjudicating complaints against the media; and developing the professional capacity of journalists through trainings. The IPC became the main body tasked with interfacing with the government in deliberations about the draft laws, even though there were journalists' associations that wanted to engage directly with the state. But the strongest criticisms of the IPC were voiced when it accepted funds from the government amounting to 50 million kyat (equivalent to USD 36,600). Some in the media insisted the council lacked independence even though it had transitioned into a permanent structure in 2015, calling itself the News Media Council. Under article 19(a) of the Media Law, part of the council's income is sourced from the government budget. In general, state contributions can help the councils where fundraising from media companies or other sources may be difficult in the initial period. Indonesia's council receives public funds to cover administrative costs but the historical scepticism of state control and interference in Myanmar raised concerns among the media stakeholders. In the early years of its work, the News Media Council did receive complaints but it was typically sidelined by institutions like the military that tended to take its complaints to the courts and for more punitive actions, instead of seeking council mediation (Venkiteswaran et al., 2019).

Fragility of legal systems

Because of the military's strong influence, there were risks that the legal reforms would be constrained, but in Indonesia, political will ensured to a large extent that the press law went ahead with the support of legislators. With the exceptions of control in areas such as Aceh and Papua, the post-*reformasi* structures in Indonesia limited the military's autonomy quite successfully, where in other countries in the region, internal conflicts are used to justify

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[40] Nyein Nyein. (2012, September 17). "New Interim Press Council Formed". *The Irrawaddy.* URL: https://www.irrawaddy.com/news/burma/new-interim-press-council-formed.html

stronger military presence in politics (Mietzner, 2011). Despite limited opportunities, political contests and representation had historically existed in Indonesia although the judiciary also had the reputation of being corrupt and a 'mafia' that dabbled with internal and external illegality (Butt & Lindsey, 2011). Once reforms took place, the separation of powers were strengthened and the judiciary came under the supervision of the Supreme Court instead of the executive, and together with the formation of a Constitutional Court, allowed for a more independent administration of justice. In an environment where the public were sceptical that political parties would reform themselves, there was overwhelming legitimacy accorded to the role of the courts, especially the Constitutional Court in the post-*reformasi* decades (Siregar, 2015).

The Tatmadaw went on a different direction in Myanmar; while it made way for more civilian rule in Myanmar, legal structures and as such, reforms were influenced by years of dictatorship, which left little to no room for meaningful representation and law making. Using conflict and the role of legal reforms as her focus on the legislative outputs in Myanmar between 2010 and 2015, Crouch (2016) said the three main issues on the reform agenda during that period – structural governance reforms, economic and business reforms, and social reforms – were mainly informed by past debates and efforts at law reforms. In the drafting of laws that were designed to avoid or manage conflicts between individuals and the state, Crouch (2016) observed that several patterns emerged: formation of committees that were close to the executive to avoid conflict, wide discretion of government ministers to manage conflict, the exclusion of courts from reviewing executive decisions, and an increased level of participation in law making which created new conflicts (Crouch, 2016). The legislative and executive powers were largely centralised and the initial years of the opening included structural reforms to the bicameral parliament (ibid), which meant limited experience for lawmakers in general. This was most pronounced for the NLD, many of whom were prisoners of conscience or faced numerous challenges in political participation over the decades. Given the country's historically limited judicial independence, laws were applied selectively and arbitrarily by the junta (Hudson-Rodd, 2008). Crouch (2016) raises an important point in the analysis of legislating reforms in Myanmar that in countries in transitions, two assumptions often prevailed: that law did not play a role in the country in the past, and that in the transition period, law will make an important contribution to the reform process. She notes that during the transition, law reforms that would have taken years in other

countries seemed to have been undertaken within a short period, but one should take into account many of these were not new and had been set by the military government. However, one key change has been the level of participation and transparency in the law making process during the transition period: consultations were done in a fair number of cases, unlike before and together with the greater space in media to report and discuss the laws, there was more room for feedback and dissent. While international non-governmental organizations have been instrumental in providing the expertise and best practices, in some cases, it has also led to rumours of unwarranted foreign influence – an example of new conflict or tension arising from the legal reform process (ibid). Legal tradition influenced by, among others, colonization and the independence struggle, war and internal conflicts.

> "a diverse range of institutional structures have been introduced and then later discarded and replaced. These include the centralised rule of the kings; the colonial institutions designed by the British; the bicameral Parliament established in the immediate post-independence period; the unicameral socialist state imposed under Ne Win; the rule by military junta that followed; and, finally, the revived national-level bicameral Parliament that exists today. In one respect, this means that all institutions save for the military have relatively shallow roots, generate little respect, and will require significant consolidation" (Crouch, 2014:29).

The institutions – courts, police, military – have not pursued rule of law, instead it is law and order or the absence of rule of law was deliberate or 'willed' (Cheesman, 2015, p. 274). The courts, indeed the judicial system, had not been independent for decades and has been subordinated to the executive and the military, an arrangement that was consistent with law and order. As such, the rule of law in Myanmar should be seen as a signifier of desire or a political imaginary that is different from what exists.

> "Whereas the rule of law is concerned with minimizing arbitrariness, law and order has as its primary concern no restlessness. Its ultimate object is quietude. Law and order conceives of a mode of association whereby essentially administrative immobilizing mechanisms quiet people. Some kind of subordination is implicit to

obtain law and order. Quietude does not happen of its own accord. Somebody is

immobilized and somebody else immobilizes." (Cheesman, 2015, p. 275)

What can restrain the reform process is the administrative nature of the judicial system, which in authoritarian systems are designed to support state institutions. Cheesman (2015) argues that reforms of the judicial administration hardly feature in discussions about media reforms, which generally treated the courts and access to justice as procedures that will have to correct themselves in the new environment.

Press freedom indices

In the new environments, expectations were high among reformists, advocates, and the supporters that the media would have unfettered access to information and the freedoms to report. The positive outcome of the removal and relaxation of licensing regulations meant that there was now a vibrant media landscape. By the end of 1999, after the Press Law was enacted, more than 800 new print titles were registered (Kakiailatu, 2007), compared to the 279 titles in 1998. After the initial euphoria and excitement many of the new ones did not survive the liberalised environment due to resource challenges or lack of public interest, and so by 2005, there were an estimate 600 titles; private televisions had increased from five to 10 and there were at least 20 local television stations (Nugroho et al., 2013). Since the mid-2000s, online news media had also grown, from less than 10 at the point of *reformasi* to more than 40,000 in present day Indonesia. In Myanmar, due to tight restrictions, only seven private dailies were given the license to operate since the 2000s, although there were hundreds of weeklies and monthly journals operating under tight regulations of what they could and could not publish. Starting in April 2013, 26 new printing licenses were given to private daily newspapers with 13 more starting in 2014 (Brooten et al., 2019). The broadcasting sector saw minimal change with the state television station signing joint ventures with five stations, including previously exiled media, to broadcast content (ibid). The increased number of media players and the relative freedom they had was a win for the public in general, which had a more plural and diverse access to news, information, and

creative content. But attacks against the media and journalists, as well as activists and ordinary citizens continued even after some of the reforms initiatives were in place.

An important shift in Myanmar was the availability and affordability of the internet and mobile data, with private telecommunications companies offering competitive plans. By 2020, internet penetration had reached 41%, compared to a low of 1% in 2012. Meanwhile, Indonesia also saw significant growth in internet use with 80% of the population of about 300 million people connected. During the time of the study, social media use was popular in both countries; Facebook was the popular option in Myanmar, and WhatsApp, Instagram, Facebook in Indonesia. The rise of social media – although in different intensities and trajectories – complemented and challenged the more centralised media outlets. The growing user-generated content mediated by the new corporate platforms however, also became significant sites of expression, struggles and repression.

A useful starting point to compare and measure media in the context of politics is press freedom and freedom of expression. References to the global index measuring press freedom by advocacy groups Reporters Without Borders (RSF) and Freedom House are among the more popular tools used to assess the media in transition, as the indices take into account the political, legal and economic factors that support or restrict the exercise of the freedoms and rights. The RSF index ranks countries based on scores attained – the higher the score, the lower the ranking. Freedom House uses a more normative assessment and describes countries as free, partly free or not free, based on assessments of indicators that are also scored. These indices are often used as reflections on the state of press freedom when countries begin transitioning into a more open regime; a better score or rating would indicate efforts to reform the legal environment (from a repressive one to a more enabling one), improve conditions for journalists and remove the risks of physical attacks and harassment, and reduce interferences by the state and owners in editorial decisions. Indices have been used to inform aid or donor decisions and are widely used in academia and civil society (Burgess, 2010), governments in countries with low or falling ranks sometimes rejected the indices, criticising the methodology or the so-called western-centric measurement, as India did in reference to the 2022 index which saw the country decline significantly when it came

to press freedom under Modi's leadership.[41] Although global comparisons may contain methodological challenges and biases (Holtz-Bacha, 2004) and could potentially mask diversity across media, intra-country disparities or people's pushback strategies, the general trends analysis are useful as tools for advocacy given the strong links between media liberalisation and democracy (Burgess, 2010).

The table below shows the trends in the ranking for Indonesia and Myanmar. Based on data available across different years from just before or after the political shifts. The indices are stronger following improvements in one or several of the factors, such as progressive laws or the removal of censorship, or declines in the rankings as a result of attacks on the media or use of laws to prevent reporting, among other reasons. For example, press freedom advocates in Indonesia noted how the ranking dropped in 2004 after initial improvements since the index was published in 2002, attributing the decline to the legal suits against independent media Tempo and its editors and the killing of a journalist in Aceh, which was then a conflict zone.[42] Similarly in Myanmar, advocates and journalists referred to the index to hold the new governments' commitments towards press freedom.[43]

Table 4: Indices on press freedom

Indices Country	Freedom of the Press* (Freedom House) Score/Status	Press Freedom Index (Reporters Without Borders) Score/Ranking
Indonesia		
2002		20/57
2010	52/Partly Free	35.83/117
2015	49/Partly Free	59.25/138
2020	49/Partly Free (2017)	63.18/119

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[41] According to RSF, India dropped to the 150th rank out of 180 countries in the 2022 index, compared to 122 in 2010, gradually declining due to the restrictions placed on the media and the increased attacks on journalists and critics seen as opposed to the prime minister and his party. The index can be accessed at the website here: https://rsf.org/en/index

[42] Tempo Interaktif. (2010, July 10). Peringkat Kebebasan Pers di Indonesia Melorot. Aliansi Jurnalis Independen. URL: https://malang.aji.or.id/2010/07/22/peringkat-kebebasan-pers-di-indonesia-melorot/

[43] Su Myat Mon. (2018, April 26). Myanmar falls six places in annual press freedom ranking. Frontier Myanmar. URL: https://www.frontiermyanmar.net/en/myanmar-falls-six-places-in-annual-press-freedom-ranking/

Myanmar		
2010	94/Not Free	94.5/174
2012	85/Not Free	100/169
2015	73/Not Free	57.92/144
2020	73/Not Free (2017)	55.23/139

*Freedom House last issued its freedom of the press report in 2017

One of the unresolved issues with press freedom in Indonesia has been the impunity in journalist killings and attacks. According to the Committee to Protect Journalists, 13 journalists were killed in the line of duty since 1996, including two while on dangerous assignments,[44] while the Press Council documented more than 60 cases of violence against media workers.[45] Violence is the worst form of censorship that has a ripple effect across the industry. Press freedom advocates have called for the state to bring the perpetrators to justice, yet this is a challenge as the actors of violence included security forces, as has been the case in Myanmar as well.

The Information and Electronic Transactions Act, commonly referred to by the Bahasa Indonesia acronym UUITE was used against individuals over their online expressions since its introduction in 2008, over what activists argued were problematic reasons. In recent years, civil society monitors say journalists have been subject to the law, with at least eight cases in 2019. The reports were public interest issues such as corruption and criticisms of public bodies.[46] Two cases involving online users that became emblematic about the risks of the UUITE to expression involved a complaint over medical services that was deemed libellous by the hospital, and comments about atheism that were accused of inciting hatred. In the first case in 2008, Prita Mulyasari had complained to the hospital in an email about a false

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[44] Committee to Protect Journalists: https://cpj.org/data/killed/asia/indonesia/?status=Killed&motiveConfirmed%5B%5D=Confirmed&motiveUnconfirmed%5B%5D=Unconfirmed&type%5B%5D=Journalist&type%5B%5D=Media%20Worker&cc_fips%5B%5D=ID&start_year=1992&end_year=2023&group_by=location
[45] IFEX. (2011, May 6). Journalists groups urges government to stop impunity, killings, provide protection and benefits to media workers. https://ifex.org/journalists-group-urges-government-to-stop-impunity-killings-provide-protection-and-benefits-to-media-workers/
[46] Aditya, N.R. and Krisiandi (2020, November 14). "Catatan SAFEnet: 8 Kasus Jurnalis Terjerat UU ITE Sepanjang 2019. Kompas.com. https://nasional.kompas.com/read/2020/11/14/05050021/catatan-safenet--8-kasus-jurnalis-terjerat-uu-ite-sepanjang-2019?page=all

diagnosis she received. She then forwarded the email to her friends on a mailing list, which subsequently made its way to other chat groups. The hospital deemed this as defamatory and filed a case against Prita. The court found her guilty and ordered her to pay millions in damages. The case drew public attention and support, as funds were raised to help her settle the damages. The conviction was later overturned but it demonstrated the risks that individuals faced in expressing legitimate viewpoints. In another case, a public servant was sentenced to two and a half years jail term in 2012 after his posts on atheism was found to have violated UUITE. Alexander An AKA Aan said his post, questioning the existence of god was intended to spark discussions on religion and not incite religious hatred, and the conviction made him speak less online. His case was an example of legal actions that restricted expressions over issues that could be deemed sensitive because of the overly-broad definition.[47]

Despite having new media laws in place in Myanmar and the National League for Democracy taking office, the media still faced the risks of persecution even when general reporting standards had improved since the transition. For instance, journalists Lawi Weng, Aye Nai and Ko Pyae Phone Aung were arrested in June 2017 by security officials under the Unlawful Associations Act of 1908, after covering and reporting on a drug burning in an area in Shan state that was controlled by the Ta'ang National Liberation Army (which had been declared as a terror organisation by the central government). The three were imprisoned for over two months before the charges were dropped. Another colonial-era law, the Official Secrets Act 1923 was used to arrest and convict two Reuters journalists, Wa Lone and Kyaw Soe Oo in December 2017, when they were investigating claims of military violence against Rohingyas. They had sighted documents from two police officers but this was used to accuse them of illegal possession of secret information. The case raised international attention and while several soldiers were jailed, the two journalists were convicted and all appeals were unsuccessful (Venkiteswaran et al., 2019), The News Media Law passed in 2014, which should have provided opportunities for journalist protection, was instead used to penalise them. The first case was filed the same year against a publication *Myanmar Thandawsint* for supposed ethical breaches. More notoriously however, was the use of the

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[47] Coconuts Jakarta. (2016, August 26). Silencing the Critics: The 5 Most Outrageous and Ridiculous Cases of UU ITE Violations. https://coconuts.co/jakarta/features/silencing-critics-5-most-outrageous-and-ridiculous-cases-uu-ite-violations/

Telecommunications Law against editors and journalists at least in four cases in 2016 and 2017.[48]

Aid for media reforms

In both countries, the drivers for the change included politicians in the transition governments, legislators, activists and the media. Intergovernmental organisations such as the UNESCO played a role in assisting with draft regulations and supporting consultations in both countries. In the case of Myanmar, with the support of UN agencies, it was possible to organise forums and discussions about media reforms with journalists and activists, including those who had been in exile. Advocates in Indonesia were among those who were first invited to lead the discussions in Myanmar. One of them was Bambang Harymurti, a leader in the Indonesia media sector and who battled legal challenges in the early years after *reformasi*, who became a UNESCO consultant on media law for Myanmar.[49] Media law expert, Toby Mendel, who advised civil society and the government in Indonesia when drafting the press law (as a staff of international NGO Article 19), was also hired as a consultant by international media foundations to provide support in Myanmar's legal change.[50]

International assistance and coordination

In the cases of Indonesia and Myanmar, both with histories of authoritarian governments, the states, especially the military-led leadership are central to the discussion whether they were replaced by or negotiated with civilian forces to transfer power. Yet, social forces have

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[48] Venkiteswaran et.al. (2019:72-76) present a timeline of policy announcements , legal changes and criminal cases related to the media and free expression. It shows how laws were actively used even under the NLD administration, as the civilian government was seen to be more than willing to act on complaints by the military over reporting that could have affected its reputation.

[49] UNESCO. (2012, March 23). UNESCO Training Course to Help Myanmar Draft New Media Laws. https://www.travel-impact-newswire.com/2012/03/unesco-training-course-to-help-myanmar-draft-new-media-laws/

[50] Toby Mendel set up his own organization, the Center for Law and Democracy after leaving Article 19, and is interviewed for this research.

also been significant in influencing the political shifts in the two countries and the results have been different at least within the first decade of the changes. At the same time, the two countries have been recipients of international development aid – Indonesia before the transition and Myanmar mainly after the opening in 2011. The aid, known formally as the Official Development Assistance, primarily focused on economic development, using direct financing and loans to recipient governments. Accompanying the official aid in cases of political and democratic transition is the support from foreign state and private agencies or international non-governmental organizations (INGOs) in other areas related to the building or strengthening of governance and civic spaces. The latter includes support for independent media or journalism, reforming laws to enable press freedom and citizens' access to information, transparency and others. Globally, media assistance forms less than one percent of total aid for development. Between 2010 and 2015, the annual amount for media assistance was USD450 million, with most of the bilateral and multilateral support from OECD countries for media assistance channelled to the public sector (53%), 28% to civil society and 19% to other recipients (Myers & Juma, 2018).

Although Indonesia had been a recipient of international aid for many decades, its dependency on this source increased significantly after the Asian Financial crisis, but it then declined after 2004. Since then, the source of aid has mainly come from the Asian Development Bank, Japan and the World Bank. Myanmar became the 7th largest recipient of international aid in 2015 after decades of being restricted to limited assistance on health and humanitarian grounds. Between 2011 and 2015, Myanmar received a total of USD13.7 billion in ODA, the main sources being Japan, the World Bank and the United Kingdom (Carr, 2018).

In Indonesia, the coordination of the aid agencies, the International Consultative Group on Indonesia organised by World Bank, was set up in 1967 to coordinate foreign aid to the country. The IGGI was used by human rights groups as a platform to voice concerns to the international community. It was dissolved in 1992 after the 1991 Santa Cruz massacre in East Timor, which was at that time under Indonesia. Then President Suharto expelled the Dutch from the IGGI for its strong criticism of the massacre and renamed the aid group CGI which continued to fund Indonesia. The funds were primarily through the state, while NGOs that

had worked prior to this had to professionalise and compete for funding. In 2007, President Susilo Bambang Yudhyono eventually dissolved the CGI. Activist Andreas Harsono opined that the "The World Bank helped its (CGI) demise" and that it may have also resulted in a decline in human rights standards including in media freedom (personal interview, 1 May 2017). He added that less than a decade since the changes, international donors had begun to review their strategy and instead of funding civil society groups directly, they either shifted the support to the state or reduced the grants because the Indonesian state was expected to take on the role to support and provide finance to civil society. The immediate impact of this shift, according to Harsono, was the reduced capacity of civil society in general, especially those focused on defending human rights (including Papua), women's rights, minority rights, which will be elaborated in Chapter 8. He had become worried that it led to a decline in observation and respect for international standards as shown by subsequent attempts to legally stifle non-governmental organizations.

In Myanmar, the government and the UN established a coordination mechanism for the development assistance at the start of the transition and identified about 16 sectoral working groups. Each group was led by a line ministry, a bilateral actor (which offered the most funds or had the issue as its priority) and a UN agency. One of the 16 sectoral working groups involved the media. The Media Development Thematic Working Group had the Ministry of Information, the Embassy of France and UNESCO as the leading actors. Its membership included international media development organizations (donors and implementers), and local media associations and organisations. In 2016, the NLD government under Aung San Suu Kyi restructured the coordination mechanism into the Development Assistance Coordination Unit (DACU) and became its chair. Media was scrapped from the official structure, although the MDTWG continued to exist as a coordinating body under the Ministry of Information to organise consultations on laws and other media related activities. According to UNESCO's Mikel Aguirre Idiaquez, the working group was a unique feature to Myanmar for the media and development partners shared information and coordinated work in the field. This was different from the usually competitive environment among development partners (personal interview, 20 May 2017).

The main donors involved in media development and media reforms ranged from UN institutions, state aid agencies, private or charity foundations, and public service media foundations, while international non-governmental organizations, journalism training institutes and trainers, consultants and other experts were involved in a variety of programmes. In some cases, the assistance is directed at the media, while others grant makers may work with intermediaries such as media development organizations, civil society groups, government agencies, and media NGOs and institutes to carry out activities to enhance the capacities and capabilities of journalists and. Media can be a standalone of focus area, but some donor programmes include media as part of democratic building or support for civil society support in thematic areas such as peace building, public engagement in policies, and human rights, among others.

One of the leading institutional donors, historically and in reach, is the U.S. Agency for International Development (USAID). Following the opening in Myanmar, which saw the US foreign policy committing support, USAID launched a four-year 'Civil Society and Media Project in Burma' (2014-2018), allocating at least USD360,000 to 10 independent media outlets in Yangon, Mon, Kayin, Kachin and Chin states to generate "balanced, well-researched and reliable reports on public interest concern and public policy": these included investigative reports, public dialogues in the lead up to the 2015 national elections, and reports that highlighted issues related to disability. [51] The recipients included formerly exiled media DVB and Mizzima News, investigative magazine *Mawkun*, and ethnic media Karen Information News, Kantarawaddy Times and Hakha News. Other support for the media included monitoring of the media content and support for 50 journalists nationwide to attend the 4th Media Development Conference. USAID's approach in administering its grants is to work with a project implementer to manage the overall project, which then works with partners to implement the activities. For this grant, USAID appointed US-based FHI360 (which describes itself as a non-profit human development organization with operations in 70 countries), and one of the media partners that provided mentoring and training was another US organization, Internews.

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[51] Information obtained from the report "Civil Society and Media Project. Funded by United States Agency for International Development. Cooperative Agreement No AID-482-A-14-00004. Quarterly Progress Report No. 5 (October 1, 2015-December 31, 2015)" submitted to the USAID Burma office on 29 January 2016. (See page 7 for the details of media support to the 10 media outlets.

In Indonesia, between 2004 and 2008, USAID provided assistance to further strengthen the legal framework for press freedom. Its activities included supporting journalists' organizations and press council to provide advice and advocate on behalf of the protection of press freedom. The reforms agenda of the strategy was allocated USD176 million for implementation over five years, which included activities related to the media legal reforms.[52] This strategy was a follow up to the institution's crisis response (Asian financial crisis and regime change) and a transition strategy between 2000 and 2003. In recent years, USAID has provided grants to journalists' groups (Aliansi Jurnalis Independen), fact checking organizations (MAFINDO) and local media development association PPMN to promote citizen journalism and elections watch.

US philanthropy organization, the Ford Foundation, had its presence in Indonesia since 1953 and supported a wide range of civil society and non-profit sectors. In post-*reformasi*, grants were provided for a range of activities including support documentary film making (Yayasan Masyarakat Mandiri Film Indonesia, 2008, USD200,000), for setting up of Local Information Commissions in six districts to promote access to public information (Indonesia Corruption Watch, 2009, USD300,000), and training for journalists of diverse backgrounds on narrative writing (Yayasan Pantau, 2011, USD136,339).[53]

UNESCO depends on grants from its member states to carry out programmes. In Southeast Asia the regional headquarters in Bangkok, Thailand and the Indonesian office manage much of the programmes. It works with other UN agencies such as UNDP, and with state institutions (government ministries and agencies), but in collaboration with other organizations. In Indonesia, the office supported a range of activities in the immediate post-*reformasi* and in the years following. These included the consultations for the setting up of community radio, legal reforms, and journalists training. Similarly, in Myanmar, UNESCO

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[52] USAID Strategic Plan for Indonesia 2004-2008: Strengthening a Moderate, Stable and Productive Indonesia. July 28, 2004.
[53] Information obtained from the grants database of Ford Foundation. URL: https://www.fordfoundation.org/work/our-grants/awarded-grants/grants-database/?page=27&search=Indonesia

co-chaired the Media Task Force Working Group and was co-organiser of the annual media development conferences, and supported the drafting of media laws.

Private foundations like the Open Society Foundation/Institute, which was borne out of the support for the Velvet Revolution, was also a major player in the two countries. Through its different programmes and funds, it supported the setting up community radio and independent media after the *reformasi* in Indonesia and pre-opening in Myanmar. The OSI Burma Programme ran a scholarship scheme for Burmese refugees and students to support their education, while it also provided grants to media in exile and ethnic media that operated along the country's borders or further away in Europe.

Other major contributors to the media and freedom of expression programmes in the two countries included the governments of Norway, Sweden, UK, Australia, and Japan, while foundations included The Asia Foundation, Hivos Foundation, Ford Foundation, Free Voice/Free Press Unlimited, National Endowment for Democracy, and the Media Development Loan Fund/Media Development Investment Fund. Public service media foundations from Europe and Australia – British Broadcasting Corporation, Australian Broadcasting Corporation, Canal France International – were also invested in a range of activities in collaboration with media outlets and associations.

One of the milestone projects in Indonesia was the setting up of an independent station – KBR68h – by civil society group such as Institut Studi Arus Informasi (ISAI)[54] and the Utan Kayu community, set up by Tempo's Goenawan Mohamad. The radio project was supported by foundations such as The Asia Foundation, Media Development Loan Fund, and the Dutch Embassy among others, while the US-based Internews through its Indonesia project to produce radio content. Both worked with networks of radio stations, KBR68h with over 200 and Internews, 50, to broadcast content on politics, society, culture and rights, while also promoting peace journalism (Jurriens, 2009a). Tessa Piper, who worked with The Asia

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[54] ISAI focused on the promotion of press freedom and freedom of expression, and established an independent radio network after the fall of Suharto. URL: https://web.archive.org/web/20031006070345/http://www.isai.or.id/

Foundation in the early 2000s in Jakarta said the organization provided support for civil society and particularly for journalism.

> "We also provided initial support for KBR68h, as radio was already historically an important medium, it had the potential for reach, access and offered a two-way communication. It was important for ordinary voices to have a say…a wellspring of demands to say all kinds of things. One of the observations was that people loved to call in to have a chance to speak directly...it was extraordinary. The call in to KBR was just queuing up and SMS came in, and that was incorporated." (personal interview 2 May 2017)

The Norwegian Fritt Ord Foundation, a private organization dedicated to supporting free speech, was one of the earliest supporters of the exiled broadcaster, Democratic Voice of Burma when it set up its radio station in Norway in 1992, and then a television station in 2004. DVB played a significant role to fill in the void of critical and independent information for the Myanmar audiences under the military junta. Where broadcasts could not reach the people, intermediaries would make copies of the programmes on VHS tapes and later CDs to be distributed within the country. With the opening, DVB set up its operations in the country and with grants from various donors, launched its online talk shows and debates via broadcast in country to support the transitioning society.

Beneficiaries typically receive financial support from more than one donor, although this practice is relatively new after experiences of donor dependency and the lack of sustainability. It is possible that lessons of the past informed the approach taken by a number of donors pre-opening in Myanmar to coordinate efforts and contributions to the independent media and civil society. With the setting up of the Media Development Thematic Working Group, donors were asked to consider coordination of support, and one example was in the setting up of the Myanmar Journalism Institute (MJI). For years, due to the decline in education standards under the military, there was very little to no tertiary education or training for journalism, except for the Internews-run journalism school established in Thailand for independent, aspiring journalists and those who worked in exile. The MJI was

set up in 2014 to provide journalism training for working journalists in the immediate term and offer diplomas in journalism in the long run. It received financial support to start up from a consortium of donors that was made up of four European organizations: Canal France International. Deutsche Welle, Fojo Media Institute and International Media Support, local media company Forever Group and with supportive role from UNESCO. The initiative was not without controversies with the involvement of Forever Group, known to have close ties to the junta.

Table 5: Grants for media projects in Myanmar pre-opening

Donor	Amount (Period)
Sida/Sweden	USD5.5 million (1998-2011)
OSF	USD6 million (1994-2011)
Burma Relief Centre	USD1.5 million (1999-2011)
National Endowment for Democracy	USD9.3 million (1992-2011)

(McElhone & Brooten, 2019, pp. 105–106)

Exact amounts of grants for organisations and programmes can be difficult to identify, although details were available through organizational publications and annual reports. In critiquing the dwindling funds allocated by the U.K. Department for International Development for human rights and humanitarian efforts in Myanmar, the Burma Campaign UK reported that the US had provided more financial support for a broad range of democracy related work in and outside of the country. The critique listed detailed amounts provided by the National Endowment for Democracy to civil society as well as media organizations, mainly to support independent media and ethnic voices.[55] McElhone and Brooten (2019) mapped the donor contributions for Burma up to the opening, and noted that this was only a partial representation of the entire sector, as funds were also used to support intermediaries that focused their work on Myanmar through fellowships, journalist training, advocacy and others.

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[55] The Burma Campaign UK. (December 2006). "Failing the people of Burma? A call for the review of DFID policy on Burma". URL: https://burmacampaign.org.uk/reports/failing-the-people-of-burma/

Conclusion

The chapter discussed the key changes that took place during the transition, with a focus on the laws, the impact on press freedom, and assistance programmes for the media. In both countries, restrictions were imposed on the media and expressions under the authoritarian and military regimes, and the opening provided opportunities to remove these constraints and introduce a more progressive environment. New laws were introduced that recognised media freedom and protection, and the need for self-regulation. These are important changes that allowed for a more vibrant media landscape. However, a change in the laws must be seen in the context of the judicial system and the extent to which it is viewed as independent and capable of providing the necessary remedies. Scholars argue that in both the cases of Myanmar and Indonesia, the courts have performed the roles to uphold law and order, rather than defend the rule of law. This gap was obvious in the ways courts tended to decide against rights to expression, and with the prevalence of violence against and the harassment of journalists, pushed indicators of press freedom down after brief improvements at the point of transition. In both countries, there were significant financial support through aid and media assistance programmes targeted at legal reforms and media development.

Chapter 5: State, capital and reforms

"To criticise in general is not possible, it is layer by layer, many directions. And even within the regime, the old elements, they have hardliners, softliners, the situation is less cohesive."

(Letyar Tun, Mrauk Oo, 2016)

Fifteen years since the 1998 *reformasi* in Indonesia, discourses about press freedom revolved around media tycoons entering the presidential candidates race and how the new ownership patterns witnessed the politics-corporate media nexus that would threaten the gains in democratizing the media and public access to information. Among the interviewees in Indonesia, there was an overwhelming concern that corporate media had become increasingly powerful in terms of political influence and policymaking, and media owners imposed censorship when it came to certain issues. Activists and journalists who had been involved in advocating for press freedom described the status of media ownership as moving "into the lion's mouth"[56] and of the corporate media as "waiting at the finish line for the work done by the activists"[57] as the real beneficiaries of the reforms. Even online media, which played a small but important role to promote political discourses in the build up to the *reformasi* through networks facilitated by the local net cafes (Lim, 2003) have become part of larger media or technology companies. Media moguls and elites have adapted to the growth of digital technologies and have utilized the tools to consolidate their positions and influence, as will be elaborated below (Tapsell, 2017). The 2014 presidential elections represented the culmination of the business-political nexus, thus raising questions about the outcome of the democratization process. Madu (2016) summed it bluntly:

> "Democratization has increased political opportunity for big businesses in using their media control and ownership for building coalitions with politicians in their quest to capture power in the 2014 presidential elections in Indonesia." (Madu, 2016, p. 193)

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[56] Journalist Luvinia, personal interview, 28 April 2017.
[57] Activist Irawan Saptono, personal interview, 9 May 2016.

In Myanmar, interviewees were particularly concerned about the state-owned media that had significant advantage over the others when it came to resources (financial, legal and staff) and distribution channels. The military and its cronies, or those closely aligned to it, owned the print and broadcast media outlets for decades and they benefitted the most when licenses were issued to commercial owners starting in 2012 to publish dailies and weeklies, or operate radio stations. As Brooten, McElhone and Venkiteswaran write, for a long time "the military *was* the state" (Brooten et al., 2019, p. 34), as members of the military headed the ministries and bureaucracy. State media referred to the military media (dailies like *Myawaddy Daily* and *Yadanabone Daily*, the television channel Myawaddy and radio station Thazin FM) and the ones operated by the ministry responsible for information, which included the broadcast station MRTV, and two dailies – *Global New Light of Myanmar* in English and *Myanma Alinn* and *Kyemon* in Myanmar language (ibid).

This chapter analyses the question of who controlled or had more influence over the media reforms processes in the two countries and which agendas were made priorities and implemented. The demonstration of influence was most visible in two significant areas: the ownership of media and law reforms. As discussed in Chapter 4, the focus of reforms mainly focused on laws and policies aimed at removing obstacles or introducing a more enabling environment for media and free speech. Policymaking is a process of political negotiation by actors (government representatives, elected representatives, political leaders and other interested parties), which also takes place in authoritarian or undemocratic states. It is a contest of power and values between different groups (Freedman, 2006), but it is not necessary for these to always be in a state of conflict. At the same time, the structures of ownership of media and content production, whether as for-profit corporations, not-for-profit organizations, or community based, have also affected how the reforms have been conceptualized or carried out, or in some instances, impeded. The transitions allowed for new alliances to form although these could and have changed over time, which will be discussed further in Chapter 6.

When I interviewed journalists and media activists in Indonesia who had been part of the press freedom movement since *reformasi*, they often spoke with a tone of resignation and frustration when commenting on the media scene in the country. Capital had become the

threat, and according to them, unanticipated. It had penetrated the public and political spheres, where in the past, politics had shaped the economic and business operations, including the media. The patterns of media ownership pointed to an uneven playing field, with giants dominating the markets and others constantly challenged by financial sustainability, similar to the experiences in Taiwan post-democratization. There, media scholars of media reforms described the outcome of the first wave of democratization since 1987 as tyranny of the market, which led to the threat of media monopolies and poor quality journalism content driven by competition for ratings (Rawnsley & Feng, 2014), and where the 'monsters' or business conglomerates had strong financial interests particularly in mainland China (Chen, 2013). In Myanmar, the consensus was that the military and its cronies who were awarded licenses to operate private businesses before, would dominate the media industry because of the access to resources, distribution channels and reach even in conflict areas. Ford et.al. (2016) argue that in the new century, the once cronies who were dependent on the patronage of the military and state, had become oligarchs by retaining power but without fully depending on the relationships with the establishment to promote and run their operations. Interviewees questioned the model of democracy mainly as the reorganization or reemergence of power holders from within (institutions, legislators, bureaucrats) and outside (businesses and non-governmental organisations) the state structures were seen as benefitting limited groups of people.

Influence of media businesses

During and after the *reformasi* in Indonesia, the legislative assembly responded generally positively to calls for legal and institutional reforms and supported bills that came from civil society related to press freedom, while the parliament in Myanmar that was still dominated by the military displayed more resistance to draft laws on media and technology. In both countries – separated by almost a decade – reforms related to the broadcast sector were more controversial especially on who could have access to the airwaves and who would control the issuance of licenses, and the opportunities for commercial players in setting or changing the rules for broadcasting. The print industry, on the other hand, was quicker to

liberalise even in late-comer Myanmar, enabled through the removal of tedious and arbitrary rules of registration.

Indonesia's league of giants

The media under Suharto and in the years since he was deposed was a mix of public broadcasters, commercial, independent, and community media. As discussed in Chapter 4, the *reformasi* period saw hundreds of new print titles and tens of new broadcasters (Nugroho et al., 2013). During the initial years, the focus was on the freedom to publish and report critically, as well as ensuring the rights of journalists to safety and representation. In the context of news media, Nezar Patria, a former journalist and activist, and since 2023, a member of President Joko Widodo's government, highlighted four important categories that set one media from another. The first category represented the play-it-safe mainstream media, the second included the independent and critical media, the third was the pro-Islam media, and finally, the post-*reformasi* period media.

"In the first is Kompas Daily, created under New Order and it became the largest…it was a safety player, never frontally against the government…soft when scrutinizing the government. Now it has changed but still in the safe area. The other is Bisnis Indonesia, which has a unique editorial policy, not to frontally criticise big companies/corporations…soft scrutiny of businesses…similar to Kompas. The next (category) is Tempo magazine, also set up under the New Order. It started as a supporter but after the 1994 ban, it changed approach and supported the pro-democracy movement, mass demonstrations. The new Tempo (1998) strengthen the role as anti-dictatorship, watchdog, against corruption, abuse of power, for minority rights…liberal political views. Then, Republika...it represented the Muslim middle class and urban population. It was the political tool of the ICMI (Ikatan Cendekiawan Muslim Indonesia). More of a community rather than of parties and set up with Suharto's blessings." (personal interview, 3 May 2016)

In the reform era, online news became even more popular, starting with *detik.com*, which was one of the first online publications, and followed by Republika and Tempo Interactive. Since then, Indonesia has seen a surge in the number of online news portals, with about 40,000 identified by media observers. Patria said that despite the differences, there was a consensus across the board regarding the importance of defending press freedom post-1999, political freedoms, and decentralisation. Former journalist and executive director of Perhimpunan Pengembangan Media Nusantara (PPMN), Eni Mulia, articulated similar descriptions when asked about to assess the media landscape, although she used three categories to classify the news media in contemporary Indonesia: i) independent media, ii) media conglomerates, and iii) the non-profit media. Like Patria, Mulia cited Tempo as the example of independent media, with a structure that did not depend on a single owner, did not have a strong financial position and struggled to compete with other media, especially on the technology platform. For Mulia, the conglomerates that owned most of the media in the country were significantly stronger financially, and were worrying because the business tycoons had strong influence in the newsrooms. The exception in terms of corporate ownership was KBR68h, which started as an independent network of radio stations during the *reformasi* under the umbrella of the not-for-profit organization ISAI, and was now owned by a large business group, Gunung Sewu. The move to get a corporate owner was to ensure long term sustainability, which is a major challenge for non-profit media (examples included Independen, Jaring, and Remotivi)[58] that prioritized causes "and were always short of funds." As far as influence of the owner was concerned, Mulia said there was little or no political influence over Media Lintas Inti Nusantara (MLIN) which operates KBR68h."[59]

Since the 2010s, Indonesia's media landscape became more concentrated, best described as the 'League of Thirteen', referring to the 12 commercial entities and the state as the main owners throughout the country (Lim, 2012, p. 2). The commercial companies included the traditional media focused companies such as Kompas Gramedia Group and Jawa Pos Group, while others have non-media and political links such as Aburizal Bakri who owns Visi Media Asia and was Golkar party chairman between 2009 and 2014; Nasdem party

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[58] Independen is an online news outlet that focuses on indepth and investigative reporting (https://independen.id/read/tentang-kami); Jaring is an independent investigative journalism outlet (https://jaring.id/jaring-media-investigasi-nirlaba/); while Remotivi is an independent media and communications research and monitoring organization (https://www.remotivi.or.id/).
[59] Personal interview, 7 August 2019.

founder Surya Paloh, who owns Media Group; and Perindo founder Hary Tanoesoedibjo, who owns Media Nusantara Citra (MNC) Group (Dhyatmika, 2014). Surya Paloh was formerly with Golkar and had held positions as chair of the party's advisory council and sought the party's nomination as presidential candidate in 2004 but was unsuccessful. Nasdem was first set up as an NGO and was supported among others by Hary Tanoe, who left the organisation to join Hanura Party before setting up Perindo. Together they control all the national commercial television stations, five out of the six newspapers with the highest circulation, the most popular online news media and a majority of the entertainment radio networks (Lim, 2012). The scene has become more concentrated with eight companies through mergers and acquisitions, and expanding the businesses to communications infrastructure and online shopping/commerce, creating 'digital conglomerates' (Tapsell, 2017, p. 57). The eight digital conglomerates that are the most influential in production and dissemination of news across all technologies, are MNC, Visi Media Asia, Media Group, Kompas, Jawa Pos, Trans Corp, Emtek, and BeritaSatu Media Holdings (ibid). BeritaSatu is part of a conglomerate associated with the Riady family, which owns Lippo Group, which is involved in banking and finance, real estate, and natural resources, among others. The historical relations and political power of the media and corporate tycoons is reminiscent of the 1990s media ownership under Suharto with family members and cronies having control of the private media sector, and as such, the news agendas. Such political links were allegedly used to suppress negative coverage about the owners and their political and business allies, or to promote certain agendas during the elections.

The media coverage of the Sidoarjo mud flow disaster in May 2006 reflected the ways in which political ownership influenced news content despite the gains made for a free press. The mudflow was caused by drilling activities for natural gas by the company PT Lapindo Brantas, eventually displacing and affecting more than 13,000 families in the area and causing environmental damages. A couple of days before the mudflow, an earthquake had hit Yogyakarta, about 250 km away, leading some to attribute the mudflow to a natural disaster. The company had Aburizal Bakri as one of its largest shareholders, who at the time of the incident, was the welfare minister in Susilo Bambang Yudhyono's cabinet. His position and promise of support to the president earned him privileges whereby the government, instead of the company, would take responsibility for compensating the villagers. This was done through a presidential decree that allocated trillions of rupiahs for

the victims. [60] Aburizal, in order to deflect public criticisms locally, went on to buy up a newspaper in the region – *Surabaya Post* – and paid heavily for advertisements which led to a shift in the editorial direction to be favourable to the company (Tapsell, 2010). Anecdotes by journalists who worked with media in the Bakri Group, such as TVOne, revealed their reluctance to cover the Lapindo crisis because these story ideas would be rejected by the editors. Deciding not to publish the stories was one of the strategies used by the newsrooms to minimize public criticism of bias so that the media would be seen as neutral or in a positive light (Nugroho, Putri, et al., 2012, p. 50). Other media, such as Metro TV, owned by Surya Paloh, covered the issue in a more critical manner of the company, suggesting that it was responsible for the mudflow – in particular the "man behind the gun" or the owner – who should be made accountable for the incident (Fauzan, 2018, p. 379). This tension between media owned by the different tycoons was most prominent during the 2014 and 2019 presidential elections when the media not only took sides but fuelled partisanship, with evidence of owners intervening in newsroom decisions (Dhyatmika, 2014). Hary Tanoe who was earlier aligned to Gerindra's Prabowo Subianto in the 2014 elections against Jokowi, declared support for Jokowi in the 2019 elections, a position that was obvious through the election coverage in his media outlets.[61] The table below shows the tycoons with their media and their political positions and ambitions.

Table 6: Media tycoons, businesses and political representation

No	Business Group and Media	Market share in (%)[62]	Owner / Government positions	Political Party	2014 Nomination
1	Visi Media Asia • TVOne • ANTV	2012: 8.7 2021: 11.9	Aburizal Bakrie (Minister of Welfare, Coordinating Minister for Economy in 2004	Golkar	President

[60] It was only during Joko Widodo's administration in 2014, when this privilege was lifted and Aburizal's Bakri Group had to pay up for the damages amounting to USD65 million. See Widhiarto, H. (2014, September 30). "Aburizal could be forced to settle Lapindo mudflow". The Jakarta Post. URL: https://www.thejakartapost.com/news/2014/09/30/aburizal-could-be-forced-settle-lapindo-mudflow.html

[61] Devira Prastiwi (2017). Partai Hary Tanoe Dukung Jokowi di Pilpres 2019. Liputan6. https://www.liputan6.com/pemilu/read/3044221/partai-hary-tanoe-dukung-jokowi-di-pilpres-2019

[62] Lim (2012); Pahlevi, R. (2022, April 19). "Grup Televisi dengan Pangsa Pemirsa Terbesar di Indonesia." Katadata.co.id.

			and later Welfare, 2005-2009) & Brothers		
2	MNC • MNCTV • RCTI • Global TV • iNews Company runs up to 20 TV stations and 22 radio stations	2012: 36.7 2021: 44.8	Hary Tanoesoedibjo	Hanura	Vice president
3	Media Group • MetroTV	2012: 1.9 2021: 1.2	Surya Paloh	Nasdem	President
4	JTV • Jawa Pos Company owns 20 TV stations and hundreds of newspapers		Dahlan Iskan (Minister of State Owned Enterprises, 2011-2014)	Democrat	President
5	CT Corp • TransTV • Trans7TV	2012: 18.5 2021: 13.1	Chairul Tanjung (Coordinating Minister for Economy, 2014)	Democrat	President
6	TVRI	2012: 1.4 2021: 1.4	State		

Sources: Madu, (2016); Nugroho et al. (2012a)

The overall law reform to free the media from state control was a clear win for civil society, who underestimated the influence of the industry and how ownership of the media among private companies would result in censorship and other biases. Shita Laksmi was involved in the media reforms process as part of an intermediary organization, Tifa Foundation.[63] She said CSOs did not have the resources and influence to match the industry lobbyists.

> "We succeed at that time. But there was a tendency for the industry, which we did not calculate at that time – for capitalism and digitalization – ours was analogue way of thinking. It was an analogous reform. I am very disappointed of what we have now especially with the quality of media, because I guess what CSOs could not calculate is the capitalism, the money, funding, the advertising, the rating. Those are the issues we could not really control, no matter how hard through research, through critics, through media watch, but we could not compete with those issues. And I think the other part I wish we could better is the broadcasting network, which is one of the key values or the soul of the Broadcasting Law in 2002. It is not being done properly because we lost with this very big media who has money and they have good lobbyist and they can sit with the government. We could not fight with capital. I guess we have to find a way how to do it" (Shita Laksmi, interview, 3 May 2017).

Among civil society actors in Indonesia, one demand was to open the field to community broadcasters (in addition to the government stations and private broadcasters), while another was to set up an independent broadcasting commission. Community media – both radio and television – were considered as important channels of communication with the people, especially to promote the ideas and ideals of democracy, and this paralleled the outcomes of *reformasi* for greater decentralization of politics and governance, and economic resources (Hollander et al., 2008). These stations had existed prior to Suharto's fall in 1998 but were subject to restrictions and censorship rules, but by mid-1998, began to shift and support the agenda for press freedom (ibid).

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[63] Tifa was set up in December 2000 by 13 Indonesian civil society actors and functioned as an intermediary between various stakeholders. It continues to support a range of civil society initiatives through grantmaking and collaborations. Organization website: https://www.tifafoundation.id/en/about/ (accessed 13 July 2023).

As part of her work in the early 2000s, Shita Laksmi facilitated discussions in 10 different cities across the country to help establish a network of community broadcasters, while the foundation also engaged in the policy discussions with the government. She acknowledged there were good discussions at the grassroots level and active participation from the communities, but the government and the legislators were more concerned that community broadcasting could have adverse effects.

> "There was a lot of euphoria at that time but also a lot of attention from the government. The DPR (House of Representatives) would like to scrap the community broadcasting, afraid of disintegration, afraid of giving bad influence to the people." (personal interview, 3 May 2017)

The network of community radio broadcasters, known as the Jaringan Radio Komunitas Indonesia (JRKI) was established in 2002 after a series of consultations and forums. Despite the challenge faced, the law that was eventually passed in 2002 added community radio as the third category, in addition to government and private radio (Jurriens, 2009b).

A decade on however, civil society noted the decline in the transparency and independence of the broadcasting regulator since 2014. This was a result of government and legislature moves to interfere in the licensing of broadcasters and acquiesce to the demands of the industry. This opened up the venues for the members of the Indonesian Broadcasting Commission to be "bought" or demand for inducements in return for favorable outcomes.[64] The Broadcasting Law stipulates that members of the commission cannot come from among members of political parties, the government, legislature and judiciary. Members are selected through an open process, must meet a fit-and-proper test by the House of Representatives of the Regional House of Representatives (for the regional commissions), and eventually voted (Ambardi et al., 2014). Up until then, the House of Representatives pushed for amendments

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[64] Anselmus Bata. (2016, April 30). "Broadcasting Commission Member Accused of Blackmailing Private TV Networks." Jakarta Globe. URL" https://jakartaglobe.id/corruption-news/broadcasting-commission-member-accused-of-blackmailing-tv-networks

to the law to prevent media moguls from interfering in editorial decisions in the run up to the 2014 presidential elections.[65] Less than two years later, critics expressed concern over amendments to the law that would embolden media monopoly and re-centralise the broadcasting services in a major setback to the 2002 law,[66] which mandated national private broadcasters to establish networks with local broadcasters to ensure diversity and empowerment of community broadcasters.[67]

Senior journalist, Luvinia, said that over the years, the broadcasting regulator went from being pro-public at the height of the *reformasi* period to being pro-industry, and biased towards those with political and business interests. She cited the example of Surya Paloh and his media conglomerate (Media Group), with strong influence in the regulation of the private media. She described the situation as the regulator being controlled by hidden political and business forces, or the "shadows".

"There are a lot of problematic laws. The Ministry of Information is still in power and is the media regulator during the *reformasi*…it should have been the KPI (the Indonesian Broadcasting Commission). So, there are two regulators. The problematic regulator becomes a shadow, KPI represents the political party. Everyone knows that. And the one selecting is the DPR (House of Representatives). So, the government, DPR are in power in the shadows. We may have given the power to the regulator but it is controlled by the parties. For example, Surya Paloh, the owner of Metro TV, is also the founder of a political party, his son is in DPR, a member of his party was a supreme court judge, and he has influence in the ministry. He controls four institutions, SBY is on the board of TransTV. It is not written, what is written is that the media has to be independent but they play in this field. Why is media important for them? It is because they don't have to use a lot of effort for campaigns, they just

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[65] The Nation. (2013, September 24). "Indonesian House moves to break political-media links." URL: https://www.nationthailand.com/international/30215582
[66] Universitas Gadjah Mada. (2016, December 29). "Broadcasting Law Revision Takes Sides with Investors." News Report. URL: https://ugm.ac.id/en/news/13100-broadcasting-law-revision-takes-side-with-investors/
[67] Several provisions in the Broadcasting Law limit the coverage of national private broadcasters by making sure that they work with local stations, allocate at least 10 percent of the content to local issues and communities, as well as relinquishing ownership of relay stations. These provisions reflected the overall *reformasi* principles of de-centralization, in this case, involving the radio and television stations (Iswari & Herawati, 2020).

do it over the television every day, it is cheaper."[68] (personal interview, 28 April 2017)

Other amendments included changes to facilitate the transfer of analogue broadcasting to digital broadcasting to meet the international requirement by the International Telecommunication Union to complete the switchover by 2015 (Tenggara Strategics, 2022). During this period, there was growing resistance by the private broadcasters to the growth of the community media, which they had to partner with in order to have national reach, and who also lobbied for the reduction of the Indonesian Broadcasting Commission's oversight and role as regulator (Hollander et al., 2008). Activists and academics who have continued to push for reforms expressed worry that corrupt practices had set in in the commission and that their inputs were not considered in the amendments to the law (Permana, 2016). A group of academics who were involved in monitoring amendments to the Broadcasting Law I observed confirmed that the influence of media owners had grown over the years, for example, they campaigned to get changes to allow tobacco advertisements, although it was resisted by the government. Of more concern was the extent of corruption involving the regulatory body. According to one of the academics:

"In the last five to six years, corruption has set in with the KPI and members are being paid by the companies. This is the information we are discussing in our WhatsApp group, and I believe it. But we are careful…there is a backlash in taking a position critical of the media companies and the KPI, also in a sense of being vocal against a current trend that is the radicalization, Islamization. We have been on the streets in *reformasi*, but now it is time for young people to push but they seem to be taken in by the Islamic narratives, maybe because they are frustrated."[69]

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[68] The reference to Supreme Court judge M. Prasetyo is supported by media reports during the administration of President Joko Widodo (since 2014) to have been part of Nasdem, Surya Paloh's party. See Simanjuntak, R.M. (2019, August 16) "Jaksa Agung Bakal Diganti, Surya Paloh: Enggak Apa-apa Jugak", Sindonews.com. Available at: https://nasional.sindonews.com/berita/1430528/12/jaksa-agung-bakal-diganti-surya-paloh-enggak-apa-apa-juga; Aliansyah, M.A. (2014, November 30) "It is doubtful that HM Prasetyo will investigate the Surya Paloh case", Merdeka.com. Available at: https://www.merdeka.com/peristiwa/hm-prasetyo-diragukan-bisa-usut-kasus-surya-paloh.html (accessed 13 July 2023)

[69] The three academics requested anonymity. The discussion took place at a college in Jakarta on 28 April 2017.

The reference to Islamic influences relates to the growth of religious groups post-Suharto era, that have benefitted from the expanding freedoms to participate in various formal and informal political institutions as well as access to the media, to then influence public discourses and policymaking (Hamayotsu, 2013). The jailing of a former deputy governor of Jakarta and candidate for the gubernatorial elections in 2017, Basuki Tjajaha Purnama or Ahok, is emblematic of the politicization of religion, manipulation of information online and the mobilization of mobs in the defence of Islam. Ahok's speech at a rally was doctored to make it seem as though he was insulting Islam, resulting in large mob gathering and his conviction for blasphemy under the 1965 criminal code. Individuals who commented on issues related to Islam or gatherings of LGBT activists were also targeted by conservative forces, especially the Islamic Defenders Front (FPI) (Hamayotsu, 2013), which organized the protests against Ahok. The incident revealed the unwillingness of Muslim voters to endorse a non-Muslim candidate even if they were satisfied with Ahok's role as deputy governor of Jakarta. The hardliners among the Muslims had become better organised, connected and funded and could successfully mobilise during the elections (Setijadi, 2017). Their strategic use of legacy and digital media combined with grassroots presence, and in some instances, being at the forefront of disaster relief, have raised their appeal as a force to reckon with, given the networks with and influence over bureaucracy and the legislature.[70] Several activists from pro-human rights background noted the decline of progressive civil society groups over time due to lack of funds, creating a vacuum in civic engagement that was then filled by the religious/faith based organizations. The impact on laws and gender disparity will be further discussed in Chapters 6 and 8.

Indonesia's Febriana Firdaus, who covered topics such as the independence movement in Papua and the rights of LGBT persons, said that some of the powerful institutions or groups that appeared dormant since the *reformasi* have not necessarily lost their influence. Two decades on, some of these have come back to the forefront or re-emerged in new configurations. Febriana has written critically about the continued role and influence of the military (Tentera Nasional Indonesia, TNI), and encroachment into politics

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[70] While some observations about religion in politics can take an alarmist turn, the influence of conservative Islam in the state, business and regulation of individuals is a real concern not just in Indonesia, but also neighbouring Malaysia (Kurlantzick, 2018).

again,[71] while the civilian government under Jokowi aimed to consolidate power. The latter, she wrote,[72] was due to the controversial Omnibus Law on Job Creation, introduced in 2020, which proponents said would boost economic growth and critics said would give sweeping powers to the president.

"I have written about the decades of military influence in Indonesia's oligarch politics which has always been entangled with oligarch business, and it has never been out of the shell, means it's still there, of course it's not as seen as during the new order. It comes in different forms, even more moderate and liberal. But still vaguely given a place for elites to control the policies in the country. Therefore the Indonesian politics has always been at the crossroad. I think every five years during elections, we have to deal with the politicians using religious and 'nationalism' issues to attract Indonesian voters who mostly think both issues are vital for the identity of the country. Eventho, Indonesia is not a religious country, but definitely a nationalist country. This caused what you called as threats faced by minority groups, such as LGBT, who always seek for any party to protect their community.

Particularly on military influence…And recently I wrote about our democracy threatened by the elites who want to bring back the new order...If we look at who is behind the omnibus law proposal, it is Golkar. If you read the draft of the law, you will find out that it not only brings back the new order, but gives the absolute power to the next president. The question is that, who's the next president that they have prepared after Jokowi? He or she will be the key to look at who's the oligarch business behind this law. It's still mysterious but the next president seems heavily supported by Golkar. Means, we are welcoming the new order again." (email interview, 11 May 2020)

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[71] Febriana Firdaus. (2019, April 12). Indonesia election and the role of its powerful military". Al-Jazeera. www.aljazeera.com/news/2019/4/12/indonesia-election-and-the-role-of-its-powerful-military (Accessed May 11, 2020).

[72] Febriana Firdaus. (2020, May 4). "Indonesians Fear Democracy Is the Next Pandemic Victim". Foreign Policy. foreignpolicy.com/2020/05/04/indonesia-coronavirus-pandemic-democracy-omnibus-law/ (Accessed May 11, 2020).

Myanmar's state-oligarch media

When rules about print licensing were relaxed in Myanmar, it prompted many publishers to start dailies though not many managed to survive. The opening, as senior editor and press council member Thiha Saw noted, did not and would not have caused an 'explosion' of new media titles or outlets as in Indonesia, which had worried the reformist NLD government.[73] The party expressed its concern that the media would get out of control, especially with the removal of the censorship laws. But 100 titles could still be considered a major development in Myanmar given the tightly controlled environment it was under for over six decades, when it was rare to see an independent daily newspaper. Publications that had existed and operated in the country under the military regime gained from the relatively liberalized environment and had advantage over the independent and new players when it came to access to resources, advertising, and reputation. One of these was *7 Day* with its daily and weekly, whose owner is the son of a former foreign minister, while the owners of the *Popular Journal*, *Snapshot Journal* and *Envoy Journal* are related to or were close to former members of the SLORC and SPDC, and the only English-language publication, *Myanmar Times*, had had patrons from within the military and the government (Brooten et al., 2019; Burrett, 2017). Another media outlet that had considerable readers was the Eleven Media Group, known to be an independent private media that was critical of the regime since the early 2000s, thus having constant run-ins with the state censors.

One of the most important changes with the opening and new media laws was the increase in the media outlets focused on ethnic issues or that were based in the ethnic states. Before 2011, ethnic media outlets were banned and most news outfits operated in exile along the borders in Thailand, India and Bangladesh; during the transition years, there were at least 55 outlets in the ethnic states and regions, with 40 identifying themselves as serving particular ethnic audiences (McElhone, 2018). There was enthusiasm to publish and broadcast, but these were usually constrained by the lack of financial resources and distribution channels. Print form news media were still popular even though many readers

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[73] Personal interview, 8 February 2016

and viewers had already begun to access information online. Printers were mainly concentrated in Yangon and publishers located in the ethnic states often had to send their materials to the capital and wait for the print copies to be delivered back to their towns, usually by bus a day or two later. Legal reforms prioritized removal of restrictions but hardly factored in the ability of the various media outlets and businesses to be financially sustainable or to address infrastructure and financial barriers – such as the limited availability of printers around the country. Analysis of media reforms and international media assistance from the mid-2000s had already highlighted financial sustainability as an important strategy and focus for independent media (Kumar, 2006; Peruško, 2013; Voltmer, 2013), yet it was not a high priority in the reforms agendas in the two countries, with the exception of media loans and investment from the Media Development Investment Fund (formerly known as the Media Development Loan Fund) to support independent media outlets. Even those with a lead start in the local market faced financial challenges because of a generally weak economy which made it difficult to generate income from advertising or subscriptions. By late 2010s, most of the outlets published their content over social media accounts on Facebook or other social media sites and news apps where their readers were.

In Myanmar, the drafting process for the new Broadcast Law was done more discreetly, unlike the law for the print and publishing industry, and consultations were constrained. Those with a stake in the liberalized environment for broadcasting wanted to see more licenses issued to diverse players, support for community or ethnic media, and a more independent regulator. Toe Zaw Latt, video journalist and production director of the formerly exiled media, Democratic Voice of Burma (DVB), said many from the independent media community had wanted to be involved in the process to push for their ideas of reforms, which also included transforming the state broadcaster into a truly independent public broadcaster. But the process mainly took place behind closed doors involving the Ministry of Information, the state broadcasters and private companies that had formed joint ventures with the ministry to provide content.

> "Was there consultation? There was no consultation. We went to see Ye Htut and take it to Parliament. The media council was the one that drafted the media law. But the broadcasting was behind closed door. The law was drafted in English. We organized workshops involving lawyers, civil society, the Yangon Parliament. But there were no

consultations. In the new democratic system, the law must be precise, clear, what is the definition of license, still have to deal with the state. Should have market-driven, and new players for example, like the print journalists who can try the broadcast. Whoever meet the criteria should be able to have a licence, that's what we are arguing. We tried to point out the flaws. For example, the regulatory body has people from the ministry of defense, ministry of interior, and the broadcasting council…they are all politically influenced and they are the ones to draft the by-laws for enforcement. The law is to protect the state and joint ventures, no room for newcomers. There are still government channels, in addition to the PSB (public service broadcasting) in the broadcasting law, why must there still be state channels?" (personal interview, 9 February 2016)

It was obvious that the state broadcasters – MRTV – with their nationwide infrastructure and reach, would be the main beneficiaries of the 'reformed' law for the broadcast sector, in addition to the private companies that had been close to the regime even before the transition. These included Forever Group and SkyNet. The latter was owned by Shwe Than Lwin Co. Ltd, a conglomerate with businesses in mining, construction, agriculture, and licenses to sell cigarettes, soft drink and beer. Its media company, SkyNet provided a direct-to-home satellite service and ran the Myanmar National News Television channel (Foster, 2013). Shwe Than's Kyaw Win was said to be close to the USDP President Thein Sein, while Forever Group's Win Maw – one of the richest men in the country – was known to be an ally of the former information minister Kyaw Hsan who was also a shareholder of the company at the time of the transition (Foster, 2013, p. 13). Forever Group is the older private broadcaster in the country and Win Maw was favoured by the junta among all the cronies who were keen on getting into the media. He helped the junta develop campaigns using pro-military media to attack international and independent media that were critical of the regime in the 2000s.[74] Conglomerates in Myanmar benefited from the regime's strategy in the 1980s marketization, during which the military opened businesses to private companies that were linked to it or its associates. These businesses managed to get licenses,

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[74] The Irrawaddy. (2022, December 15). Notorious Crony Organizing Myanmar Junta Propaganda Campaigns. Available at: https://www.irrawaddy.com/news/burma/notorious-crony-organizing-myanmar-junta-propaganda-campaigns.html

land and other forms of patronage, which then allowed for the formation and/or growth of domestic conglomerates, many of whom like Kyaw Win, controlled the largest conglomerates in the country (Ford et al., 2016). Media owned by these conglomerates also dominated the industry association that was formed after the law was passed and made representations to the Broadcasting Council, which was tasked to formulate and monitor the code of conduct and enforce regulations. [75]

Discussions on the draft law began under the quasi-civilian government, and it was eventually passed by Parliament in August 2015, although it lacked the specific regulations for enforcement. The NLD government that came into power the following year was expected to improve the regulations and representatives of independent media, like Toe Zaw Latt, had to lobby politicians from the party. NLD decided to maintain the state broadcasters but it did pass amendments to the law in 2018 to prevent monopolies, which was a welcome move. The private companies had to still sign up for temporary licenses issued by the Ministry of Information to use the state infrastructure as content providers for the state broadcaster, instead of broadcasting on their own (Venkiteswaran et al., 2019). The ministry insisted that the signatories, which included formerly exiled media DVB and Mizzima Media, adhered to government guidelines on content, leading many to resort to self-censorship (ibid). This was a concern because of the pressures faced by media in covering and reporting on the ongoing genocide against Rohingya people in Rakhine state by the military. The silence on the part of the NLD government to restrain the military or hold it accountable was also translated into the targeting of media outlets and journalists who attempted independent reporting. Media that obtained the temporary licenses were particularly vulnerable to the rules on reporting, including refraining from using the term 'Rohingya', against the backdrop of international criticism of Myanmar's handling of the crisis.

Illiberal capital and reluctant reformists

The realignment of the capital forces, as discussed by Hadiz and Robison (2005) in the post-Suharto era, with a more diverse set of power, has resulted in a powerful base of

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[75] The Myanmar Broadcasting Association was formed in December 2015 as an output of the Broadcasting Law, with about 15 members from the state media and private broadcasters. Leadership was in the hands of the pro-establishment media – Forever Group and Shwe Than Lwin (Unesco & International Media Support, 2016).

media owners. In the new environment, businesses do not rely on the predatory departments of the state and bureaucracy for protection and instead have to ally with political parties and parliament that have control over resources at the national and local levels. The policy on decentralization – which was a key element in the economic and political reform after the 1997 financial crisis – created competition at the regional and local levels that also involved "'uncivil' groups like political gangsters and corrupt alliances formed by elements of a defunct authoritarian regime" (Hadiz & Robison, 2005, p. 236). The politico-corporate links of the media to various political and financial mechanisms and tools give them overwhelming advantages and power in an open society. The development is similar and more serious in Myanmar, where reforms of institutions during the transition were more limited and constrained, and the influence of the military still strong.

The reformist state, often associated with the political opposition front that comes into power after the downfall of an authoritarian regime or that emerged from the old guard, is viewed largely as an important driver of the changes to consolidate democracy, and introduce political, social, and legal reforms. In both countries, expectations were high the reformist or the pro-democracy governments would deliver fully on free media, public access to information, and independent news. Within states, those who were seen are reformists could take on active roles in the processes and form alliances with pro-democracy groups while donors could also shift their focus as societies became more open, making it viable for institutional building. Key to the changes in Indonesia that allowed for a more progressive approach to reforms in the media sector was the political reform towards decentralization and the independence of institutions, but in reality, the reforms also had unforeseen consequences due to these policies, among them the growing power of local decision makers that reintroduced conservative elements into laws and practices. While the military was constitutionally prevented from having automatic representation in the Indonesian parliament, Myanmar's *Tatmadaw* ensured its control within the lawmaking body with 25% seats allocated to its members, and has prevented major reforms towards democratization.

In Myanmar, senior editor Thiha Saw said the plan for changes had begun before 2010, with the Ministry of Information taking the lead even before the international community and media development advocates began 'arriving' in 2012.

"Whether we like it or not, we have to admit, they started the process." (Personal interview, 8 February 2016)

There were groups in the country that saw some of the international organizations and experts who came in after 2012 as siding or working with the MoI, but he stressed that the regime had begun the process earlier. During the transition from military leader Than Shwe to Thein Sein, who was a military head but in civilian clothes, the Minister of Information became the focal point that took charge of the process and was responsible for communicating with foreign state and private organizations on media development as well as the media and activists. Letyar Tun was a former political prisoner and upon release in 2012, he joined the media and later worked with an international media development organization during the transition years. He was arrested twice under the military regime, the first time in 1991 and the second in 1998; the latter for treason and he was given the death sentence but after 14 years, in 2012, he was among the political prisoners who were given amnesty as part of the political transition. When interviewed in 2016, he said the military regime was willing to relax the grip on the media as part of the wider plan to ensure its survival.

> "They are testing. Because in the 2008 constitution there is one clause the military can take over state power. It's like a key they can use under that clause and also they have the seven step roadmap, they already prepared to transform, but the regime wanted to lead the transformation for their survival. They have already prepared for these scenarios. You notice all the mainstream media owners actually they are family circles, close circles, with position. By 2010 before the publishing licences were issued, no outside people in the media, the regime themselves set up the media, their sons, daughters. They have 100 percent confidence but when you start a system, give life to a constitution it will have its own direction. They try to do good things, from that they can get good results for their future." (personal interview, 16 February 2016)

The Ye Htut factor

The third Information Minister under the transition regime, Ye Htut, who served as Director-General of Information at the point of the transition, declared at a public forum that he had been tasked to investigate options for media development as early as 2007, with support from several EU countries and the German foundation, Friedrich Ebert Stiftung. He credits the beginnings of media reforms to his predecessor, Kyaw Hsan who had to navigate competing expectations within the ministries and the regime over the extent of media reforms. In his memoir, Ye Htut said that one faction of advisers to the ministry were in favour of retaining censorship while others were open to gradual relaxation of censorship rules, and that tensions over the years after the announcement of reforms, including between the MOI and the legislature and media stakeholders would stall the progress of the reforms (Ye Htut, 2019). As director-general, spokesman for President Thein Sein and eventually as minister, Ye Htut was present at all international conferences related to media reforms and development, and was highly engaged with international experts. Most interviewees in Myanmar made references to Ye Htut, both as an enabler and an obstacle.

One expert who has worked with the governments and civil societies in both countries – among others on the media law and access to information law, was Toby Mendel. Previously with Article 19 as the legal director when assigned to support the legal reform in Indonesia, he now runs his own organisation, the Center for Law and Democracy (CLD). In Myanmar, he was brought in as a consultant by the Copenhagen-based International Media Support (IMS) to support the drafting of the media laws. His observation on the main difference between the two countries in terms of the reforms process was that it was more top-down in Myanmar compared to Indonesia.

"In Indonesia, the press law was really the focus of *reformasi*…the evil law that was controlling the media needed to be lifted. I think it was less crystal clear in Myanmar and the process there was much more government-led. In Indonesia, it remains symbolic of the *reformasi* achievements of the country, in a way that wasn't the case in Myanmar. In Myanmar, instead the government said let's start reform of the press,

it was an easier area to reform. It wasn't the symbol of dictatorship that it was in Indonesia." (personal interview, 3 May 2017)

On the one hand, the ministry scrapped the prior censorship regulations fairly quickly. Mendel said this was done in just two weeks after the issue was raised with the ministry. The lead up to the milestone decision was the ban of two weeklies[76] in late July 2012 – *The Voice Weekly* and *Envoy*, despite earlier promises to relax the rules on pre-publication censorship. The ban led to protests by journalists' groups. Mendel, who was engaged as a consultant by the IMS, recalled his meeting with the then chief censor, Tint Swe (then head of the Press Scrutiny and Registration Department PSRD) just after the ban was announced.

"We went there in August 2012 and had banned two weeklies. They were the flavour of the month and everything they did was being watched, it was in the *New York Times*. So, we went to meet with Tint Swe, who was the chief censor, and…he spoke for 40 mins explaining to us why he had to do it. They were doing their best, they had reduced the level of censorship, but they had a law and these guys were refusing to obey the law and they couldn't just let the guys do whatever they wanted because you know, it was against the rule of law, stable democracy and everything. Which is true actually. In a very careful and meticulous way, he explained why even if they didn't like to do it, they had to. I was listening to it and I said the problem is the system, it is not working for you, it is not working for them, they are protesting. The outside will always support them because the system was unjust…you don't need this system, just get rid of it. You have other laws, you can close them if they break national security laws, you don't need prior censorship. When I came to the end of my thing, he said you have to go to Naypidaw and talk to Ye Htut. I think they bought our tickets and set us up, so we flew up to Naypidaw. Ye Htut had been briefed and we had this discussion, he said what about the Chinese… he was very open. We said it is not going to happen, we know the red lines. He said, ok, this is not within my power, it has to be cleared by Ministry of Defence, Ministry of Foreign Affairs and the Interior Ministry, these are still controlled by the military. And he said it is going to take

[76] Committee to Protect Journalists. (2012, August 1). Burmese authorities suspend two news publications. URL: https://cpj.org/2012/08/burmese-authorities-suspend-two-news-publications/

about two weeks. We had just been pitching this idea, we had no any feedback. I was thinking, 'Oh my god, did we just get rid of prior censorship' and two weeks later, they had done away with the system. He got convinced by the argument, they didn't suffer any problems. Tint Swe could recognise a good idea and Ye Htut, he wasn't minister at that time, he was a director, but he delivered that in a short time."

Mendel observed that even when not a minister yet, Ye Htut realised the need to work with the international experts as there was no local expertise on the subject of laws.

"I think he deserves a lot of credit because he provided strong leadership even before he became minister, he did know how to lead." (personal interview, 3 May 2017)

In Myanmar, this meant decisions to change were ultimately in the hands of the regime, which could easily repeal or remove restrictions at a bureaucratic level, or to the contrary, introduce laws arbitrarily, without due consultation. For example, while the media and journalists were concentrated on the drafting of the media law in the early days, the MoI surprised everyone by introducing a draft bill to regulate printing and publishing businesses – the Printers and Publishers Enterprises Law (PPE), in March 2013. Journalist representative and trainer Myint Kyaw said the media community expected that the News Media Law would be the only law regulating the print news and viewed the PPEL as a newer version of the old 1962 press registration law.

"There were so many frictions between the MOI and the press council, there are so many controversial points. We organized a series of meetings and we agree to the PPEL but we asked to amend and also with the media bill. At the end of 2013, the media bill and PPEL were approved." (Myint Kyaw, 14 February 2016)

As a pro-democracy activist, he felt Aung San Suu Kyi was the right leader for the transition, but like others who had supported her, he became disillusioned with the leadership once in power, with the amount of concessions given to the military in terms of cabinet roles and lead on peace the process with the ethnic states. When the NLD won the 2015 elections and elected a minister from the media, Pe Myint, supporters and loyalties presumed he would take on the reform agenda for media even further. Pe Myint was an editor-in-chief and founder of the weekly publication *The People's Age Journal*, and had been critical of the junta's control and use of media for its propaganda. But representatives of the media and NGOs who were interviewed in this research said they faced more challenges meeting or raising issues with the NLD minister. The spate of arrests for expression and media coverage many by the military and pro-ASSK individuals, disappointed many in civil society. By 2015, the internal clashes in the USDP party (which was led by Thein Sein who was the quasi-civilian President) led to the ousting of Shwe Mann, who had become the lower house speaker and had expressed ambitions of becoming president with the general elections scheduled that year. Thein Sein's faction removed Shwe Mann and several others as he was seen as being too close to Aung San Suu Kyi and was reportedly more keen in the constitutional reforms that would reduce the military's stronghold of Parliament.[77]

Journalist, activist, and media trainer Myint Kyaw was interviewed several times for the research, as his role during the transition and reforms process had also changed. In 2016 when I first interviewed him, he was appointed a member of the Myanmar Press Council, as a nominee of journalists' associations. He maintained a critical voice of the government, whether it was the quasi-civilian one under Thein Sein, or during the NLD's rule. Civil society and the media community were doubtful of Pe Myint's capacity to take on their recommendations and concerns at the critical point.

"The Minister was a little reluctant to be close or work with the international consultants, unlike the former minister, Ye Htut, who was good at learning and had

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[77] Zaw, Hnin Yadana and Webb, Simon. (2015, August 23). "Insight – After failed attempts to remove rival, Myanmar's president used force." Reuters. URL: https://www.reuters.com/article/uk-myanmar-politics-insight-idINKCN0QS00H20150823

the capacity, although he also knew how to cheat us. Compare the two, Pe Myint lag behind." (personal interview, 21 May 2017)

International CSO representative, Oliver Spencer confirmed Myint Kyaw's response that the NLD minister leadership was not as open or quick to push the reforms. The minister's absence from the media development conference in 2016 was interpreted as disinterest and a lack of commitment to media issues and that the leverage some of the INGOs had with the MOI had just evaporated when Pe Myint took office.

"This was parallel to how Daw Suu[78] saw the media, she didn't care about the media elite. She saw the media as how Donald Trump saw the media, as the enemy." (personal interview, 17 January 2018).

The group of advisors or top leadership of the party influenced the way in which it followed, or diluted, its reforms agendas. As opposition leader, Aung San Suu Kyi mainly referred to her party's co-founders and advisors, such as the late Win Tin, one of the longest political prisoners and co-founder of the NLD. Win Tin remained critical after his release and during the transition, of his party for being too accommodating of the military. He was an advocate of more democratization and openness in the party, but Aung San Suu Kyi's leadership was closed and hierarchical. Another leader who was previously jailed together with Aung San Suu Kyi, Win Htein, briefly served as an MP for Meiktila in Mandalay where a communal violence broke out in 2013. Following the 2015 elections when NLD won, Win Htein became the party spokesperson, effectively assuming the position of a gatekeeper or the most influential person in the party, sometimes described as the 'godfather'.[79] In mid-2017 when I met with some of my interviewees, they were lamenting the new levels of gatekeeping imposed by Win Htein. Together with the Suu Kyi as the State Counsellor, Win Htein had full control over all decision making, and this hierarchy led to challenges to the

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[78] Daw in the Myanmar context is a courtesy title, literally translated as 'aunt' but mainly used for someone who is older or holding a position of substance. Common references to Aung San Suu Kyi were Daw Suu, The Lady, or Mother (Amma).
[79] Nyan Hlaing Lynn. (2017, Feb 6). "U Win Htein: 'Godfather' of the NLD". Frontier Myanmar. https://www.frontiermyanmar.net/en/u-win-htein-godfather-of-the-nld/

legal reforms process (whether related to reforming the repressive provisions in existing laws or to enact new ones). When it came to laws, the chain of command included Win Myint (Lower House Speaker in Parliament) and the bills committee that was tasked to review drafting of laws and chaired by former house speaker Shwe Mann. Asked about the bill committee, Myint Kyaw said:

> "We don't trust Shwe Mann because of his own political interests. Sometimes he picks up the hot issues like 66D but does not go forward with it. Now he takes the RTI[80] issue but The Lady does not make any comment." (personal interview, 21 May 2017).

The press council and the journalists' associations were not able to establish good relations with Win Htein and this affected their ability to engage the party to support the legal changes as no one else in the party dared to make commitments if they were not given the green light by the two at the top. Together with a gag order that was issued to NLD legislators since the crisis unfolded in Rakhine state in October 2017, the role and leadership of the party in the reforms processes were severely overestimated. During their daily work, journalists covering him faced difficulties getting information out of him or had to face harsh words when they asked him questions. He was known to be resentful and adversarial to the press, according to Myint Kyaw. In one case in 2016, Win Htein reportedly scolded a Radio Free Asia (RFA) reporter for asking about NLD's plans in forming the government, and in others, throwing insults to other journalists, calling them 'stupid' or 'a useless fool' for asking questions about the party, or talks about cabinet reshuffles. Myint Kyaw said the NLD Minister, Pe Myint, was also not known to engage with media representatives.

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[80] Right to Information legislation, pushed by local and international civil society actors, but received lukewarm responses from the different governments. There was no substantial draft or process as of 2018.

"When we met informally, to raise issues such as timeline to stop subsidies for state media, he doesn't listen. After he was appointed, he never showed up and refused to have conversations with us." (personal interview, Myint Kyaw, 21 May 2017).

However, by 2018, Win Htein's influence had begun to wane because of tensions with other party members, state chief ministers and the army.[81] The approach to law making, even under the reformist government as such, is not free of the procedural mechanisms or political management, which rarely served public interest in the past. The institutional roots for rule of law were weak in Myanmar, with the military dominating the process that prioritised law and order, rather than the rule of law (Cheesman, 2009; Crouch, 2014). Like many former British colonies, draft bills are sponsored by the respective ministries, are drafted by the Attorney General's office (in representing the government), approved by the Cabinet for the minister in charge to table it in Parliament. The more democratic systems include public consultations, whether at the ministry or parliamentary committees. In many ways, the transitional governments have adhered to the line of command with the additional consultation and media coverage that was never there in the Myanmar context. But stakeholders agreed that while Myanmar's system of policy making was procedurally reasonable, but it fell short in terms of the substance: the letter of the law, the quality of the consultations or the insistence on following procedures, but failing to respond adequately to demands from the civil society and the public to engage with them.

Foreign missions invested in media development and reforms had access to the legal reforms processes through intergovernmental channels on in the case of Myanmar, the coordinating working group for media development that discussed draft laws and other plans. Sweden was one mission that supported independent media through its development agency. David Holmertz who had worked for Sida on support for Myanmar for almost 20 years said during the interviews that he was concerned about the lack clarity on the processes related to media reforms and development. Holmertz said the NLD government and its representatives was not able to appreciate the importance of democratic processes in drawing up laws.

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[81] Myint, Moe. (2018, January 12). "Has the NLD Delivered a Knockout Blow to U Win Htein's Power?" The Irrawaddy. URL: https://www.irrawaddy.com/news/burma/nld-delivered-knockout-blow-u-win-hteins-power.html

"My impression was that the government felt they had done all the consultations…the minister said the draft was with the Attorney-General's office and it would then be submitted to Parliament but there would be no more public consultations. I think it is the whole 50 years of dictatorship that has created a situation where rule of law does not work properly. So, it creates a lot of confusion and unclearness for all players including the government, including the minister. I don't think he knows how this should be done in a proper way to get the best end results" (personal interview, 17 May 2017)

He had similar reservations about the progress of the draft law on access to information, which had seen various public consultations and the involvement of other civil society actors apart from the media.

"The conclusion from the initial discussions was that access to information is not a media issue only, so much bigger and of course public consultation must be wider and inclusive if you want to do this. And then it stopped. I haven't heard anything more of it. I don't know if it is dead or if it will pop up again be delivered to the AG's office and Parliament. It shows little inclusiveness in the decision processes. It is not only the government making that mistake, it is everyone as well." (personal interview, 17 May 2017)

The steps taken by the Myanmar state (quasi civilian government) demonstrated that it maintained control of the process in its engagement with non-state actors, consistent with the tactics of a weak state (Rotberg, 2004). This also meant the changes may have been adopted faster at the top, or what is often described as top-down reforms.

Conclusion

The reforms processes in both countries were mostly top down, although civil society and the international community were quick to also get involved so as to not miss the 'window of opportunity' to bring about changes. Political leaders, especially the presidents during the transition, were credited for steering the reforms, with varying levels of support from the government and legislature. It could be argued that the role of the state actors was strong in the legal changes, with both successful and controversial outcomes in the two countries, where the approaches were different. The Ministry of Information under the quasi-civilian government in Myanmar took on a more heavy-handed approach within its framework of 'disciplined democracy', but its leadership was less engaged with stakeholders under the NLD government. The institutional resources available to the political actors to remain in power had not changed significantly during the transition, which meant there was little incentive to radically transform the relations with and conditions in which other actors like the media and civil society could work (Milton, 2001). The experience in Indonesia and reflections two decades on have much to celebrate about in terms of dismantling some structures of power to allow for wider civilian governance, freeing the news media, and expanding spaces for expression. However, the growth of media conglomerates and the strong ties with political leaders have challenged the 1998 *reformasi* agenda. Even with a dynamic and active media scene with more investigative and independent outlets, their sustainability and reach are challenged by the conglomerates. The study adopted a critical interpretation of actors such as the state(s) and civil society to explain the impact of these relationships on the process and outcomes. State actors had its own proponents and detractors of reforms, with competition between factions in the government to either retain a controlling faction, versus those agreeable for relaxing the rules on media. The institutions of power such as the legislature and the judiciary, which are often viewed as external in media reforms discourses, were among the barriers to progressive laws and their enforcement. The following chapter discusses relationships between the state actors, international donors and media development organizations as well as civil society and the media to unpack how these may change over time and impact on the reforms.

Chapter 6: Donor roles and civil society participation in reforms

"The visuals were there. It gives the government legitimacy when they can cite consultation with these INGOs."

(Oliver Spencer, ARTICLE19)

The building and strengthening of functioning democratic institutions require political will, public support and also aid, investments, and expertise to formulate the reforms. Literature and on the ground experiences highlight the importance of the perceptions of local state and non-state stakeholders of the international organizations or experts and conversely, how international experts of legal reforms and media development viewed the local actors (Deane, 2014; Geertsema-Sligh, 2019; McElhone & Brooten, 2019; Price, 2009). Gaps arose at times which explained decisions and choices for development programme as well as the perceived impact of their work and roles, respectively. In debates about the effectiveness of international development assistance, questions arose as to whether support should be provided for the long term or short term, and how these decisions affected reforms work. This chapter discusses the relationships between the different actors and their involvement or participation in the media reforms processes and how, if at all, these may have changed over time. For those involved and interviewed in Indonesia, these reflections come almost two decades since the *reformasi* in 1998, while in Myanmar, the analysis takes into account experiences of the actors for about 10 years. In this case, the main groups of actors would be the i) state (represented by government leaders and representatives as well as legislators, security forces and other agencies; ii) media actors (journalists as individuals or as associations, media owners, iii) civil society; and iv) international development and aid assistance agencies. In the lead up to the transition, it is typical for political opposition to find allies in activists inside and outside the country, as well as donors who could support pro-democracy activities. Once changes take place, pro-democracy forces are likely to form or be part of the government and key institutions. Non-state actors including the media, CSOs, academia, community leaders, and others have expectations of reforms by those in power and to see the changes pursued (Price & Krug, 2000; Voltmer, 2013). But agendas, plans, and relationships between actors are dynamic and can be affected by external factors such as

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political developments, donor priorities, turnover in organizations, and even personal challenges.

Relationship between state and international actors

The junta in Myanmar had a long history of keeping international organisations – whether international, business or civil groups out of the country, with assistance flowing in through the World Bank, Official Development Assistance from friendly nations, UN agencies and the International Monetary Fund (Maung Maung Than, 2006) for economic purposes. Since the late 1980s however, international NGOs and embassies supported independent media, dissidents, students, and refugees who lived along the borders with Thailand and Bangladesh or in other countries across Europe. This happened especially after the crackdown following the 1988 elections that saw Aung San Suu Kyi and NLD win, and after the Saffron Revolution in 2007. Governments in western democracies tended to take strong positions against the military junta, and had imposed sanctions in protest of the suppression of the opposition and civil society. Among the main beneficiaries were the ethnic based groups and their media outlets, commonly known or referred to as exiled media. These included The Irrawaddy, Mizzima, Democratic Voice of Burma and several others defined by their ethnic communities, such as the Kachin Independent Group, Shan Herald News, the Mon News Agency, and Karen Information Centre. These outlets also served as advocates of democracy and to end the military rule, particularly in the ethnic states. They were mostly activists turned journalists and were supported by funding agencies that had allocated funds for work on refugees, civil society, and education, among others. Inside the country, foreign embassies based in Yangon, especially representing the U.S., France, and the U.K. used different methods to engage civil society through language training, education support, and cultural and creative activities.

When the reforms were announced in 2012, more foreign institutional state donors moved funds into the country. This shift also saw donors supporting or working with the government, especially on legal reforms and the development of public broadcasters. During this transition period, the quasi-civilian government invited these organizations to sign

memoranda of understanding with the Ministry of Information on programmes or activities related to media reform and development. For the Myanmar government, the agreements and direct links with the international organizations marked a departure from its adversarial approach in the past and gave it the legitimacy it needed to pursue its goals. Civil society and media actors however, viewed organizations that signed these agreements as being too close to the government. Local advocates in Myanmar reported challenges when seeking consultations or meetings with top officials from the ministry, but observed that the international media experts or organizations had more access to the government officials when discussing legal drafts and policies. International free expression advocate Oliver Spencer said the perception held about the INGOs should be viewed against the backdrop of long-held suspicions over the regime's agenda and its history of suppressing citizen rights and freedoms for decades. Spencer, who at the time of the transition represented an international free expression group, ARTICLE 19, noted that several INGOs were more willing to accept the MOI's agenda or interests. He cited one instance when the organization he worked with had provided a legal analysis for a proposed law on public service broadcasting in 2014. The bill had received a lot of public criticism as it favoured the state broadcasters and newspapers over independent media. It was briefly withdrawn in 2015 before the milestone general elections. As discussed in Chapter 4, it was unheard of that a government bill would be withdrawn.

> "When Ye Htut (then Minister of Information) announced the withdrawal of the bill, he waved a copy of the ARTICLE 19 analysis on TV when he was being interviewed. The implication was that because of these criticisms, the MOI withdrew the bill. As an INGO, we were happy but this happened six months before the elections. The issue was why would they risk something that was controversial close to the elections." (personal interview, 17 January 2018).

Mon News Agency's Nai Kasuah Mon noted that post-2013, donors that were considered new and funding activities in Myanmar for the first time, were willing to work with state-owned media (state broadcasters and the newspapers) which gave them a stronger position in the market, because the state already dominated the airwaves and newspaper advertisement and distribution. He said there were expectations of the government to support

ethnic media, which marked a change in position after the transitional government promised recognition of ethnic languages and media, where previously ethnic CSOs and media experienced adversarial relationships with the state (Lintner, 2001).

> "The older donors still support independent media and press freedom. But overall it is difficult to distinguish because some give (funds) to both (state and independent media). Maybe because they lack understanding on what the role of the media is…they give anyone who is doing media. Some donors only work with the government as the official channel and some only work with independent media. In the environment now, if funds reduce how shall we continue? We should see who is sustaining or those whose capacities still developing. Some media will collapse, some will exist in the central. But in the ethnic region, that kind of competition will not happen, we have small market, small audiences, ads. Local and ethnic still remain as serving their community needs…international donor or the government should support but not influence." (personal interview, 8 June 2017).

Sweden, through its development agency Sida, has supported civil society actors and independent media such as DVB since the military regime. Globally, of the 14 top donors for media development in 2016, Sweden was the second largest at USD42 million after the European Union Commission which had allocated USD80 million. Sweden's representative who focused on Southeast Asia for several years, David Holmertz said their grants to Myanmar were relatively small, but despite the limitation, they chose to continue their support for these actors with the opening, while others chose to channel grants to and through the government. But when it came to how these choices in grantmaking affected the decision makers or the direction of the agenda, Holmertz said it came down to the question of relative power.

> "Where is the power? It is with the government and the others are relatively powerless even though civil society has gained in power and confidence in certain areas. It is a complicated analysis. I think Swedish devco (development cooperation) should take into consideration to continue to support those who really need it. I don't

understand where, how the influence really, where it comes from. But I suspect that financial power is very important and those with access to the financial power they are influencing. Just listening to how DVB describes the influence over the broadcasting law, it is evident the competitors who have enormous resources, that they are using those resources to influence Parliament, or individual parliamentarians to argue even against DVB. But the problem is that I think it is also difficult for the Burmese actors how to influence power because the rules are not really set." (personal interview, 17 May 2017)

Others viewed the role of the Ministry of Information more positively. The MOI, together with the UN body working on media development during the transition, UNESCO,[82] was the co-host of the Media Development Thematic Working Group (MDTWG). Under the quasi-civilian government, especially when Minister Ye Htut was in charge, the MOI moved aggressively and rapidly when it came to media reforms, despite criticisms of lack of consultations. The MOI assumed the driver's position in pushing for the reforms because of the general lack of capacity among other stakeholders, and adopted UNESCO's Media Development Indicators (MDIs) as part of its road map. It led the annual media development conferences, and coordinated decisions such as support for some media-related projects – among them, the funding for the Myanmar Journalists Institute and soliciting feedback to draft laws through the working group (which involved representatives of media development organizations, journalists' groups, and media owners). However, the consultation was limited to the group as the MOI did not organise wider or nationwide consultations on the various draft laws, as such processes only took place when media foundations, donors and journalists' groups took the effort to mobilise public awareness and feedback. According to Mikel Aguirre Idiaquez, who worked at the Myanmar UNESCO office during the transition period felt despite the criticisms, the MOI pushed the reforms agenda and took advantage of the working group as a useful coordinating mechanism.

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[82] UNESCO is an inter-governmental organization that relies on funds provided by the member nations and its programmes through various departments and units rely on grants from other public or private donors. The Centre for International Media Assistance has a database of donor profiles for media development for 2015-2016, including inter-governmental organizations like UNESCO and private foundations. See: https://www.cima.ned.org/donor-profiles/unesco/

"The MOI from the beginning really believed in the working group in this mechanism to coordinate, make joint decisions, have joint programmes. That's why from the beginning they took the Media Development Indicators, they took those five categories as their framework, as their roadmap for media development. Even if the report was not launched until last year (2016) but it was those five categories and areas of work they took as the framework to start the reform process. It was key to the engagement of government in that regard and that's why the government is playing a prominent role in the media legislation process. I know it is criticised a lot that maybe it was too much led by the MOI but the government was believing that in a transition like this, they need a driving voice to move this transformation and reforms. For the working group, I haven't seen this level of coordination before because usually there is rivalry between the organisations involved. It is not a perfect system but there are a number of key achievements, like the media development conferences, MDIs, access to information law. And then when there are audits of the organisations, they come to UNESCO and all of them say the modality of the working group is really something unique to Myanmar. The key difference with other places is the commitment of the government, it was really listening and accepting advice of the international community. The fact that the minister chaired all the meetings, and was not patronized, which of course can happen. He had his priorities clear." (personal interview, 20 May 2017)

However, by the time of the interview, media did not appear to be a high priority for Myanmar, given the reduction in funds available due to priority shifts of the contributing countries and the host government's decision as well. Those in the media field perceived the removal of media from the development assistance structure as a signal that media was not a priority area for the government. Unesco's Idiaquez said that on the one hand, it was disappointing that media was dropped out of the strategic area of assistance as the country needed support in terms of capacity building and infrastructure, but on the other hand, the coordination mechanism had become a challenge especially under the NLD, as the approvals were centralized with Aung San Suu Kyi who chaired the Development Assistance Coordination Unit (DACU). DACU's approach of having more control or say may have been a smart move because there was a need for greater coordination of the different donors and projects, and for Myanmar to choose or decide its own path.

"Myanmar just opened up. I call it the tyranny of development, everyone comes and wants to do their own thing. I think the country gets overwhelmed with all the help. I could see it in MRTV; DW was doing their own thing, BBC Media was doing their own thing, JICA was doing their own thing and the MRTV did not know what was going on in their house. This is a small example, I don't know about the other bigger sectors where there are hundreds of NGOs working on the issue, maybe it is more chaotic." (personal interview, 20 May 2017)

The financial support for the state broadcaster, Myanma Radio and Television (MRTV) was one example of multi-donor contribution which suffered from slow progress as each partner had their own proposal or focus area. The broadcaster tended to accept the funds without having a clear direction of its own, which raised questions among other media development organizations. OSF's McElhone said there were no evidence of best practices when it came to transforming state broadcasters into public service media, yet government donors were quick to pour resources into the state media and it wasn't clear who was responsible for building the capacities of those working there.[83] Among the institutions that worked with the MRTV during the transition, mainly aimed at transforming it into a public service broadcaster or producing public interest content, were the Japan International Cooperation Agency (JICA), BBC Media Action, and DW Akademie. The Japanese government and JICA provided 383 NHK's programmes for MRTV's broadcasting and non-linear editing equipment (Cultural Grant Aid in 2013), in-house training on journalism and production through the Capacity Development Project of MRTV (2016) and in 2019, allocated USD1.5 million to upgrade MRTV's broadcasting equipment.[84] The outside broadcasting vans were part of the infrastructure support for what JICA hoped would lead towards "democratic works" as live broadcast from the field would prevent censorship.[85] Of the public donors in media development, JICA is one of the smallest, with projects in Africa, Asia and Europe, but Japan has been a major aid provider to Myanmar through the Official Development Assistance since the time of Ne Win in 1962 (Maung Maung Than, 2006).

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[83] Personal interview, 23 May 2017
[84] JICA (2019)
[85] Support was provided since 2013 in the form of content from its broadcaster, NHK, editing tools, in-house training. JICA (2019, October 7). Press release: MRTV, JICA upgraded its facilities for strengthening public broadcasting capacity. URL: https://www.jica.go.jp/Resource/myanmar/english/office/topics/press191007.html

BBC Media Action partnered with MRTV between 2012-2016 with funding from the UK's Department for International Development under its governance theme, to support the production and broadcast of current affairs shows and daily interactive radio shows. Its flagship show, *The Tea Cup Diaries*, broadcast nationally via MRTV and Myanma Radio, was also funded by other state donors from the US and Norway.[86] DW Akademie, with funding from the German Federal Ministry for Economic Cooperation and Development (BMZ) was involved in supporting the Myanmar Journalism Institute, the Myanmar Press Council, the state broadcaster, and civil society on issues such as media literacy to counter disinformation. DW launched a pilot community radio station – Khayae FM - with the Ministry of Information and the Su Paung Arr Mann Village Development Committee Federation in Htan Tabin Township, near Yangon, in 2018. As the rules or by-laws on broadcasting had not been approved as of mid-2020, the radio station was only available to listeners in the local community. By 2020, Myanmar was dropped from the DW's foreign aid agenda due to the "mistreatment of the minority Rohingyas" by the military and the government.[87] Up to the crisis, DW felt working with the government was the right approach since they were invited to provide support during the transition, but acknowledged the state's challenges in implementing the reforms.[88]

Challenges in meeting donor expectations

With the opening in both countries, civil society actors and activists that worked underground or at risk, emerged and carried out their activities more openly. The professionalization of civil society actors was an issue raised in the relationship between civil society actors and activists with development or donor agencies, manifested through the stricter requirements and expectations. Each donor organization has its own standards or obligations with regards to financial reporting as well as regular and annual updates or reports. Most recipients did not have prior knowledge or experience in project or financial management, or the various donor project/programme design such as the results-based

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[86] BBC Media Action (2020, June 24). Celebrating 5 years of the Tea Cup Diaries. Available at: https://www.jica.go.jp/Resource/myanmar/english/office/topics/press191007.html
[87] DW. (2020, May 5). Germany to overhaul foreign aid policy. Available at: https://www.dw.com/en/germany-to-overhaul-foreign-aid-policy/a-53342353.
[88] Responses regarding DW were obtained from someone close to the organization who had requested anonymity for the research. Interview conducted on 19 May 2017.

management in development or theory of change used to monitor and measure implementation.

As donors moved in to support work in the respective countries, it led to a competition for financial support. At times, some organizations cater their grant proposals for work that they think the donors will agree to given their funding strategies or goals. But these activities may not be relevant or a priority area for the local organizations. According to a donor representative who was based in Indonesia at the time of the transition, Tessa Piper, new grantees (local organizations) were reluctant to voice their preferences when in discussions with donors and if they were not fully agreeable to the proposed activities. The demands for reporting can be burdensome as there are different requirements and timetables to submit these reports, with few exceptions of donor coordination that could see more streamlined communication or reporting. Piper said the dynamics of the relationship can be complex; it takes confidence on the part of the local organizations to raise alternatives to donors (whether about programmes, budget or expenses) as most would worry that not complying with donor requirement would cost them the funds.

> "There is an imbalance of power and it is difficult to develop trust between the donors and local organisations, and this imbalance is compounded every step of the way. My pet peeve is the reluctance of local organizations to address issues directly with funders and at the same time donor arrogance in telling people what to do. In the early years when I worked as a volunteer consultant for a media group, I observed how a potential donor representative, who was visiting the print publications and CSO initiatives came, heard, and said they need to think about digital, as print was not important. It was an off the cuff comment. The local organisation changed their approach but ended up not getting the funding. The representative was oblivious to the impact their words can have." (personal interview 2 May 2017).

During coordination meeting with donors, local grantees tended to talk up about how well they were doing instead of talking about problems with the donor structure, which could

include inflexible budget lines or activities, Piper added. She said there was a lot of discussion among the donors about capacity building but added:

> "Looking back, we could have done more organisational capacity building. People power removed Suharto, but to start expecting them to transform into well-transparent organisations overnight…need wherewithal to develop those skills." (personal interview, 2 May 2017).

Eni Mulia, who has worked with various civil society groups in Indonesia and runs the Indonesian Association for Media Development (known locally as PPMN), said local groups had the expertise, experience, and capacity to be sustainable. Most donors supported that position as they too were inhibited by limited resources or temporary support. She said that most groups were aware that they needed to diversify their sources and could not be dependent on international funding, although some still required support for organisational development to build their human resource policies, and a more professional management. According to Mulia, the international groups that were based in the country had a better understanding of the local contexts and knew how local organisations functioned and were able to respond to the organisational needs in terms of management and finance needs. This was, however, less evident in her observation of donors or international organisations that did not operate in-country. However, she admitted that the local activists and groups were still bound by project requirements and deadlines, and to demonstrate the impact of their work.

> "As organizations, we don't think about our data, information; we rush to meet deadlines and do the reports. We are not working for donors. But it is important to see where we are, how we can work effectively and know what has happened. We are going to be in a transition forever. Of course, it is better now in terms of freedoms but the challenges are also harder with radicalization, polarization, and disruption of news." (personal interview, 7 August 2019).

In Myanmar, the changing relationships were marked by a shift from the behind-the-scenes initiatives to more open programmes in the transition years. An international donor representative, Jane McElhone, who had worked with several CSOs and activist media from Myanmar, said the foundation she worked for was aware that they could not continue funding the local groups in Myanmar forever but it had to be long enough to allow them to be independent.

"It was interesting to watch the opening, how the groups dealt with the changes. It was important that they existed at a particular time. They were worth the investment for the role they played. Some didn't survive but all played important roles during this time. Some donors say they will fund for two years after which the grantees should try to be sustainable, but this is not feasible. They are not giving the right message. Like the BNI (Burma News International); their role was primarily in the borderlands, since the opening they have continued this role but it could be something else in future." (personal interview, 23 May 2017)

Spencer said one of his observations of media development work in the country was how some organizations fly in their experts, with no knowledge or experience of the local context, but conduct training for the journalists. The assumptions are that once journalists are integrated into the global norms in journalism such as ethics in reporting, peace journalism, or investigative journalism, they will be able to elevate the levels of public discourses for better decision making. They are left with the burden of transforming society without corresponding changes in other, more powerful institutions.

"All donors are interested in hate speech and conflict sensitive reporting. But we need to look at the broadcaster, they create the values for the next generation. The programmes are often imposed by donor organizations, and they tend to spend money on CSOs to spend on issues of tolerance. All the focus is on journalists training, conflict sensitive…they are not responsible for conflict. We must focus on institutions. Those who came don't ask questions when they are here, some don't

bother to build capacity. I would have an outcome where we focus on government for high level engagement and next would be the capacity of the national staff."

Brooten (2016:197) suggests that the presence of journalists and activists who had been exposed to, and were involved in various reforms advocacies prior to the opening, made them an important stakeholder in the change process and not to remain merely as "recipients of outside experts' advice.

Participation and gendered reforms

One of the research goals was to question the extent to which gender equality was present in the media reforms agenda and processes in these two countries. Literature on the topic is scant when it comes to gender-based analysis in media reforms processes, aside from the role or position of women as media workers and the representation of women in media. Other fields of study such as democracy, development, and peacebuilding have offered feminist and gendered perspectives. Interviewees were asked about the participation of women and marginalized communities in the media reform processes, which could be indicated by attendance at meetings related to law reforms, or participation as speakers and observers at conferences and media trainings, and leadership in the media industry. Interviewees in Myanmar were more prepared for the question, as opposed to those in Indonesia who required more time to recollect. The latter eventually noted that gender or women's roles did not shape the discourses on media reforms at that time. According to Piper, gender representation was probably not a major issue during the transition in Indonesia as there were already women already in senior positions and who were involved in the reforms struggles. It was a different situation in Myanmar, where Piper was also involved in supporting independent media 15 years later. She said if a woman made it to the top in the Myanmar media, she had to be tough or be like 'one of the boys'.

In Indonesia, at the peak of drafting and negotiating details of the Press Law in 1998-1999, journalist and activist Harsono said the focus of the transition was on having a liberal legal environment that would eventually reverse the unjust provisions in other laws on

criminal defamation. There was no deliberate consideration on gender representation at these meetings or issues that required a gendered perspective. The drafting committee was made up of 10 activists and media experts who met twice weekly over 40 times. Harsono represented the Aliansi Jurnalis Independen (Alliance of Independent Journalists) in those meetings and was the youngest member. Harsono shared that the process was dominated mainly by the 'old guard', a term he used to refer to representatives of the Persatuan Wartawan Indonesia (PWI, translated as the Indonesian Journalists Association)[89], Serikat Perusahaan Pers (SPS, translated as the Indonesian Newspaper Publishers Association), the television associations, and the New Order-era press council.

> "Many of the activist friends did not like long meetings, and so I was asked to be the representative… we met 40-50 times in total. By default, the membership of the drafting group and meetings was all men. The meetings used to go on until 3 am. There was one time the chair had to respond and write a letter to my wife explaining why I was out so late, as she was unhappy. I can imagine if it was a woman in the meeting." (personal interview, 1 May 2017)

Given these circumstances, for women to be able to participate in decision making, it would have required some specific strategies such as adjusting meeting times, and ensuring wider membership of women in committees or groups (Cornwall, 2003). Harsono said that while the press law drafting was male dominated, the Sirnagalih Declaration that was signed by dozens of journalists earlier in 1994, was more inclusive from a gender and political perspective. Women journalists were more actively involved the process as there was stronger means of solidarity, which called for an end to all forms of censorship, open access to information, and to open membership of journalists to other associations. Myanmar freelance journalist and gender trainer, Eaint Khine Oo, felt strongly that a gendered perspective was needed so that laws did not take the consequences on women, for granted. She cited Article 7 of the News Media Law, which was passed in 2014 as an example. While there was positive response as it clearly stated protections for media workers covering war, riots or public demonstrations and that journalists could seek protection from security

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[89] Under Suharto, PWI was the only state-recognised body to represent working journalists.

organizations. The argument is that laws assume there is equality between men and women and in the ethnic states, there are more challenges for women working as journalists given the ongoing conflicts. She added that with the traditions and practices that have for so long discriminated women in Myanmar, there was a need to emphasize dignity for women and minorities, and to clarify enforcement of the law. Women journalists discussing the law in public forums expressed concern that the security forces they were supposed to seek protection from, were the very source of threats when covering conflict zones or issues such as land confiscation.[90]

Women's rights activist and media leader in Myanmar, Thin Aung said there were few women who participated in key processes such as peace discussions and media reforms, which were dominated by men from among the community leaders and media owners. Thin Aung spent years in exile prior to the opening and became active in the peace negotiations. She said that policies and regulations needed to premise gender equality but such advocacy could not solely rely on women making these inputs. Yet, in various discussions, she said it was left to women to raise the issues of equality, otherwise gender would not be discussed. Piper shared Thin Aung's views that the inclusion or focus on gender could not rely on donor project as it could risk being confined to the boundaries of the projects, rather than being shared widely.

> "Going for workshops is one thing, applying those principles is another and that can only happen with ongoing engagement and in day to day interactions. It is usually among civilian groups or civil society where the opportunities are possible but where security or authorities are involved…the hard issues… they are masculinised."
> (personal interview, 2 May 2017)

In Myanmar, the dominant narrative for decades before and after independence had been one of the liberated and secure women, who enjoyed equality with men in society. This narrative was particularly shaped by the intersections of nationalism, religion, and politics

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[90] Conclusions from a panel on Women in Ethnic Media at the 4th Ethnic Media Conference in Mrauk Oo, Rakhine State on 14 February 2016. Panelists were from the various media outlets and journalist groups.

throughout post-independent, often presenting Burmese women as more empowered than their sisters in the region. However, this narrative deliberately silenced the realities on the ground, where women enjoyed little freedom and faced restrictions (Than, 2014). The emergence of the 'working woman' in the mid-1980s in Indonesia began to challenge the dominant imagery of the woman-as-housewife and the ideology of 'state ibuism' from the early phase of Suharto's New Order, and to reverse the passive-depoliticised nature of women's movements (Sen, 1998). Historically and at the points of transition in both societies, women's participation in the political and media processed could be described as constrained by the overall consensus or social norms that had led to gendered inequalities in (Kothari, 2001). With the transitions, women's groups actively pursued rights and representation and they found allies among the international organizations and donors, and adopted the donors' framework related to gender equality as these entered into the mainstream of discussions about political changes. In the media sector, projects were usually targeted at training women journalists, and improving coverage and slant of reporting of issues that affect women, [91] and supporting the participation of women in various processes. In Myanmar, the support often came from European funders where gender equality had been a focus of work: the Myanmar Women Journalists Society was the first women journalists' network and supported by a Danish-Swedish collaboration of the International Media Support-FOJO. [92]

However, the pressures of wanting to see reforms combined with the competing interests of the different groups and the dependence on external funding, sometimes meant that the gender requirement became mere lip service and not appreciated fully. Men of different backgrounds, status in society or positions in organisations tended to dominate meetings related to media development that involved local and international attendees, while women who participated were mainly representatives of international organizations.[93] Activist Yin Yadanar Thein said whenever she shared her views or inputs at stakeholder

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[91] International Media Support. (2017, Nov 27). Myanmar: Women's voices underrepresented in news coverage. URL: https://www.mediasupport.org/myanmar-womens-voices-underrepresented-in-news-coverage/
[92] The society was set up in 2015 with the support of a Danish and Swedish collaboration International Media Support-FOJO. https://www.mediasupport.org/women-journalists-networks-making-a-difference-in-myanmar/
[93] When serving as executive director of the regional press freedom organization (SEAPA) during the years 2013-2014 when the UNESCO-Ministry of Information hosted media development thematic working group (MDTWG) met on the draft press freedom law, I was on the invitee list and can confirm that most invitees from within Myanmar were men while the women at the meetings mainly came from international foundations or CSOs.

meetings or panels organized in 2015 and 2016, she had to endure sexist comments from male attendees.[94] Women from the national or local groups often faced resentment from their male peers or colleagues and felt discouraged when speaking about the importance of gender equality in the media. According to Eaint Khine Oo:

> "Language barrier prevents women from participating together with the international media but actually they perform more duties than men journalists. Women also have to do work in relation to supporting family, a burden. But it is important to have women's voices. When I speak, some men tell me I want to be famous, that's why I do it. So, some women feel intimidated but I don't feel scared. Some men don't want their wives to be more powerful." (personal interview, 15 February 2017)

As will be discussed in Chapter 8, political changes are unpredictable depending on how the different actors at regional levels negotiate powers and are able to influence policies and norms. One of the developments that raised concerns among activists was the emergence of conservative forces in Indonesia that witnessed new laws to sanction individual expressions.

Evolving relationships between civil society actors

When under authoritarian rule, most of the political and pro-democracy groups would be part of a movement, but with the opening, when opportunities were present for specific issues, groups tended to get into their areas of specialization, such as media freedom, women's rights, land rights, education, health, peace and others. This was seen as necessary and strategic so that there was adequate input into the different areas that needed attention for change. What this led to was probably a thinning of resources, a more dispersed civil society and to some extent, groups working in silos. Myanmar's human rights activist Aung Myo Min felt the fight for media rights should have involved a much broader rights-based

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[94] Personal interview, 10 February 2016.

movement as any reforms planned did not only affect the media. When discussions were held about the right to information, Aung Myo Min expressed frustration that the media thought it was their reform agenda when in fact it was a citizen's issue (personal interview, 7 February 2016). Given the years of challenge in operating, civil society groups had to build trust with each other and in the early years of transition under the quasi-civilian government, tread carefully with their work as they had internalized the fear of the military and suspicion of each other. While media was a key focus in the transition, many civil society actors found it difficult to convene meetings with them on the one hand, and NGOs themselves had not fully grasped the role of media for their own advocacy. The main issues however remained with the way the transition was not transparent, especially in the initial years.

"During the first government, there was not enough confidence and not enough trust. We didn't see the real transition, more like cosmetic changes. Threats to civil society continued in terms of harassment and intimidation. The international community says we are moving forward, but I think we are moving backwards. When they are not seeing, the harassment and arrests continue. It seems like there is a big civil society movement. The President in his monthly speech talks about reforms and engaging civil society. But the dialogues and consultations are not happening at the community-based organizations. For the organizations at the community level, the laws are the same. When they have meetings, for example on human rights education, there is still the presence of intelligence, doing recording, talking photos. They are there also at the UN, international human rights meetings. Some NGOs have internalized the fear of the military. They also don't understand the link with media and advocacy. Civil society in Burma is so diverse, so many players and different perspectives. Getting a representative of the civil society is hard. But recently there is a Civil Society Forum set up bringing together all the CSOs." (personal interview, 7 February 2016).

This CSO forum had about 600 representatives from 257 organizations that first came together in October 2014 to discuss the transition and make recommendations to the various stakeholders. While recognising the limitations posed by the 2008 Constitution that gave the

army excessive powers, the CSO forum was also stinging of its observations on the role of the international community.[95]

> "Governments around the world have now become much more involved with Myanmar and provide political and technical support as well as support for peace and development. Although the significant increase in the presence of international non-governmental organizations (INGOs) has contributed to the increase in aid and assistance to the peace process, social security, development and other sectors, benefits to the grassroots population has been minimal due to limitations in effectiveness. Furthermore, the prioritization of individual agendas over local processes by the INGOs without enough consultation has undermined the role and capacity of local organizations. INGOs' support to local CSOs have been ineffective and there have been cases where double standards are applied."

Other instances where CSOs approached law reforms would be the Telecommunications Law and News Media Law. Media and telecommunications have traditionally been well-defined areas but the convergence of media requires a more integrated approach as media depend on telecommunication infrastructures and access, while rules of telecommunication services affect access to information and expression. Digital rights activist Htaike Aung said when media freedom laws were being discussed, journalists and media players were the main stakeholders apart from the government (personal interview 23 May 2017). She said these groups focused on the media and did not get involved in discussions about the enactment of the Telecommunications Law. It was only when cases began piling up under the Telecommunications Law – specifically for criminal defamation under Section 66d, which also targeted journalists and media outlets – that they presented a more united front.

The tensions over whether consultations were adequately inclusive or representative could be because of the lack of expertise or knowledge among the various actors in civil society on technical and legal issues related to the media, expression, telecommunications, access to information and other areas of reforms. But what is the 'right' or 'useful'

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[95] Myanmar Civil Society Organization Forum. (2014, October 17). "Civil Societies' Review on Myanmar's Transition Process: Prospects for 2015 and Beyond." Press Statement. Available from: https://themimu.info/

information for media reforms? Without the technical knowledge or experience, local and indigenous participants could end up in consultations as an exercise in seeking legitimacy by the proponents such as government agencies, international actors and even some NGOs. Unesco's Idiaquez said the question of who should participate had not gone beyond ensuring the main stakeholders for media reforms, including access to information were involved in discussions or dialogues. There was generally a low understanding or prior experience on matters like broadcasting (the technical knowhow) and what public service media was about, even though it was a reform goal articulated by state and non-state actors. As critiqued by Kothari (2001), the notion of relevant knowledge is an expression of power that is imposed by actors of development. Donors and media development processes demand as wide a consultation as possible to ensure local ownership of reforms, but the mere act of attending and interacting will not be sufficient to ensure participation (Carpentier, 2012) or that the participation is merely an "empty signifier (Thomas, 2014, p. 10). Idiaquez pointed out that basic awareness was necessary especially among legislators, media and CSOs, hence, consultations were not as broad based as it could have been, and with the exception of the access to information legislation, the rest of the media reforms debates and discussions were confined to media actors – owners, journalists, journalists' associations, and the state agencies. When asked if this meant the process was not inclusive, he said there was a general lack of understanding of the role of media: many journalists saw themselves as activists, the government officials saw the media as enemies and the public mistrusted the media.

This mistrust was observed in the initial dynamics of relationships involving the returning exiled media, the ethnic media that operated in the borderlands of Myammar, and media outlets that had always operated in the country. Not only were the international organizations criticized for formalizing relationships with the government, some exiled media that collaborated with the MOI, such as Mizzima and DVB, were also viewed with skepticism. These perceptions of vested or narrow agendas came from all sides, but were a result of years of divisive policies of the junta, which persisted in the transition years. Staff of these media outlets were critical of their own bosses who were getting too cosy with the government, but were aware of the pressures placed by the authorities as these outlets were in precarious situations.[96] The reality was that many editors and journalists inside and outside of

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[96] Crispin, S. (2016). "An uneasy homecoming for Burma's exile media." Committee to Protect Journalists. Available at: https://cpj.org/reports/2013/06/an-uneasy-homecoming-for-burmas-exile-media/

the country had worked together for years to share information, verify accounts and put pressure on the military regime, through a range of newsroom strategies, anonymous reporting and amplifying local voices to the international audiences. The transition allowed for journalists of the different political backgrounds to come together through newly formed associations and networks and their membership in the News Media Council.

The knowledge gap, as raised by several respondents – whether regarding legal or technical language or media literacy – was a result of the education system which had deteriorated since the military takeover in 1962. The use of Burmese as the medium of instruction, and the ban on English and ethnic languages in schools meant that sources of information were limited, and the country was practically cut off from the rest of the world when it came to knowledge exchange (Lall, 2016, p. 161). Opportunities for further education abroad was limited to those from among the elite who could afford the education, or dissidents and refugees who were supported by international actors to join programmes and fellowships (McElhone & Brooten, 2019). Zaw Oo, a publisher based in Yangon, said at the point of transition, one of the most notable gaps was information and research. His organization, Myanmar Knowledge Society, published a range of titles including the Human Rights and Democracy Journal and included themes such as transitional justice and the negative impact of the military rule. His team of researchers worked with different groups to be able to communicate ideas of democracy and justice to the wider public, especially through the media.

> "We need a lot of technical input. We invite journalists, we are contributing to the media, monthly briefing and there is ripple effect. Transition can be controversial, so our first journal was on transitional justice, focusing on the negative impact of the military period…not to carry the impact from the military period to the future. We need solid statistics to deal with reconciliation, not just the military, but also the ethnic communities, who need to be linked with the nation-building process."
> (personal communication, 9 February 2016)

When I met Zaw Oo in his office, it was filled with new journals that has just arrived from the printers. The mood was generally optimistic though he was not too quick to celebrate. He said the opening happened because the regime had suffered a bad reputation for years and

needed to fix its image. For this to happen, the military needed the media and as such, the focus on the media as a key reform area was for the regime to be able to speak to the international community once again. The explosion of the information and communication technologies and access to mobile internet was a trigger for media freedom as the government could no longer exert total control. He added that civil society played a role in the transitions within media and in politics. Cyclone Nargis was an important point for the convergence of public initiatives, independent (citizen) media and interactions with local authorities, all pressured to respond to support victims.

> "It was the start of the civil society movement. Media was controlled by the state, or (there) were the exiled media. That is the start. Local authorities understand the situation, because they are also from the local areas, and they let the movement. People became aware and it was an experiment on how to interact with the media and politicians. Also, (there were) citizen journalists and access to social media." (personal communication, 9 February 2016)

Over time, openings provided the opportunities for long time advocates of democracy, peace, women's rights and health rights to assume positions as elected representatives or appointed into official positions where they could initiate changes.[97] In Indonesia, advocates found themselves in government positions, especially under the administration of Joko Widodo, for their expertise in information and communication technologies, media and free expression. While there were many critics of these appointments, media activist and donor, Shita Laksmi said the participation of civil society actors in governance was a welcome development as it indicated interest and willingness by the government to engage with civil society. In relation to the media, the most obvious roles taken up were within the Ministry of Communications and Information Technology (MCIT). With allies in the government, the onus was back on the media and civil society to be able to provide the technical expertise and inputs to improve on the policies and practices.[98] Several senior journalists and

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[97] At the time of writing, activists (including two interviewed for the research) who became elected members of national and regional parliaments under the NLD or other state-based parties, formed the National Unity Government of Myanmar, in exile, following the 2021 military coup.

[98] One of the appointees at the time of writing in 2023 was Nezar Patria, a former president of the Aliansi Jurnalis Independen, journalist and editor, and member of the Press Council, who was appointed as Deputy Minister for the MICT. Antara News. (2023, July 17). "Deputy Minister Patria appointed for experience in

representatives of the Aliansi Jurnalis Independen such as Heru Hendratmoko also joined the Coordinating Ministry for the Economy as special officer. On the other hand, in Myanmar, the appointment of Pe Myint, a former editor critical of the junta, as Minister and later, Aung Hla Tun, ex-journalist with Reuters, as deputy minister, only fueled disappointment among the media and civil society as they did not take on, or were delaying, the legal reforms. The former junta Information Minister, Ye Htut, commented that Pe Myint was vocal against retaining the state-owned newspapers but once in office, he was said to have expanded them (Ye Htut, 2019).

Conclusion

Media reforms are made more complex because of the range of relationships between actors involved in the processes. Each actor is situated in its own locus of power and influence to achieve specific agendas, which can be both shared and contested. Focusing on the more recent experiences in Myanmar, with the benefit of hindsight in Indonesia, decisions by international actors whether to continue their support for independent media and civil society or to work with the government have been controversial. In this chapter, interviewees talked about the optics of these shifts, especially decisions by international donors to fund state media or institutions, which were seen to benefit selected actors in power, whether in the ministries, the junta, or and those close to the establishment in the transition regimes. One narrative that echoed findings from the Eastern and Central European countries' experiences was the danger of assuming the goodwill of reformists among the state or non-state actors, or that they would be progressive and have shared goals when it came to media reforms (Milton, 2001; Voltmer, 2013). Instead, the power imbalances and the constant negotiation within various institutions and actors lead to further divisions between the large and powerful media and small or community outlets, and the dominant and marginalized voices. The state and international actors played significant roles in the processes especially in the legal reforms and the transformation of the state media into public service broadcasting. For media and civil society actors that relied on donor contributions and grants, meeting donor expectations involved professionalization of their work and increased administrative commitments

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media: President." URL: https://en.antaranews.com/news/288498/deputy-minister-patria-appointed-for-experience-in-media-president

(Deane, 2014; Waisbord, 2008). There was always the risk of non-renewal of grants and recipients tend to align their work with donor goals in order to be eligible for funding. The research noted that donor agendas did influence, albeit to varying degrees, how recipients did their work. This chapter also queried the extent to which reforms in the media considered gender, whether in addressing issues related to policies and practices involving the media, or in participation of women in the overall reforms process. Despite the focus on gender equality and empowerment in international development in recent years, media reforms had limited gendered lens in its conception and implementation, although there were initial efforts to monitor women in news and to set up a women journalists' network in Myanmar. Several interviewees said in the case of gender sensitivity and awareness, the requirements were merely seen as checklists, while in Indonesia, gender emerged in later years as a gender issue (Liao, 2006). Finally, the involvement of non-state actors, especially civil society and the media, in the reforms could be largely described as having access and interaction even though this was inhibited by years of distrust in the case of Myanmar that made it more difficult for groups and individuals to discuss strategies or goals. However, participation and the ability to influence decision making were contested notions (Kothari, 2001), as the existing hierarchies made it arbitrary in terms of whose voices were able to shape the new laws, policies or practices. At times, the impact of interventions by international experts was strong enough to influence the evolving regulatory discussions, while in other instances, the ministries or politicians acted as gatekeepers of inputs and feedback from civil society and the media.

Chapter 7: Media reforms and democratization

"The owners' agendas have become influential."

(Eni Mulia, PPMN)

With political transitions towards democratization, a wide range of institutions, organizations, and civil society seek to use the newly-gained freedoms to push for further changes in the respective societies. The focus on media and communications is influenced by normative assumptions that a free media play a role in supporting and strengthening the democratic processes and institutions (Norris & Odugbemi, 2010). In both countries studied, media reforms were associated with the promotion of press freedom and media independence, and civil society and the media were particularly vocal that the first step in the process was the removal of the state controls and government ownership of the media. The legal reforms addressed these goals, while other initiatives focused on the development and capacities of media outlets to be able to transform their reporting practices. Positive changes were particularly noted in the case of establishing freedom of the media in Indonesia (Jurriëns, 2009); for many years following *reformasi*, the international community of media and human rights advocates applauded the new media and information regulations as being close to international standards. The Press Council, or Dewan Pers, established under the purview of the Press Law, is known for shifting public discourse on self-regulation. Courts in Indonesia have typically rejected cases not mediated by the Press Council and insisted that complainants exhaust the due process of mediation when it involved the ethical and professional standards in reporting. Myanmar, which had only begun its political and economic changes after 2010, was also expected to see great progress in the democratization process, especially given the official commitments expressed, although this would be significantly reversed after the coup in February 2021. This chapter discusses the nuances of the democratization agendas vis-à-vis media reforms in the two countries by examining articulation of experiences whether in newsrooms or civil society initiatives at the micro level that reflect or challenge the macro structures and broader sociopolitical contexts.

Going past the 'hot moment' of transition

Writing about Indonesia in the last days of Suharto's rule, Sen and Hill (2000) concluded that a diverse range of media practices in mainstream or alternative newsrooms contributed explicitly and implicitly to the erosion of the New Order, but cautioned that we could not make simple connections between the erosion of government control or censorship, the opening up of the media, and the establishment of a pluralist democracy, as understood in the West (Sen, 2011). A decade later, Sen noted that challenges persisted for the media and asked:

1) "How will the media operate in a post-authoritarian context while the rules and practices of democracy were being constructed?

2) Who controlled the content of the media texts when the state ceased to censor?

3) How would journalists and other media practitioners relate to popular but not necessarily unified aspirations for democracy?

4) What in the end was the value of an open (that is, not state-censored or state-owned) media to the establishment of democratic governance in Indonesia?" (Sen, 2011:2)

These questions were specifically relevant to the study of both countries because of the specific histories of state control, diversities in societies, and experiences with conflicts. Respondents in the field study overwhelmingly held on to the belief and hope that media reforms were necessary to institutionalise and defend press freedom and independence, in order to support democracy. But they were also quick to recognise the challenges that came with the realignment of powers and expectations of the reformist governments, as critically analysed in the post-authoritarian regimes in the 1990s (Carothers, 2002; Milton, 2001). Were the promises of change confined to the 'hot moments' of transition that offered hope for change for the media community, as Romano (2003) wrote in the early years of Indonesia's transition? Reflections in hindsight in Indonesia pointed to the limitations in the reforms agenda of the early years once media capital reorganised itself in tandem with the new political players, while the digital technologies became the next site of contestation for narrative building and legal controls. Positive developments involved community broadcasters, especially radio, that have helped raise public awareness on difficult or new issues in society. In responding to public needs, community broadcasting was given a boost in Indonesia, and it quickly grew across the country, as discussed in Chapter 4. Despite

challenges of costs and sustainability, community radio stations that are part of active networks became important sources of information to raise public awareness, especially in the late 2000s and into the 2010s (Nugroho, Putri, et al., 2012). Community media have allowed for a range of actions for the people to empower themselves, offer counter-narratives, and promote indigenous or local languages and cultures. They also perform the typical functions of a media watchdog or the "third way" (Jurriens, 2009b), while located outside of the state and corporate structures (Hanusch, 2013). Activist and donor Shita Laksmi said that institutions such as the Anti-Corruption Agency and agencies involved in the promotion family planning used community radio to build awareness on anti-corruption, gender, child rights and early marriage.

> "So those kinds of very sensitive issue, they see community broadcasting is done and I think it was quite successful when the World Bank has PNPM[99] which is very famous, they were using the community radio stations." (personal interview, 3 May 2017)

Counterparts in Myanmar were confronted by the sudden convergence of a relatively open media environment as well as access to fast and cheap mobile phones and social media in their bid to change, but with a military still looming over the country's political and economic system. In this environment, civil society actors were initially 'cautiously optimistic' over the state-led media reforms because of the decades-long distrust in the military administration. One journalism trainer who worked for an international journalism and media organization and had engaged with many journalists in and out of the country, said the language of media reform was first referred to by the then quasi civilian government under President Thein Sein in official speeches about the country's transition process. The government wanted to convince the public of its commitment to media diversity and freedom but maintained its paternalistic role to 'guide' the media in a process of disciplined democracy, while the military relied on the narrative of protecting national security to justify

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[99] This refers to the National Community Empowerment Programme, *Program Nasional Pemberdayaan Masyarakat*, jointly carried out by the government and World Bank in 2006, building on previous initiatives of poverty alleviation especially after the Asian financial crisis. Community radio was used to monitor the administration and use of funds allocated to the communities (Harjono, 2013) and for the officials to communicate with the people. In one example documented by World Bank, radio programmes were broadcast in January 2011 to address public and media concerns about the political influence of the scheme and its effectiveness (Bitra Indonesia, 2013)

its restrictions on media reporting (Brooten, 2016). According to the journalism trainer, who requested anonymity, most journalists who were opposed to the military and independent civil society actors were skeptical that the government meant actual reforms, as the dominant players from the media and media development groups were seen to be pro-establishment (personal interview, Yangon, 8 February 2016). International bodies that ended up in such pro-state positions, even if not expressed as such, found themselves compromising on important values of democracy and freedom, and consequently legitimizing non-progressive policies and laws (McPhail, 2009) in the interest of getting results during the 'window of opportunity'. Much like the immediate actions in Indonesia in 1999 to remove government control of the media, journalists and advocates in Myanmar wanted to see the closure of the Ministry of Information, which was the main gatekeeper of information and agent of censorship. Given the closed environment Myanmar journalists had operated in for years, reforms also meant wanting access to trained government spokespeople and information, who could provide timely and truthful information. Most civil society actors including journalists have adopted the international language of press freedom and media reforms, some in direct reference to UNESCO standards (as discussed in Chapter 3) or that of media development organizations. When asked to articulate the ideas of media reforms, senior journalist and founder of an investigative magazine, Nyan Lynn said it required improving the capacities of journalists, attaining financial sustainability of the media and technological capacity, having a more conducive legal system, guaranteeing journalist protection, and building media literacy. Journalists and editors in Mandalay who were interviewed in February 2016 just as the NLD was transitioning into power, echoed these international ideals. Media reforms to them meant being able to work freely and safely, and wanting a level playing field where private and state media enjoyed equal access to information and treatment by the authorities. The ground realities justified these aspirations, and underlying these were experiential differences that at times created hierarchies of priorities in the reforms agenda. For instance, media and civil society based in the capital, Yangon, dominated most of the discussions about reforms, while those in the regions felt their issues were not adequately represented. The Mandalay-based journalists said they did not have the same access to training or exchange trips abroad when it came to improving their capacities, or that they were more likely than the capital-based media to be in the line of fire on duty because of the stronger military presence around state and national borders. Meanwhile, ethnic media outlets were mainly vocal about gaining recognition for ethnic identities and languages - reforms were about reclaiming their status and the ability to represent the ethnic voices and issues (Brooten, 2016, p. 196). Journalists in

ethnic regions had to deal with government departments that did not appoint spokespersons who could speak to the media or provide information about public services such as health care and education, as official data or announcements had to come from Naypidaw or Yangon.[100] For a brief period, the military only issued responses to media queries through the News Media Council, based in Yangon, but tended not to address all questions that journalists had for their respective stories.

But media reforms were also about a mindset shift. Discussions about the media in Myanmar raised questions about the capacity of the public and society to react to the changes and whether to accept them. Former political prisoner Letyar Tun said that for decades, writers, novelists, and poets were restricted and were cautious when producing their work so as not to suffer the consequences of censorship. The effects of prolonged control of the education sector and media were that many people lacked the intellectual capabilities to give meaning to the newfound rights, he argued.

"There were five or six people who controlled our collective thoughts. It is not easy to move from an Orwellian society to a free society. We may have freedom of expression by law but no capacity to express my thoughts intellectually, decently or to be able to make a story and express the whole picture. Even the novelist doesn't have the capacity like Leo Tolstoy. In the past they never try to write their thoughts but to be in line with the censorship policy. The new generation, unfortunately, their education and intellectual capacity is not so strong." (personal interview, 16 February 2016)

He added that in the past, the media giants were all linked to the military as it was the only way to get publishing licenses. Newspapers like 7 Day Journal and Eleven were also connected to centres of power but they changed their stance dramatically after the political change: "Even my former company (Popular News Journal)…it changed now to pro-NLD, even more than me! In this way it is the process. But to exercise the rights, we have to tackle the intellectual deficiency."

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[100] Nai Kasuah Mon, Mon News Agency (personal interview, 8 June 2017)

Negotiating meanings of new freedoms

Relatively higher levels of internationalization in education and information infrastructure in Indonesia meant that many of those entering the debates or processes of change were better equipped with the ideas, values, and goals. During the drafting of the Press Law in Indonesia, representatives from the government, legislators, and media discussed whether to adopt press freedom or press independence as the core principle (Ispandriarno, 2008). The direction of the discussion was influenced by the history of government controls in the country and where the phrase *responsible press freedom* had a negative connotation during the Suharto years that reflected "the traumatic condition of the use of the term" (ibid:199). While celebrated as one of the milestone outcomes of the *reformasi* with shared notions of press freedom, the law also had it weaknesses. Journalist and activist Abdul Manan said there were missed opportunities and the Press Law was not as comprehensive as it should have been because it was done in haste. As president of the Aliansi Jurnalis Independen at the time of interview and also a long-term press freedom advocate, he said the biggest gap was the protection of journalists in the law, which provided no elaboration. Irawan Saptono, who led the independent CSO, ISAI, shared the same view as Abdul Manan. He said most people accepted the implied meaning (*maksud tersirat*) of the Press Law that it would protect and defend journalists. However, the lack of specific reference to the protection of press freedom as the superior position in the Constitution and the Press Law meant that other laws could be used to target the media and journalists. Advocates and academics have argued that criminal defamation and the lax media ownership laws, among others, could and have been used against the press despite the positive gains from the Press Law (Wiratraman, 2014). The discourse within the Indonesian civil society has been to improve the overall legal regime so that it guaranteed press freedom at all levels: *lex specialis* refers to law governing a specific subject matter, which overrides laws governing general matters, while *lex superior* refers to a body of law with greater legitimacy and which supersedes another conflicting body of law. Saptono said the main beneficiary of the *reformasi* laws had been the media capitalists, mainly due to the gaps in ownership rules and could capture the media, as discussed in Chapter 5 (personal interview, 9 May 2016). Abdul Manan said the spirit of *reformasi* did not "permeate" to other laws which were enacted later but still used the old language such as the 2008 internet law (Electronic Information and Transactions Act, UUITE).

"I consider we are in a continuous transition. The spirit [of the 1999 Press Law] still exists but is not as strong as it might be because the climate has changed. But it is still important because we have not fully gained the freedom we hoped for. What was obtained was not fully answered. The reforms responded in part, for example the SIUPP[101] was cancelled, government interference was reduced. It doesn't mean there's no interference but it's no longer through the SIUPP, there is Press Council but there are regulations. It is less supportive of freedom because cases of violence from the police although they are not direct interference, but they are not supportive. Just like in Papua. Although the government granted visas to foreign journalists but there they were intimidated when writing about the struggle for freedom, from the military and police."

Febriana Firdaus said the law offered some level of security for her on the job as a Jakarta-based journalist, but she acknowledged that reporters based in the regions did not enjoy the same level of protection due to regional politics and the use of the internet laws that were more punitive.

"For example, whatever I am going to write about West Papua, so far, none can criminalize me. So far. I don't know what will happen in the future. I think this is one of the consolidated results of the reformation. However, the law itself is not enough. Just recently, we witnessed how the law cannot even protect a former chief editor in Borneo who was charged with ITE Law after publishing a story against the giant palm oil company owned by the local elite. I think that's the function of the ITE Law, which starkly contrasts with press law. So, in order to maximize the protection towards journalists, we need to annul the ITE law. Someone has to file a judicial review in the Constitutional Court." (email interview, 11 May 2020).

The use of the Constitutional Court in Indonesia has largely taken into account public opinion and interest in its decisions since it was set up in 2003 and has represented a significant

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[101] Sijil Izin Usaha Penerbitan Pers refers to the publication permit required to publish all newspapers, magazines, and journals in Indonesia during the Suharto administration.

change in how key institutions hold legislators and the executive to account. The controversial Omnibus Law was deemed unconstitutional and opposed to principles of good lawmaking by the Constitutional Court, and the government was given two years to rectify the procedural flaws. It is an avenue available for society at large, whether appellants or civil society, to expand the boundaries of civil liberties and limit restrictive government actions and policies. Nevertheless, the outcomes in the courts have been mixed when it comes to cases brought against journalists and the media. In the landmark case of libel against Tempo and its editors in 2004, the applicant businessman Tomy Winata (Suharto's son) won the case, which was only later overturned by the Supreme Court, as discussed earlier. In 2015, *Tempo* was hit with a huge fine following a defamation suit over its investigative reports on Asian Agri Group (discussed in Chapter 2). Although the company would later be ordered back to court to pay for its tax evasion case, the media were not spared the costly repercussions. Those critical of the developments in Indonesia say that the situation for press freedom has regressed in Indonesia especially since the election of Joko "Jokowi" Widodo as president in 2014. Febriana Firdaus said it was more difficult to cover certain issues and journalists who pursued those controversial topics, such as the 1965 mass killings would be subject to attacks. She cited her experience whereby any references or criticisms of anti-communist groups exposed her to some form of sanctions. These occurred especially after the International People's Tribunal on Indonesia, which had convened in The Hague in late 2015, concluded that Indonesia was responsible for the mass killings of members and sympathisers of the Parti Komunis Indonesia (PKI), that took place between 1965 and 1966 (Karensa, 2016).

> "I have been working as a journalist since the SBY era in 2008 until Jokowi. It's funny that I just realised that it is during Jokowi term I feel that we are slowly moving backward. It started in 2015, during the anti-communist crackdown, exactly after the International People's Tribunal held in The Hague, where I covered the story. In my entire career, I have never experienced the most dangerous time for journalists in my generation, not only me, but also all my colleagues. We have to be careful with what we write, because it's a very sensitive topic. For instance, during the press conference when the general talked about Marxism and he was lost, I am the only reporter who dared to write the story…maybe it's not because they didn't dare to write, but because of self-censorship in their newsroom. This '65 issue is like an elephant in the

newsroom none wants to talk about at that time. But what Jokowi has done to protect journalists? Nothing.

I think that two years in a row is the most difficult year for Indonesian journalist. We have to redefine our job as journalists as we are forced to take a stand in a very difficult time, also more intimidation and hatred towards journalists. And don't forget at the same time, there has been a challenge for Indonesian journalists to criticize the government: online attacks from pro-government cyber army and buzzer. Those two issues (cyber army and buzzer) are a new thing for journalists, and what makes the era of other presidents different from Jokowi's term. I have a feeling that Indonesian's trust in the media has decreased since the buzzer,[102] because they take over our job slowly but sure, people now tend to believe a buzzer rather than a journalist." (email communication, 11 May 2020).

This problem has become more challenging over the two decades since *reformasi*, according to activist, Eni Mulia, especially with the instances of hoax[103] and disinformation threatening public discourse, leading to public distrust of news media. The purpose of reforms post-1998 was to encourage media to be independent and free, and for public confidence in the information they obtained, yet the 2014 elections paved the way for several media outlets to take partisan positions, creating a competitive politico-media environment post-*reformasi*. Mulia said as the news media began losing its position as the prime source of information, they have had to work harder to prove that they were reliable; this development paralleled the political competition seen in the country, that in both politics and the media, there was "competition for love" among supporters (personal interview, 7 August 2019). The challenge then was to be resilient to face these new developments, and only a few media companies had business plans that would keep them running and remain independent. As Chapter 5 showed, media outlets that dominated the market had ties to the reconfigured political establishment, which impacted their ability to act as checks and balances of the

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[102] Buzzers is a term used to describe social media propagandists who support government policies. Investigations into these buzzers show support, including financially, from the government (Afifa, 2020).

[103] Hoax in the Indonesian context specifically refer to online disinformation and misinformation used by elite politics to gain political support.

institutions of power. The death of democracy was a gnawing possibility that the progressive and reformist civil society were afraid would take place, in reference to the work of Steven Levitsky and Daniel Ziblatt (2008) on the breakdown of democracies. While the research by Levitsky and Ziblatt focused on Western democracies, activists like Mulia in Indonesia anticipated similar trends within the Indonesian political and media landscapes. She agreed with the authors' proposition that elections became tools to bring authoritarians into power who then with strong allies in the political establishment, would create a democracy without the necessary guardrails. One of the guardrails is the ability of the media to provide adequate spaces for mediating viewpoints.

Passing the baton of control in Myanmar

In Myanmar, the imaginations of democratization and freedoms were still restricted during the transition as the Tatmadaw (military) retained its influence in day to day life, which meant the media community and civil society were always under surveillance and at risk. The new or amended laws introduced during this period still enabled the military to target the media by drawing the lines of what reporters could write about or even use as material for satire. This was done to set the precedent for others to follow or refrain from. The criminal cases against two publications, *7Day* and *The Voice,* in 2016, instigated by the military, led to self-censorship in other newsrooms. The military refused to raise their complaints to the press council but took advantage of the new telecommunications law to persecute the media. Journalism trainer Myint Kyaw said civil society turned their focus during the Thein Sein era to reform criminal defamation in the Penal Code, but had not paid heed to the Telecommunications Law, notably Section 66D, which became an easy tool for the military and certain civilian government leaders to attack the media. The initial narrative of possibly integrating Myanmar into the global community had quickly diminished especially with the NLD government reaffirming the status of the military in politics and administration, even with global attention on the massacre and displacement of thousands of Rohingya people that drew global criticism. From initially being perceived as wanting to improve its international image, observers realized the military had resorted to the ideas of the old order.

> "The military doesn't care about its image, they want to set the lines for the media especially the owner and the editor in chief." (journalism trainer Myint Kyaw, personal interview, 21 May 2017)

A non-transparent regime was both experienced and expected of the military. Yet it was also manifest during the NLD administration. Aung San Suu Kyi and NLD's central executive committee held a tight control over the party and those in public office when it came to speaking to the media. Party legislators including free speech activists who became MPs like Nay Phone Latt,[104] were prohibited by the leadership from speaking to the media, which made the work of journalists difficult as they expected more engagement in the new environment.

> "Why did she behave that way? Maybe not to make any mistakes, she did not want to take risks in dealing with the media, but it is not a good sign" (Nyan Lynn, interview, 19 February 2016).

Journalists in Mandalay said under the USDP between 2011 and 2015, it was difficult to get information from the government departments but there were exceptions if a reporter was able to have good relations with individual officers.

> "Now, I could sense that everything is dependent on Daw Suu, when we ask questions to the party CEC or other MPs. I am concerned that she will control the chief ministers and regional ministers that they will say 'no answer", or that Daw Suu will block them" (*Mandalayahlin Daily* deputy chief reporter Thet Su Aung, focus group discussion, 11 February 2016).

Nyi Zaw, a senior reporter at the Mandalay office of the 7 Day News Journal, felt that the challenges for the media increased when NLD took office because in the past, the media and

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[104] Nay Phone Latt was a prominent blogger, and a youth NLD member in the mid-2000s. He was arrested under the military regime in 2008 over exaggerated charges of providing information to foreign media and causing alarm during the Saffron Revolution. Upon release in 2012 together with other political prisoners, he set up a digital rights organisation and eventually became an elected member of the Yangon Parliament.

the public were on the same side and criticisms of the military regime or quasi-civilian government were welcome. It was not the same with the change as criticism of the NLD was seen as a betrayal because "it's the people 's government now". Letyar Tun had a different perspective to this 'tussle' between the NLD and the media as a learning process given that the government had no experience in governing, while the media had high expectations of the democratic party.

> "Now it is like the media versus NLD, it is actually like a married couple. Without freedom of expression, or support of media, NLD cannot govern or manage properly. At the same time, if NLD did not survive, media could not survive. For this time being, like a quarrelling couple, they love and need each other. Somehow, they need these kinds of clashes, because now the situation is very new, the skin is very thin, later the skin from both sides will get thicker and thicker. This is a healthy situation." (personal interview, 4 February 2016)

Newsroom decision making as processes of negotiation meant that different media outlets fulfilled the roles as agents of change, while others assumed positions as agents of stability or resistance (McCargo, 2003). Thiha Saw, an editor, press council member, and executive director of the Myanmar Journalism Institute explained that not all media outlets sustained clear and dedicated goals of press freedom during the transition. Some of the larger and pro-establishment media houses opted to restrain themselves and practiced self-censorship or willingly backtracked once put under pressure. In March 2015, when working as editorial director at the Myanmar Times, he witnessed how the top management of the English-language daily decided to issue an apology over a cartoon published that criticised the army's eviction of farmers in the town of Laukkai. The military complained that the cartoon was insulting of the institution. In the piece by artist Htoo Chit published on 25 March 2015, a husband and wife are seen discussing the ongoing conflict in Laukkai between the military and ethnic Kokang insurgents. The husband says that the army had taken the hills, to which the wife replies "aren't they satisfied with taking the farms?" (Zaw, 2015). In response to the complaint, Myanmar Times chief executive officer Tony Child admitted that the cartoon was done in bad taste. Yet in 2012, under fire from the military for a similar piece in the English edition, the newspaper defended its decision and the artist. In the 2015 incident, Thiha Saw advised the management not to issue an apology and instead respond to the military in a way that placed the burden of interpretation of the latter. But contrasting directions in the media,

whether on this issue or the treatment of coverage of the Rohingya, could be described as polyvalent as suggested by McCargo (2012).

> "I said don't try to apologise to them [military]. The picture is there, the cartoon is there, it is all there. What we do is say something like 'sorry for your misunderstanding, we didn't intend it', so more of a statement not an apology. I wrote the draft but the CEO, a British guy and the chairman changed everything. It is too bad." (personal interview, 8 February 2016)

The journalists' networks had become more independent and vocal by this time and they stepped in to defend the artist, who was awarded at an annual press award event organized by the Myanmar Journalists Association (MJA). Networks in civil society are critical reasons and causes of change and reforms.

> "And you know what, I'm really glad we did that. Three ministers – Aung Kyi, Ye Htut and Aung Min were all there at the function and the prize went to that cartoonist. And a video prize went to DVB for their Laukkai conflict coverage and because the ministers were there, they had to watch it. We will have to use our networks and different ways." [105]

Conclusion

In this chapter, I discussed that press freedom, independence, and democratization were important shared values, whether they emerged organically as part of wider movements or in reaffirming global norms associated with democracy and a free press. Transitions, according to some, must come with the battle of ideas and a healthy debate so that the state and its agents, civil society, and the public, are able to articulate their expectations. However, the realities of the respective political structures, the long-term impact of censorship on

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[105] Aung Kyi and Ye Htut held the portfolios as Information Minister during the transition years under the quasi-civilian administration, while Aung Min held the position of Minister in the President's Office.

societies, and the competing interests within the media industry posed challenges to the adoption of democratic ideas and practices. The experiences of the journalists in Mandalay showed how the shift in political leadership did not necessarily improve working conditions or access, instead, it posed new limitations and political cultures. Daw Suu (in reference to Aung San Suu Kyi) was not the champion of press freedom as expected and had become the source of the new control in the flow of information and decision making, in addition to the military. Newsrooms have to constantly draw and redraw their work approaches due to the uncertainties that prevailed in the political arenas. News media in the region are confronted by a diffused network of surveillance in the form of online users over social media, as experienced by journalists in Indonesia, who represent certain viewpoints and delegitimize the value of journalism. As rightly queried by Sen (2011), in a post-authoritarian context, the sources of control and the conceptualisations of values in society now include individuals and members of society. Pressures put on the media to report in a certain way are the new forms of censorship. In the end, the strategies for reforms are unable to anticipate the micro experiences, whether in newsrooms or civil society organisations, which will likely condition work ethics and cultures, more than the overarching laws and policies.

Chapter 8: Minorities and media reforms

"I think the idea of producing these discriminating laws are not necessarily religious based background, but it is the authoritarian character of politics in Indonesia which haven't been transformed."

(Atnike Nova Sigiro, *Jurnal Perempuan*)

With the different types of administration in regions or areas that have conflicts within national borders, the changes and reforms that involve the media become more complex. This chapter critically discusses the ways in which media reforms were carried out in states and provinces, and affected different groups in the two countries. At the time of this study, the two regions that encountered heightened conflicts and tensions in the preceding years were West Papua in Indonesia and Rakhine State in Myanmar.[106] Both regions witnessed the escalation of violence mainly committed by state bodies towards the public over the decades, to varying degrees, and the use of a range of restrictions even after their respective openings, in terms of political participation, movement and freedom of expression. In addition to regional differences, the chapter also discusses the relationship between reforms and minorities. As discussed in Chapter 6, reforms are also gendered, observed through the participation of, or in experiences faced by, women and minorities in the reforms processes. The intersections between nationalism, religion, gender, and ethnic identities emerged in the analysis of the already complex political and social relationships in these locations.

In September 2018, a UN fact finding mission reported to the UN Human Rights Council that the Myanmar military had committed genocide in Rakhine as well as serious crimes and violations of human rights in two other states - Kachin and Shan (United Nations Human Rights Council, 2018). The consequences have been dire; thousands killed and hundreds of thousands others displaced from their homes and living in refugee camps along the country's borders with China, Bangladesh and Thailand, with Rohingya refugees feeling

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[106] A military coup in February 2021 against the elected civilian government of 2020, launched a new round of resistance and continued confrontations between the ethnic states and the national army (Hyo, 2024).

to other countries in Southeast Asia to escape the military attacks. For decades, they have been denied access to citizenship, which affected their fundamental social, cultural, and political rights.

Meanwhile, in 2016, the Indonesian military launched a crackdown against protestors in Papua and other cities around the country over the campaign to have Papua be a full member of the Melanesian Spearhead Group, which would recognise its claim for self-determination (Asia Pacific Report, 2016). The movement to gain independence from Indonesia has been ongoing since it officially took control of West Papua after a sham referendum in 1969. The region has an armed movement as well as a significant civil society movement that has support from the nearby Pacific Island states and the global community. The sources of conflict in relation to Papua can be attributed to four strategic issues: the history of Papua's integration into Indonesia and how this affects the political identity of the Papua people; political violence and violations of human rights; failure of development in Papua; and the inconsistencies in government implementation of the Special Autonomy which has marginalized the people (Widjojo, 2010:6). The idea of being Papua is constantly pit against the Indonesian identity by the nationalist and to a large extent, colonial framing (ibid). To champion the Papuan identity or even to support it would then mean being less Indonesian, unpatriotic and a traitor. This narrative is reinforced by the overall media coverage of West Papua, which tend to highlight crisis, separatists as terrorists, violence, and economic backwardness (Adiprasetio, 2023; Wayar & Blades, 2022). In other words, with few exceptions, major mainstream news media in Indonesia act as the "loudspeaker for the government" (Adiprasetio, 2023, p. 129).

A common issue in both countries in relation to the administration of the regions is the role of the army or military, which are mainly designed to prevent any movement for independence or to maintain territorial sovereignty. As a result, the public and the media face constant violent suppression and restrictions to their freedoms in ways that are not experienced elsewhere in the two countries. Tapsell (2015, p. 319) adopts Gibson's (2005) framework of subnational authoritarianism for Papua, which refers to a "region in a democratic country where tendencies towards authoritarian rule persists", and where the dominant discourse is one of security that justifies all forms of restrictions, including of the

media. With the political change since *reformasi*, Indonesia's post-Suharto military has largely been adhering to the new paradigm of reduced participation and influence in policy and decision-making, which replaced the dual function or *dwifungsi* concept that allowed the military during the New Order to engage in politics. Under the new paradigm, the military stepped back from the political sphere; successive presidents and political elites generally resisted any attempts by the military to return to power. However, they also did not carry out full reforms whether in terms of financing or territorial control (Sambhi, 2011). This allowed the military to maintain its stronghold over the years especially in the name of national security and territorial integrity in regions with conflicts, such as East Timor, Maluku, Aceh and Papua. However, with the independence of East Timor, and the signing of the Helsinki peace accord to end the civil war in Aceh, the military's role was reduced and it also lost much of its income opportunities (conflicts justified high budget allocations) and it had to then rely on state budget (Mietzner, 2011). The conflict in Ambon and then in North Maluku had begun after the *reformasi* in the midst of the political upheaval, suffering economy, and contestations of power at the local level following the decentralisation of governance and the creation of the North Maluku province (Duncan, 2005). According to senior journalist and editor Endy Bayuni, when comparing Myanmar and Indonesia in relation to territorial conflicts, he noted that Indonesia's transition had involved a reduction in the role of the military and a bigger space for civil society, which allowed for democracy to consolidate.

> "Some of the issues in the beginning after *reformasi*, we were worried about like the clashes in Aceh, Timor and Ambon, but civil society managed to prevent it from getting worse" (personal interview, 6 May 2016).

Papua remains today a contested region and one where the army has retained its control over other civilian authorities. Most of the media in Papua are owned or run by the large conglomerates such as Jawa Pos but other independent outlets and radio networks started operating after *reformasi*, such as the KBR68h (Hill, 2011), and today, numerous online sites have become popular. However, attacks and intimidation in the post-Suharto years came from thugs, the police and government officials. Reporting about Papua, especially on the freedom movement and other conflicts with the central government, is restricted and foreign journalists have not been allowed in without official permission. Within local newspapers,

many tend to be non-Papuans. This is because Papuans have more difficulties reporting on certain issues, but another more insidious development was that the expansion brought many people mainly from Jawa to work in editorial positions (Hill, 2011; Tapsell, 2015). Tapsell (2015) found from his interview with 22 journalists and editors working full time with mainstream local media in Jayapura and Manokwari that indigenous Papuans, while bolder when asking questions, were often under more risk than the non-Papuans working in the media. There was also a high level of distrust within the media community due to perceptions of journalists working with government-owned media such as TVRI, RRI and Antara that they were informants for the intelligence. Even though access to the internet was still low, it did provide an alternative means to publish independent news and raise the issues at the international level (Tapsell, 2015). Yet, this access has been restricted due to constant internet shutdown or blocking of websites by the central government in response to independent reporting, unrest, or dissent (SAFEnet, 2022), while journalists who tried to interview locals on issues deemed controversial would be arrested (see table below). Apart from the pro-independence movement, other issues considered controversial with public resistance and heavy-handed responses by the central government are environmental and land rights, largely related to massive extractive industries (gold and copper, oil and gas, coal, timber, and palm oil).

Papua's experience with free speech

In May 2017, Indonesia became the host of the annual global UN-recognised World Press Freedom Day. Countries that are committed to press freedom are given the chance to host the event, which draws an international audience and spotlights some of the host country's accomplishments or contributions towards promoting and defending press freedom. Indonesia's ranking for press freedom had fluctuated since *reformasi* in 1999, but it had made major strides when it came to freedom for media and journalists and having an independent press council, among others. The Press Council, or known in Indonesia as Dewan Pers, was a co-organiser of the event in 2017 with the government of Indonesia and UNESCO, the UN agency responsible for media and information. The then vice-president Jusuf Kalla officiated at the opening of the event on 3 May 2017 at a prominent hotel in the city and said in his speech that the three elements that Indonesia got right in its democratisation was the

establishment of democratic institutions, autonomy and decentralisation, and freedom of the press. He recognised that the freedom of the press was not for its own sake but for the country to be able to attain social justice and peace, and that a nation without criticism would fail (Berita Satu, 2017). The May 3 event was attended by over 1,300 international visitors from among the media, governments and other civil society actors. A day before this gathering and less than a kilometre away from the official venue, a seminar on the 'Free Press in West Papua' pointed out at the hypocrisy of the official narrative about the country's press freedom accomplishments, when Papua recorded serious human rights violations, including those related to freedom of expression. The 2017 Reporters Without Borders press freedom index for Indonesia was 124, a slight improvement from the 130 in 2016, but the restrictions in West Papua were cited as reasons for the generally low ranking. Speaking at the seminar, journalist Victor Mambor said it was "shameful" to see an international event in Jakarta when police were intimidating and beating journalists in his province, especially those who reported on land issues and corruption. He said that attacks against journalists, both local and foreign, had been ongoing, despite the attention given by Indonesian President Joko Widodo since coming into power in 2014. He told the audience that local civilians who helped journalists coming from other parts of the country or foreign journalists were often at risk for making the arrangements to interview sources. Foreign journalists have been blacklisted and deported for attempting to cover issues in Papua for many years. The government claimed it had approved visas for 39 foreign journalists by May 2015, but this was challenged by independent groups like AJI that said only 15 were given. Even among those who were given the visas, they faced bureaucratic hurdles to receive the papers in time while restrictions were imposed on what they could report (Mambor & Payen, 2017).

Table 7: Foreign journalists deported or banned by the Indonesian authorities

Year	Cases
2006	Five Australian journalists from Channel Seven were detained and put under surveillance in Jayapura, Papua province, and then deported. Naomi Robson, Rohan Travis, Peter Andrew, Paul Richard and David John were detained on charges of entering the province with tourist visas. They were forced on a flight

	back to Jakarta on September 14 from where they were expelled from the country
2009	Four Dutch journalists (one from a newspaper and three documentary makers with a television network) were detained and deported, while covering an independence protest in early April, despite having the appropriate visas.
2014	Two French journalists, Thomas Dandois and Valentine Bourrat, were detained in August in Papua province. They were doing a report on West Papua for the Franco-German TV channel Arte. They were charged with violation of immigration regulations and promoting instability. Their local guide and interpreter were also arrested and interrogated by the police for 36 hours
2016	French journalist Cyril Payen was denied a visa to report in Papua. On January 8, the Indonesian Embassy in Bangkok informed Payen that his application for a visa to visit Indonesia and carry out reporting in Papua province had been denied. The Indonesian Ministry of Foreign Affairs officials later informed the French Embassy in Jakarta that the denial was because his previous reporting on the pro-independence movement was "biased and unbalanced"
2017	French journalists Basil Marie Longchamp and Jean Frank Pierre were deported from Indonesia after being granted permission to work on a documentary in Indonesia covering West Papua. On their arrival in Indonesia, they were expelled and banned from returning to Indonesia.
2018	Rebecca Henschke, an Australian journalist working for the BBC and her crew received an official permit to cover a military aid operation in West Papua. However, when the authorities found out about her Twitter post showing troops providing only non-nutritious foodstuffs, the journalist and her crew were expelled on the grounds that her post "hurt the feelings" of the soldiers.

(Robie, 2019)

The reasons cited, where available, for the rejection of visas and deportation of journalists, show the extent to which the authorities control the narratives surrounding key issues in West Papua, whether related to the pro-independence movement, environmental concerns and

other human rights abuses. Mambor said the authorities often used bribery as a way of controlling local media that were willing to take it up, which would result in corruption and human rights cases sometimes not being covered. This happened in the form of direct bribery of journalists or by buying up pages in local newspapers, which appealed to some journalists as the local media faced financial sustainability challenges. Advertising is still the main source of revenue for the media in general, and among the main advertisers in West Papua are Freeport and its subsidiaries that own among the world's largest copper and gold mines. The conglomerate is at the epicenter of several disputes with the locals, and media that rely on this source have been restrained from investigating or reporting independently in instances of corruption, violence or intimidation that would have implicated them. Furthermore, Mambor said there was fragmentation of the media by security forces, which treated indigenous and other Indonesian journalists differently. In early 2017, a team of eight people visited three major cities in Papua between 29 January and 3 February as part of a mission of the WAN-IFRA Media Freedom Committee Indonesia, affirmed that the local journalists – known as "OAP" (original Papua persons) – faced stigmatization and intimidation, and had to obtain police permits to cover public gatherings and protests because of suspicions of pro-separatism (Pacific Freedom Forum, 2017).

It was a challenge to arrange for interviews with Mambor for this research as the pressure in the recent years had been mounting on journalists from Papua who were seen as being vocal. Mambor, who was the chair of the Papua branch of Aliansi Jurnalis Independen (AJI), runs a news outlet called Koran Jubi and jubi.co.id. When I heard that he was speaking at the alternative forum that May 2017, I took the opportunity to attend the session to get some insights. In the post-*reformasi* years, it wasn't typical to encounter intelligence officers at activists or media events in Indonesia. This side event in the heart of Jakarta city, however ,was an exception: the presence of security or intelligence officers was obvious, starting with them lurking in the hallway and sitting at the back of the room when the forum began, after failing to get the organisers to cancel the event. The openness that many people experienced in Indonesia for the most part since *reformasi* had exceptions and West Papua or issues related to it, was clearly one of it (Koman, 2017). For the research, an alternative was to conduct email interview but even that became a challenge at that time due to online surveillance that he faced. Mambor and his website, as well as other independent Papua online sites, came under intense surveillance and eventually blocked for publishing any

content related to the Free Papua independence movement, or if they described the movement as separatism in official accounts (Mambor & Payen, 2017). In April 2021, the windscreen and two windows of his car were smashed by unknown assailants in front of his house. The attacks were related to his work as a journalist covering human rights abuses in Papua. Other activists have also been targeted for speaking up for West Papua, with one prominent activist, Victoria Koman becoming a victim of doxing[107] and targeted by the authorities. The Jokowi administration that began in 2014 and promised to resolve the political tensions, had changed the approach by his second term in 2019, when he increased military responses to the protests in West Papua, condoned internet shutdown, and moved to administratively label independence movements as terrorist suspects and organizations (Adiprasetio, 2023; Tasevski, 2021). Journalist Febriana Firdaus affirmed that the reforms such as the Press Law had a positive impact for journalists like her who hailed from the centre, Jakarta, but was aware that it was not the same for those who were from and worked in the outer provinces, especially when their work highlighted corruption or wrongdoing.

The Indonesian government rejects and criticises any condemnation of its treatment of West Papua or calls to grant self-rule, but the issue has global attention as the movement and its leaders in exile have been active in lobbying for international support. The globalization of national and regional issues placed pressure on the states and transnational actors in their interactions and decision making. While some foreign donors supported people's movements, they were cautious in communicating it to the national governments and chose to confine their involvement to advocating for single actions, such as the release of detainees (their nationals or local actors) or provide support for affected groups quietly. In Indonesia, intergovernmental bodies and their instruments were not able to convince the government to facilitate an official visit by the UN Special Rapporteur of the freedom of expression and opinion, who had requested a visit to Papua. The refusal of the government in this case counters the openness experienced elsewhere in the country.

Regional identities and the media in Myanmar

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[107] The digital exposure of one's private or identifiable data with a malicious intent that could place them at risk

Regional power negotiations intersect with ethnic identities, which were seriously clamped down in Myanmar under the long military rule, despite historically having among the most diverse language journals and literature in the region (Lintner, 2001). The dominance of the Buddhist Barman in positions of power came at the cost of ethnic identity markers such as religion, language and other cultural practices. Resistance media outside and to some extent, inside the country, used their ethnic languages where possible, as part of cultural and political preservation, while also using the official Myanmar language to be able to reach a wide audience. Nai Kasuah Mon, editor of the Mon News Agency and who operated in the border towns between Myanmar and Thailand (mainly in Mae Sot) said while the quasi-civilian and NLD governments recognised the importance of the ethnic states and ethnic media, there was little effort in promoting the conditions to support these. One important area was education and language.

> "In 2014, the MOI announced that journals are allowed to register in the ethnic language. We thought we could create space for ethnic journalists to preserve the ethnic language, literature and we can set it up in our own states. But the disadvantage here is because ethnic language is not used in government administration, by the people and there is no practice. The distribution of the media is limited because people still use Burmese." (interview, 8 June 2017).

The use of ethnic languages in official settings such as schools was banned in 1962 after the military coup and only reintroduced in 2014, though with limited resources and support provided. Even the NLD government was seen as incapable of understanding ethnic issues, although it had allies and partners among state-based political parties that supported them during the elections. Ethnic language publications still had to submit copies to the Ministry of Information because of the use of languages other than Burmese, but the difference now was that there was no pre-publication censorship. Publishers still had to travel to the capital Naypidaw to register the titles as there was no mechanism set up in the states to facilitate this process. During field interviews, it was typical to see editors sending camera copies of their publications by public interstate buses to contacts in Yangon to be printed and returned for distribution. The lacklustre response to ethnic voices ran across many issues. In one instance, Nai Kasuah Mon highlighted the decision by the union parliament to name a newly

constructed bridge over the Salween (local name Thanlwin) River after Aung San, father of the NLD leader and a revered independence figure. Thousands protested against the name in early 2017, saying that the national legislature ignored the wishes of the ethnic nationalities who had instead suggested naming it after the river.

> "The Mon National Party trusted the NLD too much and then was shocked that they didn't understand the ethnic people. There will be interesting tensions between the Mon civil society organisations, the state government and the national government because there is too much centralization" (interview, 8 June 2017).

In this context, he said there should be concrete policies that are decentralized and that could support ethnic media. At the point of the interview there was some progress in recognising the role of the ethnic nationalities, especially in relation to the peace process, but less so related to the media. This would have to be different from the central or national media policy because it should be able to deal with small groups or media types that could support information for and by communities such as community radio. He was referring to the then peace process where people in the ethnic states faced difficulties accessing information, especially those in the remote areas. Both Nai Kasuah Mon and Nan Paw Gay (who ran the Karen Information Centre) said that the main gap was having ethnic voices when developing policies related to the media. The prolonged state of conflict made people distrust governments, in particular, the military regime but also the quasi-civilian and civilian governments, making the ethnic media more important. Even then, Nan Paw Gay said residents were generally suspicious of the media and thought of them as politicians. She and her colleagues had to always assure the public around them that they were independent of the government and political parties.

> "But I just go around as a woman from the village, on a bus, sometimes on a motorcycle and listen to what people say or feel. I want to interview them but many are still afraid to be quoted. They think media are politicians." (interview 9 June 2017).

In the case of Myanmar with several of the states having their respective ethnic armed organisations (EAOs) and armies that are in constant conflict with the centre, journalists from the ethnic states have to carefully negotiate their interactions all the time. If the media are seen to be too close or sympathetic to the EAOs, they are exposed to military or government persecution, as the case of Lawi Weng in June 2017 showed. Lawi Weng, a senior journalist with The Irrawaddy, had been on an assignment with two other journalists in an area in Shan State that was controlled by the Ta'ang National Liberation Army, to cover an anti-drug campaign. On their way back from the reporting, Lawi Weng was arrested with the other journalists and four civilians, and accused of associating with groups declared illegal by the state under the Unlawful Associations Act 1908. They were held at the Hsipaw Prison in Shan State for more than two months before the charges were dropped. Lawi Weng is a conflict reporter and travelled to Shan state to cover the armed conflict. He was often stopped by the army and had his belongings checked (camera, phone, wallet) to ensure that he had no contacts or photos of the rebels as the state had defined them.

"According to the law, I have the right to travel to the conflict areas. But when I was arrested in 2017 the army accused me of not having permission to be there. We have laws, but these laws are not always respected. Those who focus on improving media legislation in Myanmar need to remember that laws are not always followed here. Laws should not favour one side. They should protect everyone in the country and be applied equally. My idea is, that for change to happen, the army needs to change its mindset, and to see laws as statutes to be respected, instead of as mechanisms to protect itself." (Lawi Weng, 2019)

Liz Tydeman, who worked with the Burma Programme of the donor Open Society Foundation, said that there was a tendency for most international organizations, including in media development, to not address or confront the influence of ethnic armed organizations. This was despite conflict sensitive reporting being one of the main themes for the training of journalists since the opening, and the increased activities related to peace initiatives after the quasi-civilian government announced formal peace talks with the EAOs in August 2011, although fraught with challenges since the start. For example, international bodies like the UNESCO and media development organizations, including the International Media Support,

supported and offered these trainings, respectively. Most however tended to focus on building the awareness and skills of the journalists, rather than confronting some of the structural issues head on, such as the configurations of power in the ethnic states between the union army (Tatmadaw), the EAOs, ethnic associations, as well as international governments and actors (such as businesses mainly from China in the northeast).

"In ethnic areas, civil society and the political movement, the link is there, mainly for the greater good. But there are human rights abuses by the army and the ethnic armed forces. So, there is self-censorship, this is the dynamics with the ethnic groups and the states. The role of the EAOs is not talked about much… women and religious or communal violence that are state sponsored. On domestic violence, not beyond this, not prepared to look at ethnic armed groups. Donors don't want to talk about root causes." (personal interview, 23 May 2017).

Tydeman's responses echoed the experiences of women journalists and activists interviewed in this research: reforms are intersectional, whether these relate to media laws, the peace process, or opportunities to influence policies. Women journalists working in the ethnic areas are confronted with specific cultural and political conditions and have to navigate the ongoing violence that have direct impact on their work. When donor or media assistance programmes are planned, however, they are implemented as separate or parallel issues. As activist Yin Yadanar said in her experience with donors, gender becomes a box that needed to be ticked.

Contentious narratives about the Rohingyas

The Rohingyas living in Rakhine State, situated in the west of the country and borders Bangladesh, have been long persecuted by the state. Such treatment was reinforced by the 1982 Citizenship Law, which has a narrow definition of citizenship. The law links the acquiring of citizenship status with the membership of a prescribed national race, or *taingyintha* in Burmese, that has surpassed citizenship in law and practice and enforced by coercion (Cheesman, 2017:473). There are three categories of citizenship in Myanmar: citizenship, associate citizenship and naturalized citizenship, and for decades, coloured cards

were issued based on the category one fell under. The first category is for those who come from one of the main ethnic groups - Barman, Kachin, Chin, Shan, Kayah, Kayin, Mon, Rakhine, Kaman and Zebardee and had ancestry in the country prior to 1823; the latter for those with mixed parentage or were not able to show evidence of heritage (Human Rights Watch, 2000). The concept was institutionalised and used during the regime of Ne Win to distinguish those who could rightfully decide the fate of the nation from those who could "betray us" if they had access to power (Brett & Kyaw, 2020, p. 2). The official narrative is that there are approximately 135 recognised ethnic groups in Myanmar, and the Rohingya are not among them. However, the number has been controversial and lacks substantial evidence, with critics arguing that it could refer to the range of language and cultural communities. For instance, Cheesman writes that scholars and observers have wrongly construed the law as explicitly excluding the Rohingya when:

> "the law contains no reference to the enumerated 135 national race groups nor does it contain any specific sections to deny Rohingya citizenship. Rather, it makes membership in a national race the gold standard for citizenship and the primary basis for determining the rights of someone claiming to be a member of the political community that was then "Burma" and subsequently "Myanmar."" (2017, p. 471)

The lexicon aside, the discriminatory practices in assigning citizenship has resulted in the systematic exclusion of Rohingya and many other non- *taingyintha* from all political, social and economic activities. But as Cheesman (2017) argues, the concept has become the truth regime and those who want to remain and be recognised in the system, uphold the *taingyintha,* which was also evident in the way the local media typically framed the discussions about citizenship.

In Myanmar, the transition was largely planned by the Tatmadaw, and the country's 2008 constitution guaranteed the position and role of the military in parliament and the government. Peace negotiations between the central government and the ethnic armed organizations (EAOs) since 2011 were led by the military even after the NLD formed the government in early 2016. The lack of capacity of the civilian government and its reliance on the military – which retained control over national security issues – resulted in a fractured leadership, or a 'two-headed' government and where the terms of the ceasefire or peace negotiation were dominated by the military or Tatmadaw (Thawnghmung & Htoo, 2021).

Armed clashes and attacks against civilians increased significantly since the opening in Myanmar, with almost all of these taking place in the ethnic states. According to Altsean-Burma that has been campaigning for human rights and democracy in Burma/Myanmar since 1996, there were at least 67 attacks that targeted or failed to protect civilians between January and June of 2020, compared to the 166 incidents in the same period in 2011 and this 272% increase correlated with the 180% increase in military budget over the decade since the opening (Altsean Burma, 2020). During the transition between the quasi-civilian government and the civilian government in 2015, the government, under pressure from radical Buddhist groups promoted a package of laws on the protection of race and religion; it included four parts which were the Population Control Health Care Law, the Religious Conversion Bill, the Myanmar Buddhist Women's Special Marriage Bill and the Religion Conversion Bill. Critics noted then that the laws contained elements of discrimination that would significantly restrict religious freedoms, seen largely directed towards Muslims in the country, with a particular impact on the Rohingyas living in Rakhine State who were already denied citizenship rights (R. Lee, 2016, p. 200). Since the political opening, attacks against the Rohingya intensified especially since 2012 as the military went on a crackdown of individuals and groups it claimed was part of a terrorist movement. Similarly, media reports on the violence in Rakhine state in 2012 also suggested that the areas were strategically located in the proposed China-Myanmar gas pipeline route, and the development of the Kyaukpyu special economic zone (SEZ) along the coast. The pipeline project was one of Myanmar's capitalist transition with large scale investment from China. The geopolitical importance of Rakhine specifically, and the route, is key to China and India, both which were keen to benefit from the natural gas resources and for China, to bypass the traditional Malacca Straits for shipments of oil and gas from the Middle East (Heugas, 2017). Clashes between residents and government forces, which resulted in the displacement of Rohingya communities along the coastal areas, were not merely coincidental (Ahmed, 2015; Aung, 2024). They were sparked by the rape and murder of a Buddhist woman by three Rohingya men in May 2012, and the subsequent mob response from the Buddhist majority. The overlaps are obvious between the zones earmarked for development in the ethnic states, including Shan and Kachin States in the northeast, with instances of inter-group (ethnic/religion) violence and state/military crackdown. Aung (2024, p. 15) argues that while the economic projects played a connective role to allow for people and commodities to move within the global market, they were a " conduit for state-backed forms of violence that have deepened social divides along spatial, gendered, and racialized ethnic lines."

A year after the Kyaukpyu incident, clashes broke out in Meikhtila, Mandalay, sparked by an attack by a Muslim shop owner of customers who were a Buddhist couple. A mob attack and subsequent violent clashes between the two groups became one of the deadliest sectarian conflict since the 2012 incident. Publisher Zaw Oo, when interviewed in Yangon in 2016, said that the outbreak of clashes in Meikhtila, Mandalay in 2013 was more likely to be related to economic interests but were manifest as ethnic-based hatred. His organisation conducted research on the factors behind the 'communal violence' and why it had occurred during the transition period. The research showed that some in the military, which was heavily invested in the pipeline project, had taken advantage of the incidents to allow for hate to fester and trigger the clashes between the Buddhists and Muslims in the area.

> "The government knew but did not take action and let it happen. It is a sad story. So even peace is defined by the pipeline" (personal communication, 9 February 2016).

The tensions were reflected in the way most local media reported on the issues. Ethnic Rakhine reporters who worked with media outlets based in Yangon were under pressure if their reports or lines of query were critical primarily of the local Buddhist Rakhine people. The demand for 'loyalty' to the identity – in this case, Rakhine Buddhist – meant coverage of the issues such as crimes and clashes tended to be biased. Even formerly exiled media like The Irrawaddy avoided using the term Rohingya after criticisms and attacks from readers, many who supported the authorities' narratives. It advised its reporters to use 'self-identifying Rohingya', in a move that surprised international observers and donors, as The Irrawaddy had always been critical in its coverage (Reed, 2018). Given the overwhelming anti-Rohingya sentiment in the country, decisions such as The Irrawaddy's could be interpreted as a necessary compromise to avert accusations that they were pro-Muslim, pro-terrorists while avoiding the officially-sanctioned reference of 'Bengali' that the state and most media outlets used. Rakhine is one of the states that have sought greater autonomy from the central government, has its own army and has engaged in battles with the military. The military, through immigration rules, imposed strict controls as to where people from outside the state could travel and ethnic states, especially Rakhine.

So, while the opening allowed for journalists to cover most issues, reporting in and on the ethnic states was still not as easy under the administration of the quasi-civilian and civilian governments. Foreign journalists could only access Rakhine state and do their reporting with government minders and they risked exposing locals who spoke to them independently to potential arrests, attacks and worse still, killing. In one case, some of the journalists who were on a government-organised media trip in September 2017 reported their observation which showed that much of the official account that the Muslim Rohingyas had burned down their own homes and attacked others before fleeing to neighbouring Bangladesh, were fabricated (Head, 2017). The arrests and conviction of two Reuters journalists, Kyaw Saw Oo and Wa Lone, who were pursuing a story on the murder of 10 Rohingya men in the ongoing massacre, as well as the harassment of local journalists covering the area, exemplify the extent to which state institutions would go to suppress information and control the narrative surrounding the genocide. The NLD and the then State Counsellor, Aung San Suu Kyi, were either silent or defended the use of the Official Secrets Act to arrest the pair.

At the office of an investigative journalism magazine, *Mawkun*, in downtown Yangon, the editorial team said they focused on aspects of governance, corruption and impact on society, and not on the ethnic differences when covering the clashes that tended to be labelled as religious clashes. The award-winning monthly magazine was published by the Myanmar Media Observer Group since 2012 when censorship rules were lifted. The editors, Nyan Lynn and Zayar Hlaing, admitted that the style of in-depth reporting and covering different sides was a challenge for the readers, who by then wanted to see only pro-NLD and anti-military content. *Mawkun* editor said this included amplifying the NLD's position on the Rohingya, which seemed to mirror the military-led narrative as well as conservative voices. Elements of religious extremism were indeed present; for example, the dangerous rhetoric promoted by a Buddhist monk, U Wirathu, who spread anti-Muslim speech in his sermons and via Facebook.[108] Nyan Lynn highlighted two stories in its June 2015 magazine (issue no.

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[108] He was first jailed in 2003 and released nine years later, and was again charged under the civilian government for similar hate speech in 2019.

24), where the first two stories[109] focused on peace initiatives and integration after the 2012 clashes.

> "Media literacy is low. People won't buy the newspapers that don't yell at the military government even if they cost only 200-300 kyat[110]. We try to offer in depth coverage and include different perspectives, but the readers reject us if we use the term Rohingya." (interview, 19 February 2016).

Publisher Zaw Oo said pre-existing prejudices and discrimination meant that although media were freer, they continued to portray discrimination of women and minorities, including the use of the word 'Kala', typically derogatory of the Rohingya. However, there were efforts put in to counter hate by raising public awareness on the dangers of such speech in movies, radio and news media, acknowledging peace initiatives (Myanmar Peace Award) and to use art to mobilize the public.

> "Artists are the last frontier, they can mobilize people. Arts and writers…their nature is based on truth, amid restrictions and controls. In a way, it's kind of a post-structuralist resistance. Things like this produced a lot of momentum for the new generation of political movement."

Yet, acceptance was also problematic within the ethnic media groups. In the network of ethnic media – both that operated in exile and in the country – there were clear lines drawn about the Rohingya media group. Prior to the opening, the Burma News International, a coalition of ethnic media outlets that began outside of the country in 2003, had representation from media of various ethnic communities, including the Rohingya. Kaladan Press served the Rohingya communities but operated from the borders between Myanmar and Bangladesh. When the quasi-civilian government announced media reforms as part of the democratization process, it also included ethnic media in the agenda and considered content in ethnic

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[109] The Yangon Journalism School, a local independent j-school which was established by journalism trainer Ye Naing Moe in 2010, started an award to motivate local journalists produce quality reporting. *Mawkun* won six awards between 2012 and 2016, with two of the stories recognized as Timeless Features.
[110] In February 2016, Kyat 300 would be about USD0.25 (USD1=Kyat 1233). By the time of the writing, the rate would drop to USD1=Kyat 2101.

language in drafting the broadcasting law. Ethnic media groups, with the support of journalists' networks and international advocates and donors, voiced their demands and challenges at various formal spaces such as media conferences and meetings with government. The BNI network launched a series of annual meets that would shine the spotlight on issues, plans, and challenges that specifically confronted the news media operating in the ethnic states or that focused on ethnic issues. The first conference took place in April 2013 in Mawlamyine, Mon State and rotated locations until 2019, after which the pandemic and the subsequent military coup prevented gatherings. In 2016, the meeting was held in Mrauk Oo in Rakhine State, which actively excluded participants who were working with Rohingya media, including those who were sympathetic to the cause. Organisers of the 4th Ethnic Media Conference believed that the voices of ethnic communities needed to be heard, but even they could not facilitate a safe platform for the representatives of the Rohingya media, such as the Kaladan Press, whose editor could not travel safely across the border into the state. Rakhine media threatened to boycott the conference if any Rohingya news outlets were in attendance, demonstrating the divisions that had deepened in relation to the crisis, and one that also threatened the ability of the BNI to manage its Rakhine Buddhist and Rohingya Muslim members (McElhone, 2019). Even if laws had been adopted to support ethnic media, there was a strong chance that certain communities would still be excluded from any guarantees for protection.

Islamisation and Indonesia's regional politics

Law-making does not only happen during the immediate transition phase as it is an ongoing process. The developments in the legal system provide a useful lens into how societies changed once the authoritarian regimes were replaced (Freedman, 2006), as suggested by Sen (2011) for the media. In Indonesia, civil society continued to push for improvements in media related laws, especially the Press Law and the Broadcasting Act. In reflecting on the process, activist Andreas Harsono said in 1998, even though there were so many laws and regulations that could inhibit the work of the media, the focus was on a Press Law that would provide the protections needed. He said that over 20 years later, with Joko Widodo as the president, there was an opportunity to review and amend the criminal laws, including the provisions on blasphemy, but civil society did not pursue the cause because of

concerns about political Islam and its influence on the Indonesian society. Harsono thought it would need another 10 years for real improvements for the amendments to be considered. "The issue about amending the laws is always about Islam versus the Pancasila". The influence has been seen in laws such as the Pornography Act, and the EIT Act that had more punitive measures and were used in the name of defending morality and religion, and various by-laws that were seen as discriminatory of gender and religious minorities. The decentralization mantra in Indonesia's political change gave powers to the subnational authorities, many of which introduced regulations on Islamic practices. In 2014, 129 out of the 514 regencies across the country had about 420 regulations related to compulsory use of *hijab* for Muslim women.

> "These are local by-laws, it means that the standards are different. In some areas, it is only down to the neck, it is called *chilpa*, in some areas to cover the chest and in others it is the long robe. This is partly as a result of decentralization. And then three weeks ago the central government lost the power to review local by-laws, and so it is difficult to undo these Syariah-inspired by-laws. This is the Islamisation of Indonesia." (personal interview, 1 May 2017).

Human rights activist Atnike Nova Sigiro said that the local by-laws were more discriminatory than the national laws, but the proponents were not only from Islamic parties, as the nationalist political parties were also responsible for the policymaking.

> "At the national level, resistance over Syariah laws exists, although there is contestation. But at the local level, I don't know why, local politics, public didn't see the use of religious based or conservative law will affect their freedom. Why don't they see that as a threat to their freedom? Why do you accept that in your hometown or sub-district, you allow your parliament to introduce local law to discriminate certain groups? I don't know why that happened. At the national level, we experienced the spirit of change, *reformasi*. At the local level the spirit of change seems disconnected. At the national level, there are few laws on human rights, laws that limit presidential term, multiparty law and we have quota for women candidates in parliament, and law on domestic violence. So, there are actually some good laws were being enacted, but at the local level it goes the other way. It is interesting how

and why. Of course, there were contributions or efforts or attempts by conservative religious groups, but if you see the research, those parties that support the discriminating law were mostly the nationalist parties, not Islamic; so Golkar, PDIP…government wants to control and the first to control is women, minorities, the poor, you are not entitled to the natural resources, you are illegal. So, no political identity of the party, but against all the marginalized." (personal interview 6 August 2019).

The Indonesian National Commission on Violence Against Women, known as KOMNAS Perempuan, found that between 2009 and 2016, there were over 400 policies that were considered discriminatory against women (ANTARA, 2016). In some areas, the rights to assemble were criminalized as these were seen as indecent acts, while in others, it related to the dressing of men and women to be in compliance with Islamic values. According to KOMNAS, it was challenging to get the subnational governments, known as the provinces (*provinsi*), which had the autonomy to enact their own rules, to scrap or not pursue policies that disadvantaged people in terms of their gender and religion (ANTARA, 2016). Senior journalist, Maria Hartinisingih said that since 2003, the influence of Islam at the local levels grew and affected media and publishers as well, in line with the trend to introduce policies discussed above (personal interview, 4 May 2016). In 2011, a survey of over 600 journalists around the country reported that over half of them identified through their religious identities as Muslims, endorsed greater controls over non-mainstream sects and the enactment of Shariah laws, and supported the wearing of head gear among women (The Jakarta Post, 2011). At the same time, other research point to the commitment of the journalists to shared norms of public interest and press freedom, although they admit drawing from their religious convictions that shape their worldview (George & Venkiteswaran, 2019). Debates are ongoing about the impact of these policies on women's expression in Indonesia, but the regulatory zeal with which Islam has manifested in legal interventions (Arnez, 2024) reinforce notions of unequal access to, and exercise of, rights and the unjust scrutiny of women's bodies.

Conclusion

In the discussion above, there is a gap in the way freedoms and democracy are experienced by the people in different parts of the countries that undergo or have undergone transitions or political change. Security and conflict are often cited as the justifications by the respective governments, even civilian ones, to extend the extraordinary controls over the populations. The relationship between national politics and the provinces or region is relevant as far as political power is concerned, but the peripheries in both countries are resource-rich, and this intersects with the continued and heightened securitization of the areas. However, the issues and peoples in these areas have not been isolated or solely dependent on the state and have instead established links and networks with actors at the national and global levels – especially supporters in democratic countries that have helped amplify their cause in global fora. The wider implication in terms of media reforms is that only those with access to political and financial resources, or recognised status in society, would have access to negotiations on policies that affect them. On the other hand, ethnic minorities who have historically been left out of policy making both in Myanmar and Indonesia, do not get involved in the discussions and framing of the changes in the media and legal landscapes. Among the missing elements are the gender perspectives, despite global standards being established on increasing women's voices and participation in media, especially when these intersect with conservative values that seek to regulate women's bodies and expressions.

Chapter 9: Conclusion

The reforms stories involving media have accompanied the political shifts from once authoritarian and closed societies into more open and democratic especially since the late 1980s and well into the 2000s across the globe. As a long time student, observer, and participant in media freedom advocacy, Indonesia's experience with reforms was a motivating one. It was a point of reference for so many in the region to imagine a version of politics and free media that would be able to serve a diverse population with competing interests. It is no surprise then that Indonesian media, networks, and advocates have led many initiatives in the region to share their success stories, and since the 2010s, with peers in Myanmar, where the promises of liberalisation offered hope for its people living in exile and those in the country. There is still much to be celebrated about the gains in Indonesia, but there have also been challenges to the goals of *reformasi* and media reforms , which now offer valuable lessons not just for Southeast Asia but internationally. Myanmar's own trajectory of change however, has been a difficult one. In a short window, it allowed for intense engagement with international forces openly, but it also quickly retracted, even before the 2021 coup. A significant part of these developments has to do with how the ideas of a free media and the role of communications were conceptualised, formulated, and implemented, through a fragile agreement between state actors, international organisations and local stakeholders. As critiques of transitologists have cautioned, by no means are the changes a linear process or neatly defined. Nevertheless, there were important changes that allowed for a more vibrant media landscape to emerge. The research set out to critically explain the goals of the media reforms in the two countries while unpacking the influence of, and relationships between, the different actors in the respective processes. A key contribution of this thesis was to highlight the inequalities in power that shaped or influenced the agendas and decisions related to media reforms. By analysing power relations and adopting a gendered lens, the research reaffirms the need for a more critical and nuanced approach to media reforms and media development.

In Chapter 4, the thesis did a deep dive of the changes that took place during the transition years that involved and affected the media and expression. The attention was on the laws and policies because law making is a process of negotiation that can reveal the power

relations as well as the extent of participation in the processes. Laws and policies represent the prevailing and dominant values, while at the same time, demonstrate aspirations of societies in the changes they want to see take place. At the same time, the absence of laws or policies, can also be interpreted as a deliberate action and signal of value (Papathanassopoulos, 2015). In both countries, though 15 years apart when it came to reviewing the legal framework, new laws were introduced that recognised media freedom and protection, and the need for self-regulation. The reforms agenda was about removing barriers so that anyone could publish or broadcast without needing government approval and prior censorship. In Myanmar, the significant change was that independent and privately-owned publications could now publish their newspapers daily. The legal changes transformed one's dream of being able to read a newspaper every morning at home, or more commonly in the tea shops, to a reality. This represented a shift in public expectations of the media, which now had to adapt and grow so that they could deliver content daily to their readers. However, I argue that while the laws contributed towards a more open media environment, their implementation must be viewed in the context of the respective judicial systems and whether they are independent and capable of providing the necessary remedies. In Myanmar and Indonesia, to different extents, the courts have performed the roles to uphold law and order, rather than defend the rule of law (Butt & Lindsey, 2011; Cheesman, 2015; Crouch, 2014). This was noticeable in the ways courts tended to decide against rights to expression and allowed for impunity in violence against and the harassment of journalists. The focus on laws, as mentioned earlier, led to an over-regulated environment as in the case of Myanmar where a weak state (Rotberg, 2004; Zin & Joseph, 2012) prevented the transformation of relevant institutions such as the judiciary and the military, and allowed for repressive controls to continue unchecked.

Despite the different political systems, patterns of ownership point to the excessive control and influence of oligarchs and cronies, and the nexus between politics and the economy have resulted in biased reporting on public interest issues and skewed policies to be in their favour. Reporting on the elections and environmental justice in Indonesia have been influenced by owner interests, especially where the owners are politically active, while unfair competition in Myanmar affected the sustainability of independent outlets, which provided more critical and investigative reporting (George & Venkiteswaran, 2019). The threats of media capture are real and demonstrated, yet the growth of media businesses to the point of

being powerful has yet to be adequately articulated, even by international organisations. The 2014 and 2019 presidential elections in Indonesia witnessed obvious political bias of the news media (media owners as presidential candidates) and the growing use of social media to create disinformation (or hoax) to skew voter opinions. During the shortlived period of opening in Myanmar, media owners who were still closely tied to the old regime had an upper hand in negotiating the new environment as state and private entities, although independent media (ethnic and private) struggled due to resource constraints. It is only in the recent years that the sustainability of independent outlets has entered the agenda, as more and more people realise the need to counter big media businesses.

International media assistance and aid were part and parcel of the changes in these two countries. The financial and technical support for media outlets were intended to expand and transform their newsrooms, and to strengthen civil society in the pursuit of democracy. However, it was clear that these institutions had more access to power and were in stronger positions to dominate negotiations about media reforms, although civil society and independent media took up opportunities to offer alternative narratives, engage in law making and over time, become part of the state agencies. There are no clear models on having meaningful participation, but a critical look at existing inequalities would signal the need for diffused approaches and ownership of the processes.

There was a general sense of cynicism about democratic goals and the reformers – as discussed in literature and also among respondents. Given the media capture and the rise of illiberal movements, there was genuine concerns as to how minorities would enjoy the same playing field when it came to media ownership, participation, and representation. Media reforms meant changes to laws and journalism training, according to the dominant approach in international media assistance, and press freedom, where it meant freedom from the state. Yet, the experiences showed that controls came from both within and external to the various aspects of the state due to the close as such understanding the power dynamics. The ongoing negotiations to expand spaces and defend freedoms represented a constant state of transition.

Since the research, the Myanmar military launched a coup in February 2021 and suspended all civil and political rights, and the jailing of Aung San Suu Kyi and thousands of protestors, in an old pattern of repression. The military took control of all state media and revoked the licenses of independent news media, and several newspapers were also shut down. Those that had previously operated in exiled resumed the strategy in order to continue their work. Since the coup, six journalists have been killed, and about 200 have been arrested (Siegel, 2023). Donors and international media assistance programmes that focused their work during the opening through the state and mainstream actors and employed a top-down approach did not have contingency plans to deal with coup. But media outlets and civil society actors that were locally initiated and had support prior to 2010, were more durable and still operate either in exile or clandestinely in the country (McElhone, 2022).   During this time, the political leadership in Indonesia moved to further curtail civil liberties through the enactment of laws that would control non-governmental organisations, labour, and the media and a more polarised media scene. The election of a former general, Prabowo in 2024 with his running mate, Gibran Raka (son of the outgoing President Joko Widodo) was preceded by authoritarian measures and a general weakening of opposition. As cautioned by the *reformasi* activists and journalists in this research, the opening has benefited old and new elites who are now narrowing the spaces for civil society and democracy to thrive (Jaffrey & Warburton, 2024).

Rethinking approaches to reforms

Based on the research findings, it is proposed that reforms will only make sense if we can strike a balance between the opportunities provided by media spaces that are democratic, while ensuring that historical and structural constraints that created gaps between the haves and have nots, are addressed. Ideally, reforms that would bring about meaningful changes should allow for the participation of a wide range of stakeholders or actors, somewhat modelled after the multistakeholder format in global internet governance. The lack of attention to non-media regulations or issues in the current approach of media reforms and development – as seen in the two countries – means that progressive changes will always be one step behind the opportunities for control. While a media law can protect a working journalist, regulations on morality, sedition, business operations, and tax that are unchanged

could still have negative consequences on the media. In other words, reforms of the media are part of the wider attempts at transforming societies. The existing patterns of inequalities and discrimination that are manifest in one's political, institutional, and cultural life, both shape and in turn, are exacerbated by media and communications, if they are tackled in silos. It is for this reason too that media reforms must adopt a gendered approach, one that exposes the intersectionalities between ethnicity, class, regionalism, language, gender, religion, and resources, at a minimum.

In the reforms agendas, the patterns of assistance have been tied to the media technologies of the times. Broadcasting reforms featured in the early years as the most accessible and influential media format, with public service goals drafted into laws to ensure public interest is guaranteed. When the internet became an important source of information, the focus of legislators and donors shifted to regulating or supporting the infrastructure. Today, social media and the networked nature of information flow have provided the justifications for states to regulate the individual's media use. The reforms cannot follow the technology; they should be guided by an overarching and normative set of values, whether as communication rights (Cammaerts & Carpentier, 2007; Siriyuvasak, 2005), or to emphasise the notions of independence and diversity in all forms of media (Voltmer, 2013).

References

Abdulbaki, L. (2008). Democratisation in Indonesia: From Transition to Consolidation. *Asian Journal of Political Science*, *16*(2), 151–172. https://doi.org/10.1080/02185370802204099

Abrams, P. (1988). Notes on the Difficulty of Studying the State. *Journal of Historical Sociology*, *1*(1), 58–89.

Abud, M. (2012). *Indonesia: New Digital Nation?* (pp. 2–32). Internews. https://internews.org/wp-content/uploads/legacy/resources/Internews_Indonesia_DigitalNation_2012-07.pdf

Adiprasetio, J. (2023). Government loudspeakers: How Indonesian media amplifies the state's narrative towards the Free West Papua movement. *Pacific Journalism Review*, *29*(1 & 2), 113–135. https://doi.org/10.24135/pjr.v29i1and2.1279

Afifa, L. (2020, September 2). Why "Buzzers" are a problem. *Tempo.Com*. https://en.tempo.co/read/1382123/why-buzzers-are-a-problem

Ahmed, N. (2015, November 13). Genocide: Burma's Rohingya sacrificed in global scramble for oil and gas. *The Ecologist*. https://theecologist.org/2015/nov/13/genocide-burmas-rohingya-sacrificed-global-scramble-oil-and-gas

Allott, A. J. (1993). *Inked Over, Ripped Out: Burmese Storytellers and the Censors*. PEN American Centre. https://www.burmalibrary.org/en/inked-over-ripped-out-burmese-storytellers-and-the-censors

Altsean Burma. (2020). *Burma/Myanmar: Armed attacks against civilians up by 272%* [Factsheet]. Alternative ASEAN Network on Burma. https://drive.google.com/file/d/1FfpI7xWyKS1yNtVLKm_K8-tYs-p4y78i/view

Ambardi, K., Parahita, G., Lindawati, L., Sukarno, A., & Aprilia, N. (2014). *Mapping Digital Media: Indonesia* (p. 94). Open Society Foundations. https://www.opensocietyfoundations.org/uploads/9e564507-54b4-40ef-929b-5cf8885adebe/mapping-digital-media-indonesia-20140326.pdf

Angrosino, M. (2009). *Doing ethnographic and observational research* (Reprint). SAGE.

ANTARA. (2016, August 19). Komnas Perempuan Finds 421 Discriminatory Policies. *Tempo.Com*. https://en.tempo.co/read/797156/komnas-perempuan-finds-421-discriminatory-policies

Antlöv, H., Brinkerhoff, D. W., & Rapp, E. (2008). *Civil Society Organizations and Democratic Reform: Progress, Capacities, and Challenges in Indonesia*. 37th Annual Conference of the Association for Research on Nonprofit Organizations and Voluntary Action, Philadelphia, PA.

Anugrah, I. (2020). The Illiberal Turn in Indonesian Democracy. *The Asia-Pacific Journal: Japan Focus*, *18*(8 (1)), 1–17.

Anwar, D. F. (2016, November 8). Indonesia's reformasi journey: An insider's reflection. *Indonesia at Melbourne*. https://indonesiaatmelbourne.unimelb.edu.au/indonesias-reformasi-journey-an-insiders-reflection/

Arnez, M. (2024). Gender, Islam and Sexuality in Contemporary Indonesia: An Overview. In M. Arnez & M. Budianta (Eds.), *Gender, Islam and Sexuality in Contemporary Indonesia* (pp. 1–18). Springer Nature Singapore. https://doi.org/10.1007/978-981-99-5659-3_1

Asia Pacific Report. (2016, May 2). *Hundreds of Papuans arrested in mass Indonesian crackdown, say reports*. https://asiapacificreport.nz/2016/05/02/hundreds-of-papuans-arrested-in-mass-indonesian-crackdown/

Aspinall, E. (2010). The irony of success: Indonesia. *Journal of Democracy*, *21*(2), 20–34.

Aspinall, E. (2018). Twenty years of Indonesian democracy—How many more? *New Mandala*. https://www.newmandala.org/20-years-reformasi/

Aspinall, E., & Fealy, G. (Eds.). (2003). *Local power and politics in Indonesia: Decentralisation & democratisation*. Institute of Southeast Asian Studies.

Aung, G. R. (2024). Logistical turbulence: Between valorization and violence along the China–Myanmar Economic Corridor. *Environment and Planning D: Society and Space*, *0*(0), 1–21. https://doi.org/10.1177/02637758241243163

Babbie, E. (2010). *The practice of social research* (Internatio). Wadsworth CENGAGE Learning.

Berger, A. A. (2014). *Media and Communication Research Methods* (3rd ed.). Sage Publications Inc.

Berger, M. T. (1997). Old state and new empire in Indonesia: Debating the rise and decline of Suharto's New Order. *Third World Quarterly*, *18*(2), 321–362. https://doi.org/10.1080/01436599714975

Berita Satu. (2017, May 3). Wapres: Kebebasan Media Harus Jamin Keutuhan Bangsa. *Berita Satu*. https://www.beritasatu.com/news/428588/wapres-kebebasan-media-harus-jamin-keutuhan-bangsa

Besley, T., & Prat, A. (2006). Handcuffs for the Grabbing Hand? Media Capture and Government Accountability. *American Economic Review*, *96*(3), 720–736. https://doi.org/10.1257/aer.96.3.720

Birowo, M.-A. (2011). Community radio and the empowerment of local culture in Indonesia. In K. Sen & David. Hill (Eds.), *Politics and the media in twenty-first century Indonesia: Decade of Democracy* (pp. 49–66). Routledge.

Bissio, R. (2013). The Paris Declaration on Aid Effectiveness. In *Realizing the Right to Development* (p. 16). UN Office of the High Commissioner of Human Rights.

Bitra Indonesia. (2013, March 10). *Pasca Program, Pengelolaan Proyek Fisik PNPM Dipertanyakan?* [Online post]. https://bitra.or.id/2012/pasca-program-pengelolaan-proyek-fisik-pnpm-dipertanyakan/

Bodirsky, D. (2012, June 4). US-Indonesia Relations: A Balancing Act. *Geopolitical Monitor*. https://www.geopoliticalmonitor.com/us-indonesian-relations-a-balancing-act-4684/?__cf_chl_tk=hliH8T1nf3I0GCYrM8fjPDZ_AaJeO52uto3Q1UPzdUk-1749459809-1.0.1.1-mom.GkOq2IJR3DnKm_lVTzUxQARGhkS1.s5fNRECR2o

Braman, S. (2004). The Emergent Global Information Policy Regime. In S. Braman (Ed.), *The emergent global information policy regime* (pp. 12–37). Palgrave Macmillan UK.

Brett, P., & Kyaw, Y. H. (2020). *Myanmar's 1982 Citizenship Law in Context* (122; Policy Brief Series). Torkel Opsahl Academic EPublisher (TOAEP). www.toaep.org

Brooten, L. (2016). Burmese Media in Transition. *International Journal of Communication*, *10*, 182–199.

Brooten, L., & Klangnarong, S. (2009). People's media and reform efforts in Thailand. *International Journal of Media & Cultural Politics*, *5*(1), 103–117. https://doi.org/10.1386/macp.5.1-2.103_1

Brooten, L., McElhone, J. Madlyn., & Venkiteswaran, G. (Eds.). (2019). *Myanmar Media in Transition: Legacies, Challenges and Change*. ISEAS - Yusof Ishak Institute.

Budiman, A., & Törnquist, O. (2001). *Aktor demokrasi: Catatan tentang gerakan perlawanan di Indonesia*. Institut Studi Arus Informasi.

Bui, T. (2013). The Development of Civil Society and Dynamics of Governance in Vietnam's

One Party Rule. *Global Change Peace & Security*, *25*.

https://doi.org/10.1080/14781158.2013.758100

Burgess, J. (2010). *Evaluating the Evaluators: Media Freedom Indexes and What they*

Measure. National Endowment for Democracy.

Burrett, T. (2017). Mixed Signals: Democratization and the Myanmar Media. *Politics and*

Governance, *5*(2), 41–58. https://doi.org/10.17645

Butt, S., & Lindsey, T. (2011). Judicial Mafia: The courts and state illegality in Indonesia. In E.

Aspinall & G. Van Klinken (Eds.), *The State and Illegality in Indonesia*. KITLV Press.

Cammaerts, B., & Carpentier, Nico. (2007). *Reclaiming the media: Communication rights and*

democratic media roles /. Intellect,.

http://site.ebrary.com/lib/unmc/Doc?id=10146727 eBook. Link to resource.

Carothers, C. (2018). The Surprising Instability of Competitive Authoritarianism. *Journal of*

Democracy, *29*(4), 129–135.

Carothers, T. (2002). The End of the Transition Paradigm. *Journal of Democracy*, *13*(1), 5–21.

https://doi.org/10.1353/jod.2002.0003

Carothers, T. (2007). The Sequencing Fallacy. *Journal of Democracy*, *18*(1), 12–27.

https://doi.org/10.1353/jod.2007.0002

Carpentier, Nico. (2012). The concept of participation. If they have access and interact, do

they really participate? *Revista Fronteiras - Estudos Midiaticos*, *14*(2), 164–177.

Carr, T. (2018, February). *Supporting the Transition: Understanding Aid to Myanmar since*

2011. The Asia Foundation.

Centre for Peace and Conflict Studies. (2009). *Listening to Voices from Inside: Myanmar Civil*

    Society's Response to Cyclone Nargis.

    https://doi.org/10.1017/CBO9781107415324.004

Chakravartty, P., & Roy, S. (2013). Media Pluralism Redux: Towards New Frameworks of

    Comparative Media Studies "Beyond the West." *Political Communication*, *30*(3),

    349–370. https://doi.org/10.1080/10584609.2012.737429

Cheesman, N. (2009). Thin rule of law or un-rule of law in Myanmar? *Pacific Affairs*, *82*(4),

    597–613. https://doi.org/10.5509/2009824597

Cheesman, N. (2015). That Signifier of Desire, the Rule of Law. *Social Research*, *82*(2), 267–

    290.

Cheesman, N. (2017). How in Myanmar "National Races" Came to Surpass Citizenship and

    Exclude Rohingya. *Journal of Contemporary Asia*, *47*(3), 461–483.

    https://doi.org/10.1080/00472336.2017.1297476

Chen, K. W. (2013, February 28). Media Freedom in Taiwan: The Real Threat of Monopoly

    [University of Nottingham Malaysia]. *Asia Dialgoue*.

    https://theasiadialogue.com/2013/02/28/media-freedom-in-taiwan-the-threat-of-

    monopoly/

Chern, L. W., Rogers, R. A., & Sidhu, J. S. (2023). Unravelling President Obama's Myanmar

    Policy: Pragmatic Liberalism at Play. *Malaysian Journal of International Relations*, *11*,

    59–87. https://doi.org/doi.org/10.22452/mjir.vol11no1.4

Chin-Chuan, L. (2003). Liberalization without Full Democracy: Guerilla Media and Political

    Movements in Taiwan. In N. Couldry & J. Curran (Eds.), *Contesting Media Power:*

    Alternative Media in a Networked World (pp. 163–175). Rowman & Littlefield

    Publishers, Inc.

Cornwall, A. (2003). Whose voices? Whose choices? Reflections on gender and participatory

    development. *World Development*, *31*(8), 1325–1342.

    https://doi.org/10.1016/S0305-750X(03)00086-X

Cornwall, A., & Goetz, A. M. (2005). Democratizing democracy: Feminist perspectives.

    Democratization, *12*(5), 783–800. https://doi.org/10.1080/13510340500322181

Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist

    Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics.

    University of Chicago Legal Forum, *1*(Article 8), 139–167.

Croissant, A., & Kamerling, J. (2013). Why Do Military Regimes Institutionalize? Constitution-

    making and Elections as Political Survival Strategy in Myanmar. *Asian Journal of*

    Political Science, *21*(2), 105–125. https://doi.org/10.1080/02185377.2013.823797

Crouch, M. (2014). The Layers of Legal Development in Myanmar. *Law, Society and*

    Transition in Myanmar. https://doi.org/10.5040/9781474201650.CH-003

Crouch, M. (2016). Legislating Reform? Law and Conflict in Myanmar. In N. Cheesman & N.

    Farrelly (Eds.), *Conflict in Myanmar: War, Politics, Religion* (pp. 221–242). ISEAS

    Publishing-Yusof Ishak Institute.

Cuilenburg, J. V., & McQuail, D. (2003). Media policy paradigm shifts towards a new

    communications policy paradigm. *European Journal of \ldots*, *18*(2), 181–207.

Curran, J. (2007). Reinterpreting the democratic roles of the media. *Brazilian Journalism*

    Research, *3*(1), 31–54.

Deane, J. (2014). Media Development. In Wilkins, Karin Gwinn, Tufte, Thomas, & Obregon,

    Rafael (Eds.), *The Handbook of Development Communication and Social Change* (pp.

    226–241). John Wiley & Sons Ltd.

Dharmasaputra, M. (2014). *Key Witness: An investigation of Indonesia's largest ever tax scandal*. PT Tempo Inti Media Harian.

Dhyatmika, W. (2014). *Who owns the news in Indonesia?* (Fall; Nieman Reports). Nieman Foundation. https://niemanreports.org/articles/who-owns-the-news-in-indonesia/

Doleac, C. (2015). *Insufficient Media Reforms in Latin America: Urgency to Go Further*. Council of Hemispheric Affairs. https://coha.org/insufficient-media-reforms-in-latin-america-urgency-to-go-further/

Downing, J. D. H. (2011). Media Ownership, Concentration, and Control: The Evolution of Debate. In J. Wasko, G. Murdock, & Helena. Sousa (Eds.), *The Handbook of Political Economy of Communications*. Blackwell Publishing Ltd.

Duncan, C. R. (2005). The Other Maluku: Chronologies of Conflict in North Maluku. *Indonesia*, *80*, 53–80.

Earl, J., Hunt, J., & Kelly Garrett, R. (2014). Social Movements and the ICT-Revolution. In H.-A. van der Heijden (Ed.), *Handbook of Political Citizenship and Social Movement* (pp. 359–387). Edward Elgar Publishing.

Fauzan, U. (2018). Ideology and Rhetoric: Framing MetroTV News in the Lapindo Mudflow Tragedy. *Journal of Social Studies Education Research*, *9*(4), 364–381.

Ferrara, F. (2015). Democracy in Thailand: Theory and practice. In W. Case (Ed.), *Routledge Handbook of Southeast Asian Democratization*. Routledge.

Fink, C. (2009). *Living Silence in Burma: Surviving Under Military Rule* (Second). Silkworm Books.

Flew, T., Iosifidis, P., & Steemers, J. (2016). Global Media and National Policies: The Return of the State. In T. Flew, P. Iosifidis, & J. Steemers (Eds.), *Global Media and National*

Policies (pp. 1–15). Palgrave Macmillan UK.

https://doi.org/10.1057/9781137493958_1

Ford, M., Gillan, M., & Thein, H. H. (2016). From Cronyism to Oligarchy? Privatisation and

Business Elites in Myanmar. *Journal of Contemporary Asia*, *46*(1), 18–41.

https://doi.org/10.1080/00472336.2015.1072731

Ford, M., & Pepinsky, T. B. (Eds.). (2014). *Beyond Oligarchy: Wealth, Power, and*

Contemporary Indonesian Politics. Southeast Asia Program Publications at Cornell

University.

Foster, M. (2013). *The Business of Media in Myanmar*. Internews.

https://internews.org/sites/default/files/resources/Internews_Burma_Business_Rep

ort2014.pdf

Franklin, B. (2014). The Future Of Journalism: In an age of digital media and economic

uncertainty. *Digital Journalism*, *2*(3), 254–272.

https://doi.org/10.1080/21670811.2014.930253

Freedman, A., & Tiburzi, R. (2012). Progress and Caution: Indonesia's Democracy. *Asian*

Affairs: An American Review, *39*(3), 131–156.

https://doi.org/10.1080/00927678.2012.704832

Freedman, D. (2006). *The Politics of Media Policy*. Polity Press.

Freedman, D. (2014). *The Contradictions of Media Power*. Bloomsbury Academic.

https://doi.org/10.1017/CBO9781107415324.004

Freedman, D., & Obar, J. A. (2016). Media Reform: An Overview. In D. Freedman, J. A. Obar,

C. Martens, & R. W. McChesney (Eds.), *Strategies for Media Reform: International*

Perspectives (pp. 3–18). Fordham University Press. https://www-jstor-

org.ezproxy.nottingham.edu.my/stable/j.ctt1ctxqc9

Frère, M.-S., Myers, M., & Dietz, C. (2014). International Media Assistance: Experiences and

    Prospects. *Global Media Journal - German Edition*, *4*, 1–7.

Fuller, T. (2015, November 10). Myanmar Military Still Big Power Despite Opposition Victory.

    The New York TImes. https://www.nytimes.com/2015/11/11/world/asia/myanmar-

    military-aung-san-suu-kyi-election.html

Gazali, E. (2003). Negotiating Public and Community Media in Post-Suharto Indonesia.

    JavnostThe Public, *10*(1), 85–101. https://doi.org/Article

Geertsema-Sligh, M. (2019). Making Meaning of Media Development Today. *International*

    Journal of Communication, *13*, 2437–2456.

George, C., & Venkiteswaran, G. (2019). *Media and Power in Southeast Asia*. Cambridge

    University Press; Cambridge Core. https://doi.org/10.1017/9781108665643

Gibson, E., L. (2005). Boundary Control: Subnational Authoritarianism in Democratic

    Countries. *World Politics*, *58*, 101–132.

Golding, P., & Murdock, G. (Eds.). (1997). *The Political Economy of the Media* (Vol. 1).

    Edward Elgar Publishing.

Gomez Garcia, R. (2013). Media Reform in Latin America: Communication Policies and

    Debate. *The Political Economy of Communication*, *1*(1).

    https://polecom.org/index.php/polecom/article/view/16/146

Hackett, R. A., & Caroll, W. K. (2004). Critical social movements and media reform. *Media*

    Development, *1*, 14–19.

Hadiz, V. R. (2002). Studies in the Political Economy of New Order Indonesia. *Kyoto Review*

    of Southeast Asia, *1*. https://kyotoreview.org/issue-1/studies-in-the-political-

    economy-of-new-order-indonesia/

Hadiz, V. R. (2013). The Rise of Capital and the Necessity of Political Economy. *Journal of Contemporary Asia*, *43*(2), 208–225. https://doi.org/10.1080/00472336.2012.757433

Hadiz, V. R., & Robison, R. (2014). The political economy of oligarchy and the reorganization of power in Indonesia. In M. Ford & T. B. Pepinsky (Eds.), *Beyond Oligarchy: Wealth, Power, And Contemporary Indonesian Politics* (pp. 35–56). Cornell Southeast Asia Program Publications.

Hadiz, V., & Robison, R. (2005). Neo-liberal Reforms and Illiberal Consolidations: The Indonesian Paradox. *Journal of Development Studies*, *41*(2), 220–241. https://doi.org/10.1080/0022038042000309223

Hallin, D. C., & Mancini, P. (2004). *Comparing Media Systems: Three Models of Media and Politics*. Cambridge University Press. https://doi.org/10.1111/j.1478-5153.2011.00450_6.x

Hallin, D. C., & Mancini, P. (2012). *Comparing media systems beyond the Western world*. https://doi.org/10.1017/CBO9781139005098

Hamayotsu, K. (2013). The Limits of Civil Society in Democratic Indonesia: Media Freedom and Religious Intolerance. *Journal of Contemporary Asia*, *43*(4), 658–677. https://doi.org/10.1080/00472336.2013.780471

Hammersley, M., & Atkinson, P. (2019). *Ethnography: Principles in Practice*. Taylor & Francis Group.

Hanusch, F. (2013). Charting a Theoretical Framework for Examining Indigenous Journalism Culture. *Media International Australia*, *149*(1), 82–91. https://doi.org/10.1177/1329878X1314900110

Harjono, Y. (2013, May 16). Radio Komunitas Ikut Awasi Penggunaan Dana PNPM.

    Kompas.Com.

    https://regional.kompas.com/read/2013/05/16/21574993/~Regional~Sumatera

Harsono, A. (2002). Journalists Confront New Pressures in Indonesia. *Nieman Reports*.

    https://nieman.harvard.edu/articles/journalists-confront-new-pressures-in-

    indonesia/

Haryanto, I. (2011). Media ownership and its implications for journalists and journalism in

    Indonesia. In K. Sen & David. Hill (Eds.), *Politics and the media in twenty-first century*

    Indonesia: Decade of Democracy (pp. 104–118). Routledge.

Head, J. (2017, September 11). Rohingya crisis: Seeing through the official story in Myanmar.

    BBC. https://www.bbc.com/news/world-asia-41222210

Henrichsen, J. R., & Shelton, M. (2022). Expanding the Analytical Boundaries of Mob

    Censorship: How Technology and Infrastructure Enable Novel Threats to Journalists

    and Strategies for Mitigation. *Digital Journalism*, 1–20.

    https://doi.org/10.1080/21670811.2022.2112520

Heryanto, A. (2018, January 16). The biggest hoax of all: The 30 September Movement.

    Indonesia at Melbourne. https://indonesiaatmelbourne.unimelb.edu.au/the-biggest-

    hoax-of-all-the-30-september-movement/

Heugas, A. (2017, November 6). The geopolitics of Rakhine. *BNI Online*.

    https://www.bnionline.net/en/news/geopolitics-rakhine

Hill, David. (2011). On the border: Local media in the land of Papua. In K. Sen & David. Hill

    (Eds.), *Politics and the media in twenty-first century Indonesia: Decade of Democracy*

    (pp. 26–48). Routledge.

Hollander, E., Hidayat, D. N., & D'haenens, L. (2008). Community Radio in Indonesia: A re-invention of democratic communication. *Javnost - The Public*, *15*(3), 59–74. https://doi.org/10.1080/13183222.2008.11008976

Holtz-Bacha, C. (2004). *What is good press freedom? The difficulty of measuring freedom of the press worldwide*. 15.

Horowitz, I. L. (1981). C. Wright Mills's Power Elite: A Twenty-Five-Year Retrospective. *The Antioch Review*, *39*(3), 373–382. JSTOR. https://doi.org/10.2307/4638471

Hudson-Rodd, N. (2008). "Not a Rice-Eating Robot": Freedom to Speak in Burma. In K. Sen & T. Lee (Eds.), *Political Regimes and the Media in Asia*. Routledge.

Human Rights Watch. (2000). *Burma/Bangladesh—Burmese Refugees in Bangladesh: Still no durable solution* (Vol 12, No.3 (C)). https://www.hrw.org/reports/2000/burma/index.htm

Hyo, R. H. (2024, July 10). The 2021 Myanmar Coup: Ethnic Conflict, Human Rights Violations, and International Response. *Modern Diplomacy*. https://moderndiplomacy.eu/2024/07/10/the-2021-myanmar-coup-ethnic-conflict-human-rights-violations-and-international-response/

Igoe, M. (2014, May 16). Is Myanmar ready for a telecommunications revolution? *Devex*. https://www.devex.com/news/is-myanmar-ready-for-a-telecommunications-revolution-83498

International Crisis Group. (2001). *Myanmar: The Role of Civil Society*. www.ibiblio.org/obl/docs3/Civil_Society.pdf

Irion, Kristina., & Jusic, T. (2013). *International Assistance and Media Democratization in the Western Balkans: A Cross-National Comparison*.

Ispandriarno, L. (2008). *Political Communication in Indonesia: An Analysis of the Freedom of the Press in the Transition Process After the Downfall of the Soeharto Regime (1998-2004)*. https://www.db-thueringen.de/receive/dbt_mods_00013797?lang=en

Iswari, H. D., & Herawati, E. (2020). The Implementation of Network Broadcast System in Indonesia's Private Television in Realizing Diversity Principle. *International Journal of Scientific and Technology Research*, *9*(2).

Jaffrey, S., & Warburton, E. (2024, February 20). Explaining the Prabowo landslide. *ANU Reporter*. https://reporter.anu.edu.au/all-stories/explaining-the-prabowo-landslide

Jebril, N., Stetka, V., & Loveless, M. (2013). *Media and Democratisation: What is known about the role of mass media in transitions to democracy* (September). University of Oxford: Reuters Institute for the Study of Journalism.

John, M. (2002). The Four Theories of the Press Four and a Half Decades Later: A retrospective. *Journalism Studies*, *3*(1), 133–136. https://doi.org/10.1080/14616700120107374

Jones, L. (2014). The Political Economy of Myanmar's Transition. *Journal of Contemporary Asia*, *44*(1), 144–170. https://doi.org/10.1080/00472336.2013.764143

Jurriens, E. (2009a). Conclusion;: Reformasi and the dialogical public sphere. In *From Monologue to Dialogue* (pp. 159–164). Brill. https://www.jstor.org/stable/10.1163/j.ctt1w76wk2.11

Jurriens, E. (2009b). *From Monologue to Dialogue: Radio and Reform in Indonesia*. Brill; JSTOR. http://www.jstor.org/stable/10.1163/j.ctt1w76wk2

Kakiailatu, T. (2007). Media in Indonesia: Forum for political change and critical assessment. *Asia Pacific Viewpoint*, *48*(1), 60–71. https://doi.org/10.1111/j.1467-8373.2007.00330.x

Kalathil, S. (2017). *A Slowly Shifting Field: Understanding Donor Priorities in Media Development* (CIMA Digital Report). Center for International Media Assistance, National Endowment for Democracy. https://www.cima.ned.org/publication/slowly-shifting-field/

Kalathil, S., & Boas, T. (2003). Open Networks, Closed Regimes: The Impact of the Internet on Authoritarian Rule (Chapter 1 The Conventional Wisdom: What Lies Beneath). *First Monday*, *8*(1). https://firstmonday.org/ojs/index.php/fm/article/view/1027

Kalyango, Y., Hanusch, F., Ramaprasad, J., Skjerdal, T., Hasim, M. S., Muchtar, N., Ullah, M. S., Kamara, S. B., & Kamara, M. (2017). Journalists' Development Journalism Role Perceptions. *Journalism Studies*, *18*(5), 576–594. https://doi.org/10.1080/1461670X.2016.1254060

Karensa, E. (2016, July 21). International People's Tribunal Declares Indonesia Responsible for 1965-1966 Mass Killings. *Jakarta Globe*. https://jakartaglobe.id/context/international-peoples-tribunal-declares-indonesia-responsible-1965-1966-mass-killings

Kayanja, R. D. (2002). The current state of media reform in Uganda. In M. E. Price, B. Rozumilowicz, & S. Verhulst (Eds.), *Media Reform: Democratizing the Media, Democratizing the State* (pp. 155–176).

Kingsbury, D. (2005). *South-East Asia: A political profile* (Second). Oxford University Press.

Kipgen, N. (2012). Societies in Political Transition: A Comparative Study of Burma Under Ne Win and Indonesia Under Suharto. *Journal of Asian and African Studies*, *47*(6), 750–764. https://doi.org/10.1177/0021909611430936

Klein, S., & Lee, C.-S. (2019). Towards a Dynamic Theory of Civil Society: The Politics of

Forward and Backward Infiltration. *Sociological Theory*, *37*(1), 62–88.

https://doi.org/10.1177/0735275119830451

Klimkiewicz, B. (2009). Structural media pluralism and ownership revisited: The case of

Central and Eastern Europe. *Journal of Media Business Studies*, *6*(3), 43–62.

https://doi.org/10.1080/16522354.2009.11073488

Knoepfel, P., Larrue, C., Varone, F., & Hill, M. (2007). *Public Policy Analysis*. The Policy Press.

Koman, V. (2017, May 9). Indonesian Press Council fails on World Press Freedom Day. *New

Mandala*. https://www.newmandala.org/indonesian-press-council-fail-world-press-

freedom-day/

Kothari, U. (2001). Power, Knowledge and Social Control in Participatory Development. In

Participation: The New Tyranny? (pp. 139–152).

Kumar, K. (2006). International assistance to promote independent media in transition and

post-conflict societies. *Democratization*, *13*(4), 652–667.

https://doi.org/10.1080/13510340600791939

Kumar, M. (2014). *Media in an Authoritarian State*. Atlantic Publishers & Distributors (P) Ltd.

Kurlantzick, J. (2018). The Rise of Islamist Groups in Malaysia and Indonesia. *Council of

Foreign Relations*. https://www.cfr.org/expert-brief/rise-islamist-groups-malaysia-

and-indonesia

Kwok, Y. (2019). Indonesia. In M. Kajimoto & S. Stanley (Eds.), *Information Disorder in Asia

and the Pacific: Overview of misinformation ecosystem in Australia, India, Indonesia,

Japan, the Philippines, Singapore, South Korea, Taiwan and Vietnam*. Journalism &

Media Studies Centre at the University of Hong Kong.

La Voy, D. E. (1999). *Participation at USAID: Stories, Lessons, and Challenges*. U.S. Agency for

International Development. chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://pdf.usaid.gov/pdf_docs/PBA

AJ841.pdf

Lall, M. (2016). *Understanding Reform in Myanmar: People and Society in the Wake of

Military Rule*. C. Hurst & Co. (Publishers) Ltd.

Lancaster, C. (2009). Sixty Years of Foreign Aid: What Have We Learned? *International

Journal*, *64*(3), 799–810. JSTOR.

Landman, T. (2008). *Issues and methods in comparative politics: An introduction* (3rd ed).

Routledge.

Lee, R. (2016). The Dark Side of Liberalization: How Myanmar's Political and Media

Freedoms Are Being Used to Limit Muslim Rights. *Islam and Christian–Muslim

Relations*, *27*(2), 195–211. https://doi.org/10.1080/09596410.2016.1159045

Lee, S. H. (2017). Digital democracy in Asia: The impact of the Asian internet on political

participation. *Journal of Information Technology & Politics*, *14*(1), 62–82.

Leeson, P. T., & Coyne, C. J. (2007). The reformers' dilemma: Media, policy ownership, and

reform. *European Journal of Law and Economics*, *23*(3), 237–250.

https://doi.org/10.1007/s10657-007-9013-y

Liao, H. (2006). Toward An Epistemology of Participatory Communication: A Feminist

Perspective. *Howard Journal of Communications*, *17*(2), 101–118.

https://doi.org/10.1080/10646170600656854

Lim, M. (2003). The Internet, Social Networks, and Reform in Indonesia. In N. Couldry & J.

Curran (Eds.), *Contesting Media Power: Alternative Media in a Networked World* (pp.

273–288). Rowman & Littlefield Publishers, Inc.

Lim, M. (2012). *The League of Thirteen: Media Concentration in Indonesia. Research Report.* Participatory Media Lab & Ford Foundation. http://www.public.asu.edu/ mlim4/files/Lim_IndoMediaOwnership_2012.pdf

Lintner, B. (2001). Burma: Denial of Access. In S. Coronel (Ed.), *The Right to Know: Access to Information in Southeast Asia*. Philippine Center of Investigative Journalism.

Madu, L. (2016). Media business and political business: The struggle for power towards the 2014 presidential election in Indonesia. *Jurnal Ilmu Komunikasi*, *14*(3), 185–194.

Mainwaring, S. (1989). *Transitions to Democracy and Democratic Consolidation: Theoretical and Comparative Issues* (Working Paper #130). The Hellen Kellogg Institute for International Studies.

Malena, C., & Finn Heinrich, V. (2007). Can we measure civil society? A proposed methodology for international comparative research. *Development in Practice*, *17*(3), 338–352. https://doi.org/10.1080/09614520701336766

Mambor, V., & Payen, C. (2017, May 3). Pressed Into Silence: West Papua, Indonesia and World Press Freedom Day. *Films for Action*. https://www.filmsforaction.org/articles/pressed-into-silence/

Martin, M. F., & Margesson, R. (2008). *Cyclone Nargis and Burma's Constitutional Referendum* (Prepared for Members and Committees of Congress RL34481). Congressional Research Service. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://crsreports.congress.gov/product/pdf/RL/RL34481/7

Masduki, M. (2021). Media control in the digital politics of indonesia. *Media and Communication (Lisboa)*, *9*(4), 52–61. https://doi.org/10.17645/mac.v9i4.4225

Matos, C. (2012). *Media and Politics in Latin America: Globalization,Democracy and Identity* (1st ed.). I.B.Tauris; Bloomsbury Collections. https://www.researchgate.net/publication/276025277_Media_and_Politics_in_Latin _America_GlobalizationDemocracy_and_Identity

Maung Maung Than, T. (2006). *State Dominance in Myanmar: The Political Economy of Industrialization*. ISEAS Publishing. https://doi.org/10.1355/9789812305626

McCargo, D. (2003). *Media and Politics in Pacific Asia*. RoutledgeCurzon.

McCargo, D. (2012). Partisan Polyvalence: Characterizing the Political Role of Asian Media. In D. C. Hallin & P. Mancini (Eds.), *Comparing Media Systems Beyond the Western World* (pp. 201–223). Cambridge University Press.

McChesney, R. W. (1998). Making Media Democratic. *Boston Review*, *Summer*. http://new.bostonreview.net/BR23.3/contents.html

McChesney, R. W. (2016). Preface. In *Strategies for Media Reform: International Perspectives* (pp. ix–xvi). Fordham University Press.

McDonald, H. (2015). *Demokrasi: Indonesia in the 21st Century*. Palgrave Macmillan.

McElhone, J. L. (2019). The Metamorphosis of Media in Myanmar's Ethnic States. In L. Brooten, J. M. McElhone, & G. Venkiteswaran (Eds.), *Myanmar Media in Transition: Legacies, Challenges and Change* (pp. 210–228). ISEAS - Yusof Ishak Institute.

McElhone, J. M. (2018). Local Media and Myanmar's Political Opening. In T. Piper & J. M. McElhone (Eds.), *An Unfavourable Business: Running Local Media in Myanmar's Ethnic States and Regions*. Media Development Investment Fund.

McElhone, J. M. (2022). *Media Reform and Political Upheaval: Media Assistance in Burma's Reform Decade*. CIMA and the National Endowment for Democracy. chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cima.ned.org/wp-content/uploads/2022/10/CIMA_Political-Openings-Burma-Brief_web-150ppi.pdf

McElhone, J. M., & Brooten, L. (2019). Whispered Support: Two Decades of International Aid for Independent Journalism and Free Expression. In L. Brooten, J. M. McElhone, & G. Venkiteswaran (Eds.), *Myanmar Media in Transition: Legacies, Challenges and Change*. ISEAS - Yusof Ishak Institute.

McPhail, T. L. (2009). Introduction to Development Communication. In *Development Communication* (pp. 1–20). https://doi.org/10.1002/9781444310740.ch1

McQuail, D. (2010). *McQuail's Mass Communication Theory* (6th editio). Sage Publications Ltd.

Melkote, S., & Steeves, H. L. (2015). Place and role of development communication in directed social change: A review of the field. *Journal of Multicultural Discourses*, *10*(3), 385–402. https://doi.org/10.1080/17447143.2015.1050030

Mietzner, M. (2011). Conflict and Leadership: The resurgent political role of the military in Southeast Asia. In M. Mietzner (Ed.), *The political resurgence of the military in Southeast Asia: Conflict and Leadership* (pp. 1–23). Routledge.

Migdal, J. S. (2001). *State in society: Studying how states and societies transform and constitute one another*. Cambridge University Press,. http://site.ebrary.com/lib/unmc/Doc?id=10005745 eBook. Link to resource.

Miller, J. (2009). NGOs and `modernization' and `democratization' of media: Situating media assistance. *Global Media and Communication*, *5*(2009), 9–33. https://doi.org/10.1177/1742766508101312

Miller, J. (2011). Questioning the Western Approach to Training. *Nieman Reports*, *65*(1), 38–41.

Milton, A. K. (2001). Bound but not Gagged: Media Reform in Democratic Transitions.

    Comparative Political Studies, *34*(5), 493–526.

    https://doi.org/10.1177/0010414001034005002

Montiel, A. V. (2012). Intersections between Feminism and the Political Economy of

    Communication: Women's access to and participation in Mexico's media industries.

    Feminist Media Studies, *12*(2), 310–316.

    https://doi.org/10.1080/14680777.2012.670003

Mullen, M. (2016). *Pathways that Changed Myanmar*. Zed Books. 10.5040/9781350221697

Myers, M. (2009, December 3). *Funding for Media Development by Major Donors Outside*

    the United States. Center for International Media Assistance.

Myers, M., & Juma, L. A. (2018). *Defending Independent Media: A Comprehensive Analysis of*

    Aid Flows [CIMA Digital Report]. Center for International Media Assistance, National

    Endowment for Democracy. https://www.cima.ned.org/publication/comprehensive-

    analysis-media-aid-flows/

Myint, P. (2012). The emergence of Myanmar Weekly News Journals and their development

    in recent years. In N. Cheesman, M. Skidmore, & T. Wilson (Eds.), *Myanmar's*

    Transition: Openings, Obstacles, and Opportunities (pp. 204–213). ISEAS - Yusof Ishak

    Institute.

Nain, Z., & Anuar, M. K. (1998). Ownership and control of the Malaysian media. *Media*

    Development, *XLV*(4), 9–17.

Nasution, A. (2016). *Government Decentralization Program in Indonesia*. Tokyo: Asian

    Development Bank Institute. https://www.adb.org/publications/government-

    decentralization-program-indonesia

Ndolu, F. (2009). *Public Broadcasting in Indonesia*. 18th JAMCO Online International

  Symposium. https://jamco.or.jp/en/symposium/18/4/

Neumann, L. (2002, February). Special Report: Burma Under Pressure. *Committee to Protect*

  Journalists. https://cpj.org/reports/2002/02/burma-feb02/

Noam, E. M. (Ed.). (2016). *Who Owns the World's Media? Media Concentration and*

  Ownership around the World. Oxford University Press.

Norris, P., & Odugbemi, S. (2010). Evaluating Media Performance. In P. Norris (Ed.), *Public*

  Sentinel: News Media & Governance Reform. World Bank.

Nugroho, Y., Laksmi, S., Amalia, M., Putri, D. A., & Amalia, D. (2012). *Media and the*

  vulnerable in Indonesia: Accounts from the margins (Engaging Media, Empowering

  Society: Assessing Media Policy and Governance in Indonesia through the Lens of

  Citizens' Rights). Centre for Innovation Policy and Governance and HIVOS Regional

  Office Southeast Asia.

Nugroho, Y., Putri, D. A., & Laksmi, S. (2012). *Mapping the landscape of the media industry*

  in contemporary Indonesia (March). Centre for Innovation Policy & Governance &

  Hivos.

Nugroho, Y., Siregar, M. F., & Laksmi, S. (2013). *Mapping Media Policy in Indonesia*. Centre

  for Innovation Policy and Governance.

Ocitti, J. (1999). *Media and Democracy in Africa: Mutual Political Bedfellows or Implacable*

  Arch-Foes. Weatherhead Center for International Affairs, Harvard University.

  https://programs.wcfia.harvard.edu/files/fellows/files/ocitti.pdf

OECD. (2008). *The Paris Declaration on Aid Effectiveness and the Accra Agenda for Action*.

  chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.oecd.org/dac/effective ness/34428351.pdf

Pacific Freedom Forum. (2017, February 13). Deadline looms on Papua press blocks—PFF. *WAN-IFRA Media Freedom Committee Indonesia*. https://mfcindonesiablog.wordpress.com/blog/

Page, B. I. (1996). The Mass Media as Political Actors. *Political Science & Politics*, *29*(1), 20– 24.

Papathanassopoulos, S. (2015). Media Policy. *The International Encyclopedia of Political Communication*, 1–9. https://doi.org/10.1002/9781118541555.wbiepc094

PEN America Centre. (2015). *Unfinished Freedom: A blueprint for the future of free expression in Myanmar*. PEN America. http://www.pen.org/myanmar

Peou, S. (2014). The Limits and Potential of Liberal Democratisation in Southeast Asia. *Journal of Current Southeast Asian Affairs*, *33*(3), 19–47.

Permana, S. I. (2016, December 28). 14 Tahun UU Penyiaran, Ratusan Akademisi Sampaikan Kritik. *detikNews*. https://news.detik.com/berita/d-3382640/14-tahun-uu-penyiaran- ratusan-akademisi-sampaikan-kritik

Peruško, Z. (2013). What Went Wrong With Media Reforms In Post-Socialist Europe. *Media Watch*, *44–45*, 63–64.

Pongsudhirak, T. (1997). Thailand's media: Whose watchdog? In K. Hewison (Ed.), *Political Change in Thailand: Democracy and Participation* (pp. 217–232). Routledge.

Pons, M. P., & Hallin, D. C. (2021). Press Freedom and Media Reform in a Populist Regime: How Ecuadorian Journalists and Policy Actors See the Correa Era. *International Journal of Communication*, *15*, 1021–1038.

Price, M. E. (2009). Media Transitions in the Rear-View Mirror: Some Reflections.

International Journal of Politics, Culture, and Society.

https://doi.org/10.1007/s10767-009-9078-4

Price, M. E., Rozumilowicz, B., & Verhulst, S. (Eds.). (2002). *Media Reform: Democratizing*

the Media, Democratizing the State. Routledge.

http://books.google.com/books?id=MEVAPTN3F0oC&pgis=1

Price, M., & Krug, P. (2000). *The enabling environment for free and independent media*

(December; p. 52). Programme in Comparative Media Law & Policy, Oxford

University. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=245494

Rawnsley, M.-Y. T., & Feng, C. (2014). Anti-Media-Monopoly Policies and Further

Democratisation in Taiwan: *Journal of Current Chinese Affairs*, *43*(3), 105–128.

https://doi.org/10.1177/186810261404300305

Reed, J. (2018, February 22). Hate speech, atrocities and fake news: The crisis in Myanmar.

Financial Times.

https://web.archive.org/web/20240730053402/https://www.ft.com/content/2003d

54e-169a-11e8-9376-4a6390addb44

Ristow, B. (2011). *Independent Media in Exile*. Center for International Media Assistance,

National Endowment for Democracy. chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.cima.ned.org/wp-

content/uploads/2015/02/CIMA-Exile_Media_06-15-11.pdf

Robie, D. (2019, July 22). *Indonesia's cover up over Papuan media freedom violations*

exposed. https://asiapacificreport.nz/2019/07/22/indonesias-cover-up-over-papuan-

media-freedom-violations-exposed/

Rogers, B. (2012). *Burma: A Nation at the Crossroads*. Rider.

Romano, A. (2003). *Politics and the Press in Indonesia: Understanding an evolving political culture*. Routledge.

Rotberg, R. I. (2004). The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair. In R. I. Rotberg (Ed.), *When States Fail: Causes and Consequences* (pp. 1–50). Princeton University Press.

Rothman, P. (2015). *The politics of media development* (September; p. 264). Center for International Media Assistance, National Endowment for Democracy. https://doi.org/10.1111/j.1460-2466.2010.01491.x

Roudakova, N. (2008). Media political clientelism: Lessons from anthropology. *Media , Culture & Society*, *30*, 41–59. https://doi.org/10.1177/0163443707084349

Rozumilowicz, B. (2002). Democratic Change: A theoretical perspective. In M. Price, B. Rozumilowicz, & S. Verhulst (Eds.), *Media Reform: Democratizing the media, democratizing the state* (pp. 9–26). Routledge.

Rudqvist, A., & Woodford-Berger. (1996). *Evaluation and Participation—Some lessons* (Sida Studies in Evaluation 96/1). Department for Evaluation and Internal Audit, Sida. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://cdn.sida.se/publications/files/sida1467en-evaluation-and-participation---some-lessons.pdf

SAFEnet. (2022). *Laporan Situasi Hak-hak Digital Indonesia 2021: Pandemi Memang Terkendali, tapi Represi Digital Terus Berlanjut*. Southeast Asia Freedom of Expression Network (SAFEnet).

Sambhi, N. (2011). Indonesia's military: It's business, baby! *Security Scholar*. https://archive.ph/2021.07.02-083442/https://securityscholar.org/2011/03/22/indonesias-military-its-business-

baby/%23_ftnref. https://securityscholar.org/2011/03/22/indonesias-military-its-business-baby/#_ftnref

Schiffrin, A. (2017). Introduction. In A. Schiffrin (Ed.), *In the Service of Power: Media Capture and the Threat to Democracy* (pp. 1–8). Center for International Media Assistance.

Schlosberg, J. (2017). *Media Ownership and Agenda Control: The hidden limits of the information age*. Routledge.

Schwarz, Adam. (2004). *A nation in waiting: Indonesia's search for stability*. Talisman,.

Scott, J. C. (1987). *Weapons of the Weak: Everyday Forms of Peasant Resistance*. Yale University Press.

Segura, M., & Waisbord, S. (2016). *Media Movements: Civil society and media policy reform in Latin America*. Zed Books, London.

Sen, K. (1998). Indonesian women at work. In K. Sen & M. Stivens (Eds.), *Gender and Power in Affluent Asia* (pp. 35–62). Routledge.

Sen, K. (2002). Indonesia: Media and the end of authoritarian rule. In M. Price, B. Rozumilowicz, & S. Verhulst (Eds.), *Media Reforms: Democratizing media, democratizing the state* (pp. 69–88). Routledge.

Sen, K. (2011). Re-forming media in Indonesia's transition to democracy. In K. Sen & David. Hill (Eds.), *Politics and the media in twenty-first century Indonesia: Decade of Democracy* (pp. 1–10). Routledge.

Setijadi, C. (2017). Ahok's Downfall and the Rise of Islamist Populism in Indonesia. *ISEAS Perspecttive*, *2017*(38).

Siebert, F., Peterson, T., & Schramm, W. (1963). *Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility, and Soviet Communist Concepts of*

What the Press Should Be and Do. University of Illinois Press.

http://ebookcentral.proquest.com/lib/nottingham/detail.action?docID=5407059

Siegel, L. (2023, March 14). Independent Media Rebuilds Inside and Outside Myanmar After

Violent Coup. *Global Investigative Journalism Network*.

https://gijn.org/stories/independent-media-press-freedom-myanmar-coup-

aftermath/

Sipress, A. (2004, January 22). Libel Judgment Shakes Indonesian Press. *The Washington

Post*. https://www.washingtonpost.com/archive/politics/2004/01/22/libel-

judgment-shakes-indonesian-press/c6e495fd-f387-4e67-b7bc-bbe66ef482d8/

Siregar, F. E. (2015). The Political Context of Judicial Review in Indonesia. *Indonesia Law

Review*, *5*(2), 208–237. https://doi.org/10.15742/ilrev.v5n2.140

Siriyuvasak, U. (1994). The Development of a Participatory Democracy: Raison D'Etre for

Media Reform in Thailand. *Asian Journal of Social Science*, *22*(1), 101–114.

https://doi.org/10.1163/030382494X00115

Siriyuvasak, U. (2005). People's media and communication rights in Indonesia and the

Philippines. *Inter-Asia Cultural Studies*, *6*(2), 245–263.

https://doi.org/10.1080/14649370500104711

Smith, D. E. (2003). Making Sense of What People Do: A Sociological Perspective. *Journal of

Occupational Science*, *10*(1), 61–64.

https://doi.org/10.1080/14427591.2003.9686512

Smith, M. (1991). *State of fear: Censorship in Burma (Myanmar). December*.

https://newcatalog.library.cornell.edu/catalog/2036020

Smith, M. (1999). *Burma: Insurgency and the Politics of Ethnicity* (Second). The University

Press, White Lotus, Zed Books.

Splichal, S. (2004). Privatization: The cost of media democratization in East and Central Europe? In P. Thomas & Z. Nain (Eds.), *Who owns the media?: Global trends and local resistances* (pp. 51–68). Southbound, Zed Books and World Association for Christian Communication.

Steele, J. (2012). The Making of the 1999 Indonesian Press Law. *Indonesia*, *94*(October 2012), 1–22. https://doi.org/10.5728/indonesia.94.0001

Steele, J. (2014). *Wars Within: The Story of TEMPO, an Independent Magazine in Soeharto's Indonesia* (2nd ed.). PT Tempo Inti Media Tbk.

Steeves, H.-L., & Wasko, Janet. (2002). Feminist Theory and Political Economy: Toward a Friendly Alliance. In E. R. Meehan & E. Riordan (Eds.), *Sex & Money: Feminism and political economy in the media* (pp. 16–30). University of Minnesota Press.

Steinberg, D. (1999). A Void in Myanmar: Civil Society in Burma. In Transnational Institute and the Burma Centrum Nederland (Ed.), *Strengthening Civil Society in Burma. Possibilities and Dilemmas for International NGOs*. Silkworm Books.

Steinberg, D. I. (1980). Burma: Ne Win After Two Decades. *Current History*, *79*(461), 180–184. JSTOR.

Stokke, K., Win, K., & Aung, S. M. (2015). Political Parties and Popular Representation in Myanmar's Democratisation Process. *Journal of Current Southeast Asian Affairs*, *34*, 3–35.

Stradiotto, G. A., & Guo, S. (2010). TRANSITIONAL MODES OF DEMOCRATIZATION AND DEMOCRATIC OUTCOMES. *International Journal on World Peace*, *27*(4), 5–40. JSTOR.

Sudibyo, A., & Patria, N. (2013). The Television Industry in Post-authoritarian Indonesia. *Journal of Contemporary Asia*, *43*(2), 257–275. https://doi.org/10.1080/00472336.2012.757434

Suryadinata, L. (1999). A Year of Upheaval and Uncertainty: The fall of Soeharto and Rise of

Habibie. *Southeast Asian Affairs*, 111–127.

Suwana, F. (2018). *Digital media and Indonesian young people: Building sustainable*

democratic institutions and practices. [PhD, Queesnland University of Technology].

https://eprints.qut.edu.au/117670/

Tapsell, R. (2010). Stopping the flow. *Inside Indonesia*, *Jul-Sep*.

http://www.insideindonesia.org/stopping-the-flow

Tapsell, R. (2015). The media and subnational authoritarianism in Papua. *South East Asia*

Research, *23*(3), 319–334. https://doi.org/10.5367/sear.2015.0274

Tapsell, R. (2017). The political economy of digital media. In E. Jurriens & R. Tapsell (Eds.),

Digital Indonesia: Connectivity and Divergence (pp. 56–74). ISEAS Publishing.

Tasevski, O. (2021, October 18). Indonesia Can't Quell West Papua's Growing Independence

Movement. *Foreign Policy*. https://foreignpolicy.com/2021/10/18/west-papua-

indonesia-jokowi-independence-movement-human-rights/

Tenggara Strategics. (2022, November 16). Analysis: Seven years late, TV analog switches off

on Nov. 2, yet three TV groups disagree. *The Jakarta Post*.

https://www.thejakartapost.com/opinion/2022/11/16/analysis-seven-years-late-tv-

analog-switches-off-on-nov-2-yet-three-tv-groups-disagree.html

Than, T. (2014). *Women in Modern Burma*. Routledge.

Thawnghmung, A. M., & Htoo, S. E. (2021). The Fractured Centre: 'Two-headed government'

and threats to the peace process in Myanmar. *Modern Asian Studies*, 1–29.

https://doi.org/10.1017/S0026749X20000372

The Jakarta Post. (2011, August 25). Indonesian journalists support Islamic fundamentalism:

Survey. *The Jakarta Post*.

https://www.thejakartapost.com/news/2011/08/25/indonesian-journalists-support-

islamic-fundamentalism-survey.html

The Lugar Center. (2019). *The Philippines: Growing Prosperity as a U.S. Pacific Partner*.

chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.thelugarcenter.org/ass

ets/htmldocuments/Philippines%20brief.pdf

Thomas, C., S. (Ed.). (2004). *Research Guide to U.S. and International Interest Groups*.

Praeger.

Thomas, P. (2014). Development Communication and Social Change in a Historical Context.

In K. G. Wilkins, T. Tufte, & R. Obregon (Eds.), *The Handbook of Development*

Communication and Social Change. John Wiley & Sons Ltd.

Thomas, P., & Nain, Z. (2004). *Who owns the media?: Global trends and local resistances*.

Southbound, Zed Books and World Association for Christian Communication.

Thomas, Pradip and van de Fliert, E. (2015). *Interrogating the theory and practice of*

communication for social change: The basis for a renewal. Basingstoke, Hampshire :

Palgrave Macmillan.

Tilly, C. (1997). Contentious politics and social change. *African Studies*, *56*(1), 51–65.

https://doi.org/10.1080/00020189708707860

Tilly, C. (2008). *Contentious Performances*. Cambridge University Press.

https://doi.org/10.1017/cbo9780511804366.002

Triwibowo, D. (2011). *The Role of Strategic Alliances between NGOs and the Local Media in*

making Health Services responsive to the Poor in Makassar City, South Sulawesi

Province, Indonesia International Institute for Democracy and Electoral Assistance

(International IDEA).

Turner, G. (2016). The Nation-State and Media Globalisation: Has the Nation-State Returned – Or Did It Never Leave? In T. Flew, P. Iosifidis, & J. Steemers (Eds.), *Global Media and National Policies: The Return of the State (Chapter 6)*. Palgrave Macmillan.

Unesco. (2008). *Media Development Indicators: A framework for assessing media development*.

Unesco, & International Media Support. (2016). *Assessment of Media Development in Myanmar*. UNESCO and International Media Support. https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000244760&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_c8e3786c-e5d9-48da-9c94-10e3278e2822%3F_%3D244760eng.pdf&locale=en&multi=true&ark=/ark:/48223/pf0000244760/PDF/244760eng.pdf#26_May_MDI%20Assessment%20A5.indd%3A.15023%3A2501

United Nations Human Rights Council. (2018). *Report of the independent international fact-finding mission on Myanmar* [A/HRC/39/64]. https://www.ohchr.org/en/press-releases/2018/09/myanmar-un-fact-finding-mission-releases-its-full-account-massive-violations?LangID=E&NewsID=23575

Venkiteswaran, G. (2021). High Stakes for Media and Expression with Myanmar Coup. *E-International Relations*. https://www.e-ir.info/2021/03/09/high-stakes-for-media-and-expression-with-myanmar-coup/

Venkiteswaran, G., Thein, Y. Y., & Kyaw, M. (2019). Legal Changes for Media and Expression: New Reforms, Old Controls. In L. Brooten, J. Madlyn. McElhone, & G. Venkiteswaran (Eds.), *Myanmar Media in Transition: Legacies, Challenges and Change* (pp. 59–94). ISEAS - Yusof Ishak Institute.

Voltmer, Katrin. (2013). *The media in transitional democracies*. Polity Press.

Waisbord, S. (2008). The institutional challenges of participatory communication in

  international aid. *Social Identities*, *14*(4), 505–522.

Waisbord, S. (2010). The pragmatic politics of media reform: Media movements and

  coalition-building in Latin America. *Global Media and Communication*, *6*(2), 133–153.

  https://doi.org/10.1177/1742766510373718

Waisbord, S. (2015). The "post-state" argument and its problems: Lessons from media policy

  reforms in Latin America. *Global Media and National Policies: The Return of the*

  State, *Habermas 1998*, 1–13. https://doi.org/10.1007/s13398-014-0173-7.2

Wasko, J., & Meehan, E. R. (2013). Critical Crossroads or Parallel Routes? Political Economy

  and New Approaches to Studying Media Industries and Cultural Products. *Cinema*

  Journal, *52*(3), 150–157. JSTOR.

Wasserman, H., & Benequista, N. (2017). *Pathways to Media Reform in Sub-Saharan Africa*

  (p. 28). Center for International Media Assistance, National Endowment for

  Democracy.

Wayar, A., & Blades, J. (2022, June 21). Indonesia's New Plans for Papua Can't Hide Its

  Decades of Failures. *The Diplomat*. https://thediplomat.com/2022/06/indonesias-

  new-plans-for-papua-cant-hide-its-decades-of-failures/

Webber, D. (2006). A consolidated patrimonial democracy? Democratization in post-Suharto

  Indonesia. *Democratization*, *13*(3), 396–420.

  https://doi.org/10.1080/13510340600579284

Wellhofer, E. S. (1989). Core and Periphery: Territorial Dimensions in Politics. *Urban Studies*,

  26(3), 340–355. JSTOR.

Whitehead, L. (2002). *Democratization: Theory and Experience*. Oxford University Inc.

https://doi.org/10.1093/0199253285.001.0001

Winters, J. A. (2014). Oligarchy and Democracy in Indonesia. In M. Ford & T. B. Pepinsky

(Eds.), *Beyond Oligarchy: Wealth, Power, And Contemporary Indonesian Politics* (pp.

11–34). Cornell Southeast Asia Program Publications.

Winters, M. S. (2012). The Obstacles to Foreign Aid Harmonization: Lessons from

Decentralization Support in Indonesia. *Studies in Comparative International*

Development, *47*, 316–341. https://doi.org/doi.org/10.1007/s12116-012-9114-7

Wiratraman, H. P. (2014). *Press Freedom, Law and Politics in Indonesia* (Doctoral Thesis).

Universiteit Leiden.

World Congress on Communication for Development: Lessons, Challenges, and the Way

Forward. (2007). The Communication Initiative, Food and Agriculture Organization of

the United Nations andThe World Bank.

https://www.fao.org/3/ai143e/ai143e00.htm

Ye Htut. (2019). *Myanmar's Political Transition and Lost Opportunities (2010-2016)*. ISEAS

Publishing.

Zaw, N. (2015, March 31). Myanmar Times Cartoon Pompts Swift Apology to Military. *The*

Irrawaddy. https://www.irrawaddy.com/news/burma/myanmar-times-cartoon-

prompts-swift-apology-to-military.html

Zin, M., & Joseph, B. (2012). The Democrats' Opportunity. *Journal of Democracy*, *23*(4), 104–

119.

Zurbuchen, M. S. (2002). History, Memory, and the "1965 Incident" in Indonesia. *Asian*

Survey, *42*(4), 564–582.