Confronting Risk at the Crossroads of Media Freedom in Burma

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For much of the past fifty years, Burma (Myanmar)[1] appeared to outside observers as a tightly controlled monolith, with little independent media activity. Yet throughout decades of draconian censorship – aspects of which remain in place today – the country's writers, journalists and activists never stopped pushing the envelope of state control. Ethnic media, citizen journalists, bloggers and even state-sanctioned periodicals proffered a surprising level of diversity and dialogue beneath the surface. During 1988's brief period of press freedom, the sudden appearance of some forty independent newspapers indicated a significant level of underground organization and popular demand (Chadha & Kavoori, 2000). Aung Zaw, founding editor of *The Irrawaddy*, remembers those heady days:

> *"Even editorials were getting better, lively, more objective. You don't see it for years, for ages… such journalism, photos, front page stories all about the uprising in a very objective way, not just one-sided. I was very impressed. But it was rather short-lived. It was only about two months and gone."* (personal communication, Dec. 11, 2008)

A return to censorship did not suppress the people's determination to communicate freely, however. Alternative media networks continued to flourish

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post-1988, both inside Burma and along the borders. Journalists maintained a fluid grasp of whatever technology was available and suitable to the circumstances, including clandestine newspapers, cleverly-worded radio news reports, mobile phone chains, hand-delivered cassette tapes, and more.

This article will describe perceptions of risk from the journalists' points of view, and why they continued their work under threat of incarceration, exile, and death under military rule. I will then explore the historical roots of journalism as a particularly valued form of democratic engagement among Burmese citizens, dating back to anti-colonial struggles, and how this context contributed to the development of a strong and well organized underground press corps. Next, I will consider how this context might inform the current situation as Burma moves toward democratic reform. In 2018, Burma's journalists have arrived at a historical crossroad. After decades of struggle, a move to civilian government has created an opening for media organizations to surface above ground and/or to return from exile. However, the position of journalism is far from secure. Journalists are still subject to arrest and harassment, and still face danger in areas where armed conflict continues and Burma Army soldiers operate far from central control. While a transition to civilian rule is underway, there are no tidy endings to the story. "*Changes are welcomed and transitions are difficult,*" outgoing Information Minister Ye Htut (2014) told an assembly of journalists in Rangoon in December 2014. More to the point, journalist Saw Yan Naing (2015) states, "*Working as a journalist in Burma, the press freedom I enjoy today can end tomorrow without warning*." Indeed, arrests in 2017 of journalists working for Reuters and The Voice punctuated this reality (Reuters, 2017; Human Rights Watch [HRW], 2018). As Voltmer (2013) observes, the concept of 'media freedom' brings multiple tensions to transitioning governments, including among activists who themselves fought for media freedom and now find themselves in positions of governmental power. As well, the landscape has opened up for Western powers to export their own vision of commercial/corporate media practice in the name of 'democratic development,' without regard to already-successful indigenous journalism structures and methods. Within this overall context, I will argue that without a complete grasp of the diversity and strength of existing grassroots media, there is a danger that international media development assistance may blunt the edge of a style of risk-taking journalism that unabashedly holds power to account, and that seeks social justice, not profit.

Journalism and risk in Burma

If one could assign an epistemology of risk to Burma, I would identify it as critical realism – meaning, not a constructed, ephemeral phenomenon, but a hard reality arising from actual conditions of political repression and power. As Toynbee (2008) notes, this stance inserts a political dimension into one's worldview. Indeed, it is difficult to imagine studying the state of Burmese journalism without recognizing the impact of political oppression. As post-colonial independence leader Bogyoke Aung San famously said:

> *"You may not think about politics. But politics thinks about you. You may shun politics. But politics clings to you always in your home, in your office, in your factories. There, everyday you are doing politics, grappling with it, struggling with it."* (Aung San, 1946)

To this I would add that, around the world, politics often thinks of people in threatening ways. In my conversations with exiled and underground journalists over the years, risk has been vividly described in terms of a soldier's boot to the door, a gun to the head, or a sinister threat to one's family and friends. My first encounter with underground media was in rebel-held Shan territory in 1990, in a mountain encampment surrounded by the Burma Army and its proxy Home Guard factions. At the time, media consisted primarily of mimeographed sheets and booklets distributed hand-to-hand along smugglers' trails. Landmines, ambushes, and summary executions were a daily risk. Following a series of Burma Army sweeps in the mid-90s, many media activists relocated to neighbouring countries, where their daily lives remained far from secure. In 2005, refugee radio producers involved with an unlicensed Thai community radio station told me of their difficulties with immigration officials and government censors. Since the 1990s, the communications path has widened with the expansion of Internet-based communication, yet when I returned to the region in 2008, hand-delivered print newspapers and audio cassette tapes remained a primary means of communication with rural audiences inside Burma, and video from remote areas was still being smuggled out on camera memory cards rather than transmitted electronically.

I had opportunity to speak with a number of journalists engaged in these activities, while working on a documentary film project, *Breaking Open Burma* (Elliott & Risk, 2012). At the time, Burma's Press Scrutiny and Registration Board remained in place, making daily journalism inside the country next to impossible. News bureaus in neighbouring countries received reports from underground journalists inside Burma via G-Talk, rented mobile phones, smuggled video files, and

whatever other means were available, which were then disseminated back to Burma and internationally. Two major international news events – the 2007 Saffron Revolution and Hurricane Nargis in 2008 – had demonstrated to the world a deep commitment and ability to report breaking news despite government restrictions, prompting a short burst of donor income that would later decline. The journalists interviewed were selected through a combination of prior personal contacts in the region, and the snowball method of asking each person for suggestions on who else we should meet. In total, videographer Susan Risk and myself conducted interviews with seventeen journalists working with seven news groups. Media organizations were chosen to represent a mix of ethnic and majority media; media for international and national/ethnic audiences; print, online and broadcast media; and above-ground and underground journalism. Unless otherwise noted, interviews were primarily conducted in English, a *lingua franca* adopted by the dissident journalism community as a means to communicate internationally and across Burma's many linguistic groups.

Although risk was not the sole focus of discussion, the topic arose in every interview, with words grounded in realist experiences. Asked to provide a specific example of risk, a reporter working for *Burma Issues*, a human rights-focused multimedia production house, immediately recalled a colleague who was tied up and executed on the spot after being caught with a camera in his backpack (Saw Kwehsay, personal communication, Dec. 8, 2008). A journalist for the Karen-lanuage newspaper *Kwe Ka Lu* explained:

> *"It's very dangerous for you to go cover news.... If the Burmese soldiers catch you, they can kill you any time, na. They don't like someone to report what's happening in the village, what they did to the villagers".* (Saw Ehna, personal communication, Dec. 8. 2008)

Journalists also spoke of risk through exposure to malaria and other tropical diseases in the field (Saw Niko, personal communication, trans., Dec. 8, 2008). Displacement and exile were other common risk factors. Psychological damage was not mentioned to the extent one might hear in conversation with North American journalists, but was nonetheless acknowledged in less direct ways. "*I feel like someone is watching us or somebody tracking us or something...I am not safe and I am not free,*" is how one undercover journalist described her ongoing sense of anxiety ('Zarni,' personal communication, Dec. 12, 2008). Yet the journalists were more apt to speak of their fears in terms of risks to colleagues rather than to themselves. Asked about personal bravery, a journalist who worked undercover in Rangoon throughout the Saffron Revolution reported:

> "*No, I'm really not [that brave] because there's a lot of undercover journalists there from DVB (Democratic Voice of Burma) also. And also there's a lot of undercover journalists from Mizzima [News Agency]. I'm not that much.... Sometimes I am very afraid to go to the incident*." ('Zarni,' personal communication, Dec. 12, 2008)

Moreover, when asked about risk, journalists often spoke first about the risk to their interview subjects and audiences. "*When you distribute the newspaper, if the Burmese soldiers find out, they can make trouble for the villagers,*" explained Saw Ehna, a reporter for *Kwe Ka Lu* (personal communication, Dec. 8, 2008). Risk-taking is widely understood as a co-project of journalists, subjects, and audiences, an integrated act of writing, reading and sharing information for a social good that is greater than the individual. Saw Niko, a videographer for *Burma Issues*, found villagers were willing to share their stories despite possible repercussions:

> "*Why [do] they like to share their stories? Because they want other people to know what they are facing at the moment. It's not only our people but also the outside world – the international community – to understand and to know why we are suffering and why we are facing the problem here*." (personal communications, trans., Dec. 8, 2008).

Saw Niko's easy transition from "*they*" to "*we*" is noteworthy. Many journalists interviewed indicated that they perceived themselves not as outsiders reporting on a tragedy, but as insiders taking up common cause with the audience. "*I want to be part of the Burmese freedom movement,*" explained 'Zarni,' who secretly reported from Rangoon for *Mizzima News*, a multi-media news agency, during the Saffron Revolution (personal communication, Dec. 12, 2008). Aung Zaw, editor of *The Irrawaddy*, said that although the magazine at times critiqued specific aspects of the pro-democracy movement, its reporting was part of an overall "mission" closely tied to the restoration of democracy in Burma (personal communication, Dec. 11, 2008). A video editor for *Images Asia* spoke of the importance of showing the outside world what is going on inside Burma (anonymous, Dec. 10, 2008). To borrow from management science (Damodaran, 2008), one might therefore describe the activities as *strategic* risk, aimed at reaching a commonly held goal of political reform.

Historical Context

To understand why Burma's peoples hold journalism as a key element in their democratic struggles, it is first important to consider long-standing historical ties between journalism and anti-oppressive actions in Burma. The region today known as Burma/Myanmar has long been home to a highly literate population with an established history of free expression. Traditionally, novelists, poets, playwrights and comedians have been held in high regard, taking an active role in expressing the political and social zeitgeist of the grassroots (Hla Pe, 1985). Added to this is the everyday practice of public discussion and debate at Buddhist temples, accompanied by a wealth of religious journals and lectures that comment on current events and social issues. It could be argued that the arrival of the modern printing press was therefore in many respects a natural meld with existing cultural practices. In 1869, the first Burmese-language newspaper, *Myanmar Thandawsint Thadinsah*, emerged to compete with the English-language *Rangoon Times* and *Rangoon Gazette*, soon followed by other vernacular newspapers. On August 15, 1873, King Mindon introduced 17 Articles guaranteeing a free press for "*the benefit of the citizens to hear general news from Europe, India, China, and Siam for enriching their thoughts and improving their trade and communication*" (cited by *The Irrawaddy*, 2004). However, this promising start to a free press was reined in by encroaching colonialists, who gradually folded Burma and its neighbouring territories into a single Indian province in the 19th Century. Beginning in 1835, colonial incursion brought with it a variety of acts and regulations concerning publishing (Sen, 2004). However, an attempt to impose universal censorship of non-English media with the Vernacular Press Act, 1878, sparked protests in India, swiftly leading to the act's abolition within three years (*Encyclopædia Britannica*, Vernacular Press Act, 2016.) Its predecessor, The Press Act (1910) deployed less overt but equally effective control, by requiring hefty cash deposits for the privilege of publishing (Mishra, 1987). Although less direct, the Act nonethless drew heavy criticism in the British House of Commons, and was repealed in 1921 (Larkin, 2003). Though these laws were short-lived and controversial, censorship as a legal concept proved enduring through other means. "*The legislative arsenal was impressive*," notes Larkin (2003), pointing to a system of ad hoc laws impacting everything from theatre performances to book publishing, in addition to journalism (p. 65). Control exercised through such instruments as the Official Secrets Act, 1923, and the Burma Wireless Telegraphy Act, 1933, were justified in the name of state security and a rising threat from Japan. Hobbs (1947) voiced the sense of colonial grievance:

> "*The British have had to undergo some scathing denunciation at the hands of certain Burmese writers whose articles appeared, among others, in the Saithan, New Mandalay surn (sic), The new light of Burma and the Dagon magazine. Fully four years before the war, Japanese paid propaganda, bitterly attacking the British and Chinese, appeared frequently in the Burmese vernacular press.*" (Hobbs 1947, 112-113)

Finally, if all else failed, the Criminal Code's treason and sedition provisions cast a long shadow over Burma's blossoming media landscape. In this manner, suppression of freedom of expression was indelibly tied to the colonial project. As a result, many emerging local journalists found themselves operating within the fold of anti-colonial and dissident discourse. Grassroots media activity became a key driver of political reforms of the early 20th Century, particularly among the student and socialist press. Literary societies, publishing houses and book clubs also held prominent roles in advancing activist networks. An example from the 1930s was the Red Dragon Publishing House and Book Club, founded by future prime minister U Nu (Trager, 1966). Several of Burma's independence leaders began their careers in the radical press, including Aung San, Burma's 'Father of Independence,' who served as editor of the student newspaper *Oway*. When Aung San was expelled from the University of Rangoon in 1936, the newspaper's supporters burned the Union Jack outside Government House (Kasem, 1962). This dramatic act created a defiant picture of the beginning of the end of British rule in Burma, and set a precedent for the 'ink-stained rebel' as a political force in Burma's democratic struggles. Even as the colonial government decamped in 1948, a historical pattern and legal framework were set, in which state oversight of media was accepted as a matter of national security. At the same time, the colonial experience had equally established journalism as a major oppositional force in society.

The post-colonial years were marked by seesaw battles between the newly independent Union of Burma's central government, which favoured a secular multicultural nation, and the Burma Army (BA), which retained a hyper-nationalist ideology that had been forged in its origins as a fifth column for the Japanese army during the war years (Yawnghwe, 1987; Allen, 1984). Added to this was the constitutional challenge of bringing seven semi-autonomous

ethnic states and 135 ethnic nationalities into the new Union of Burma, a geographical construct of the departing colonialists. Throughout this period of political jockeying, print publications flourished and journalists remained an intractable thorn in the side of politicians and generals alike. The 1948 constitution guaranteed press freedom, however it took just two years for parliament to revive Britain's pre-war anti-sedition legislation. Defamation of public officials was introduced as a Criminal Code offence (*Irrawaddy*, 2004), while the Emergency Provisions Act, 1950, prescribed fines and up to seven years imprisonment to anyone who "causes or intends to spread false news" (Liddlell, 1997). Although these conditions presented a threat, the press flourished in the post-colonial environment and journalists retained open access to the prime minister's office (Zin Linn, 2008). In 1962, 52 newspapers and magazines formed the Burma Press Council, an organization dedicated to defending their freedom (*The Irrawaddy*, 2004). As Council members gathered to sign a founding charter, they doubtless had little idea of the upheavals to come.

As fate would have it, journalists were not the only ones seeking a common front. State and regional leaders had been holding meetings to hammer out a common position on constitutional reforms, aimed at achieving greater autonomy from Rangoon, a situation the Army viewed as an alarming threat to national unity. Although the constitutional conferences had been peaceful and democratic, the entire concept of federated states flew in the face of the Army's slogan: 'One Blood, One Sword, One Command.' In the early hours of March 2, 1962, General Ne Win's troops moved in to arrest prominent federalist politicians (Yawnghwe, 1987). Two days later, on March 4, the general held a press conference to announce that an eight-member Revolutionary Council, hand-picked by himself, would now govern the nation. After delivering his statement, he turned and walked out the door, leaving behind a stunned press corps (Lintner, 1989). The Army was now in complete control of the country, a situation unchanged for decades to come.

Journalism under dictatorship: "They just cannot stop us."

Scarcely able to believe their own notes, journalists carried on their work as usual. But soon the arrests began, along with the closure and nationalization of newspaper offices over a two-year period. One of the military junta's first laws was directed at the media, The Printers and Publishers Registration Act, 1962. Under the Act, printers and publishers were required to be certified by the Central Registration Board, and to submit all published materials, including individual newspaper and magazine articles, to a Press Scrutiny Board (Socialist Republic of the Union of Myanmar, 1962, amended 1971). This Act would serve as the vanguard law of state censorship until 2012. However, there was very little need to promulgate censorship laws, as the legal apparatus had already been put in place by prior governments, and need only be wielded with a stronger hand. The criminal code and emergency measures provisions were enlisted to the cause of censorship, along with the Official Secrets Act, first promulgated in 1923 and now liberally interpreted to forbid the sharing of documents of any kind, secret or not (Liddell, 1997). The aforementioned Wireless Telegraphy Act, 1933, drafted by the British to ensure state control of the airwaves, needed few changes until 1996, when the military updated it to include fax machines and computer modems. Building on this framework, The Television Video Act, 1996, required all videos to be reviewed by censors, and video parlours to be licensed, while The Computer Science Development Law, first introduced in 1996, made the unauthorized import, possession and use of computers with networking capacities punishable with sentences of up to fifteen years (*Mizzima News*, 2008).

By 1964, it appeared that Burma's long, albeit contested, tradition of freedom of expression was wiped out. The newsstands plummeted from hundreds of titles to just six, all under strict state control (*The Irrawaddy*, 2004). But, as Hachten (1971) observes, just because the presence of mass media is limited does not mean *no* media exist. Indeed, despite the draconian censorship, Burma's journalists never walked away from the story. Their work moved underground, and even into prison cells. Zin Linn (2008), a journalist imprisoned from 1982 to 1984, described how magazines and newspapers were produced in Insein prison's cell blocks. Inmates gathered news from a smuggled-in radio tuned to BBC, and prominent jailed dissidents provided editorials.

> "*Only a single, handwritten copy of each issue was produced and circulated among political prisoners, with great care and at even greater risk to those who contributed their energies. I myself was on the editorial staff of Cellblock No 3. We managed to bring out a monthly magazine named The Tidal Wave and another commemorating the 50th birthday of Daw Aung San Suu Kyi, called The Democracy Mothers' Day Magazine. In every issue, [imprisoned editor] U Win Tin contributed articles on current political questions as well as the contemporary history of Burmese politi-*

cal science. Everybody in the cells was eager to read his articles." (Zin Linn, 2008)

Book clubs also moved underground after the 1962 coup, but continued to function as important gathering points for activists. Aung Zaw participated in secret literary discussions of the late 1980s:

"*We invited very famous writers, journalists, almost every other week for discussion. It was illegal. We were watched, but we discussed literature. But it was unavoidable that you came down to discussing politics. Burmese bookworms, I mean these groups I hang out with they read, in spite of the closed society, they read a lot of books: Shakespeare, Tolstoy, Dostoevsky, Kafka, Camus, Keats.*" (interview, 2008)

Leaflets and posters became popular methods for spreading news. Distribution tactics include tossing leaflets from speeding bus windows, or gluing them to the walls of public washrooms (Aung Zaw, personal communication, Dec. 11, 2008). Similar tactics arose after a 2007 military crackdown, with posters appearing in rural areas, and stray dogs trotting through the streets of Rangoon with pictures of military leaders tied to their necks (Alternative ASEAN Network on Burma [AltSEAN], 2008). Editors in the state-sanctioned press also found ways to impart counter-news. For example, when censors objected to graphs illustrating inflation, some publications simply printed commodity price lists week after week, allowing readers to draw their own comparisons (R. Alampay, personal communication, Dec. 2, 2008).

Diverse voices in exile

Ethnic language media was also a significant platform for reporting on human rights abuses throughout the country. Operating in remote areas, ethnic journalists were on the front lines of some of the worst abuses, including genocidal sweeps through indigenous territories by the Burma Army. *Kwe Ka Lu* operated an office in an area of Karen State that was sporadically occupied by Burma Army troops. Reporters did their field work by visiting villagers at night and sleeping in the jungle (Saw Ehna, personal communication, Dec. 8, 2012). In 1997, *Kwe Ka Lu*'s reporters fled a major Burma Army offensive with only the clothes on their backs. Leaving behind their computers and office equipment, they joined the ranks of internally displaced people hiding out in the jungle. Months later, the group crossed to Thailand, where they resumed their work facing a new set of constraints. Fearful of the immigration police, reporters seldom ventured into the streets, relying on phone communications and clandestine cross-border trips to gather the news (Saw Ehna, personal communication, Dec. 8, 2012).

Suppressed at home, Burma's full range of ethnically diverse media found spaces to survive in Thailand, Bangladesh and India. Burma News International, founded in 2003, counted eleven exiled ethnic news agencies among its founding members, but this represented just a fraction of countless small newspapers, websites and community radios operating along the borders, publishing and broadcasting in languages such as Karen, Kachin, Arakanese, Pa'O, Rohingya, and Tai (to name a few), as well as Burmese and English. While escaping the risks of torture and execution inside Burma, exiled media activists became subject not only to the host country's publishing and broadcast laws, but also to myriad laws concerning immigration and state security, many of them punitive in nature. Under pressure from Burma, which has trade ties with surrounding countries, state security forces regularly raided exiled news offices on the pretext of searching for arms and drugs. An example is a raid on the Karen Information Centre in Mae Sot, Thailand, on February 4, 2010 (Kya Kaw, 2010). A great variety of laws and regulations could be called on to harass and intimidate exiles. In 2007, Indian officials sealed the headquarters of *Mizzima News*, citing them for operating "commercial activities" in a residential zone (*Mizzima News*, 2007). For stateless people, such occurrences were disconcerting to say the least; the implied message was that they were causing trouble for the host government and could be deported at any moment. Most journalists gained temporary residency permits, and a few held UNHCR recognition as refugees, but there was no guarantee their ID cards would be respected by local authorities. In 2006, the Burmese Journalist Protection Committee was established to intervene on behalf of these stateless media producers (Khun Sam, 2006).

Meanwhile, inside Burma, journalists were organized into cells for gathering and transmitting reports (Sein Win, personal communication, Dec. 12, 2008). Net cafés and office computers became conduits for distributing pictures and stories to exiled media groups and bloggers on the outside ('Zarni,' personal communication, Dec. 12, 2008). When the military cracked down on Internet use, rented mobile phones – which are difficult to trace – took over as the primary communications tool (anonymous, personal communication, Nov. 1, 2007). This technology would later become central to coverage of Cyclone Nargis in 2008. During the natural disaster, the larger exiled media groups that had stringers in affected areas, such as *Democratic Voice of*

Burma and *The Irrawaddy*, gained international prominence as the only sources of video and on-the-ground reports from inside the country. During this period, *Mizzima*'s Internet servers were repeatedly subjected to DOS (Denial of Service) attacks, as well as a home page hack from a group identifying itself as "*Independence Hackers from Myanmar*" dedicated to bringing down "*those fucking media web site which ever give shit to our government*" (screen shot of hacked site). The end result was not an end to news coverage, but a few days off line followed by a redoubled effort at web security, which was ultimately a beneficial exercise (Di Par, personal communication, Dec. 12, 2008). At the same time, concerned about the reliability of Internet communications, *Mizzima* began experimenting with satellite television transmission, knowing that many people inside Burma use satellite dishes to watch football matches. "*They just cannot stop us, because of our commitment*," explained managing editor Sein Win (personal communication, Dec. 12, 2008). Indeed, two years later, when the military regime announced plans to return the country to civilian rule, *Mizzima* and other exiled media groups appeared well poised to return to Burma. However, their future prospects inside the country remain an open question today.

Media development and the future of risk-taking journalism

"*Burma as a democracy is a whole package. Press freedom is one of the elements*," explains Aung Zaw (personal communication, Dec. 11, 2008). But as Burma moves toward a more open society, what kind of media will comprise the package? While western governments, eager to strike up trade with Burma, have been swift to declare a victory for democracy, legal restrictions on freedom of expression remain in place, and journalists are subject to continuing arrest, threats, and harassment (HRW, 2018). The managing editor of *Mizzima*'s new Rangoon bureau describes the situation:

> "*Quite frankly, the constitution does not adequately safeguard freedom of expression. There are dozens – if not more – of laws related to media and freedom of expression that arguably need to be addressed in one fashion or another. The legal framework absolutely must protect the independence of the media and prohibit all forms of censorship.*" (Soe Myint, 2016).

Meanwhile, media agencies are struggling to survive economically in an entirely new environment that involves costly start-up fees and expensive Internet connections, with scarce advertising dollars being sucked up by Burmese state media. Such conditions prompted *The Irrawaddy* to suspend publication of its English print edition in 2015, and its Burmese language edition in 2016; the magazine, publishing since 1992, is now digital-only, a format that presents an even tougher advertising market (Nyan Lynn Aung, 2016). U.S., British, and other international donors proffer support that is typically tied to a mainstream, free enterprise media model, perhaps because it is the only model donor countries understand. Such a position presumes there are no functioning alternative, pre-existing journalistic traditions at the receiving end of international assistance. This type of support also tends to focus on individual media enterprises, rather than on in-country journalists' associations that are working toward more broadly transformational goals. Given this context, it is important for international supporters – whether donor agencies or international journalism organizations – to develop a broadened view of the situation on the ground. The following are some aspects to consider.

Media freedom has not been achieved.

The U.S. and its allies have a vested interest in declaring democracy has been achieved in Burma, given the economic inroads made by trade rival China during the years of sanctions. However, Burma's new civilian leaders, elected in 2015, have barely taken their seats, while the military and military-backed business operators retain a great deal of power over the nation's daily operations. "*Myanmar may not become a fully-fledged democracy following Western models in the near future, and it needs years to establish a non-authoritarian tradition with the rule of law, rights and human security*," observe Gravers and Ytzen (2014, p.1).

Meanwhile, exiled journalists have made a tentative foray back to their homeland, even if the ground is not fully prepared. There is good reason to do so: if they stay out of the country too long, state media and military cronies will take over a liberalized media market, a process that is already underway. The pace of re-establishing inside the country has been dizzying. In early 2012, journalists and editors from the major media exile groups were invited into the country for the first time to meet with and interview government officials. Between 2012 and 2013, a prescribed list of censored topics was abolished one by one, in January 2013 the Press Scrutiny and Registration Board was officially dissolved, and in 2014 an end to Internet censorship was announced (Ytzen, 2014; Zin Linn, 2013). However, as we have seen in a review of Burma's history, the abrogation

of censorship laws does not necessarily end the practice of censorship. In July 2014, five journalists from *Unity Weekly Journal* were arrested for reporting on a factory believed to be producing chemical weapons. They received ten years' imprisonment not under the new media laws, but under the State Secrets Act, 1923, created by the British colonizers and still in use as a handy 'catch-all' for dissenters and journalists (Burma News International, 2015). The five were pardoned on April 17, 2016, however the law under which they were imprisoned remained, along with numerous other legislative controls on freedom of expression, from the 1906 Unlawful Assembly Act to the 2014 Printers and Publishers Registration Law, prompting the Committee to Protect Journalists to call for more comprehensive legal reform (Simon, 2016). Despite this call, the following year, journalists were detained or arrested under the 1908 Unlawful Assembly Act, the 1923 Official Secrets Act and the 2013 Telecommunications Act, amid an overall rise in persecution and surveillance of critical voices (HRW, 2018 ; Reuters, 2017).

Collective, not just individual, rights are part of the discourse.

While there is rightful concern for the fate of individual journalists facing arrest and detention, discussion of rights need not stop at the individual. Indeed, this is the concern of journalism organizations, which typically seek wider structural changes to the social and political environment for journalism – for example, establishing freedom of information laws, or introducing media literacy education in schools. To compare, in interviews with Romanian journalists in 2009, several mentioned that they would prefer international donors to provide funding for travel within their own country, to facilitate meetings among Romanian journalists, rather than funding them to travel abroad for training programs that did not suit the local context or their needs as already-experienced journalists.

There are several journalism organizations advocating for freedom of expression and the right to communicate in Burma. Some, like the Myanmar Blogger Society, sprang up from underground practice. Others, like the Myanmar Journalists Association, have quasi-governmental origins, but have joined with other groups, including the Myanmar Journalists Network and the Myanmar Journalists Union, to speak up against new press laws that retain old habits (International Media Support, 2013). Strengthening these organizations may well be as crucial as strengthening the media outlets that employ their members. However, governments and aid agencies tend to stand back from aiding journalism associations, because of the advocacy work directed at governmental institutions. "*Individual journalists are easier to control than groups lobbying for structural change, and the focus on press freedom, while important, arguably provides a (less threatening) distraction from such collective demands,*" observes Brooten (2011), in a study of media reform in the Philippines and Burma.

Furthermore, collective rights ultimately expand beyond the circle of journalistic practice. "*It is well to remember that freedom of the media is not the freedom only of its owners and journalists. It is essentially the freedom of people to be fully informed and truthfully on all matters of public importance,*" states B.K. Sen (2004). Just as the Committee to Protect Journalism has called for broad legal reforms beyond media law, Sen advocates broad social reforms. Writing on the legal environment for freedom of expression in Burma, Sen (2004) argues that prioritizing the social, economic, political and cultural rights of all people will lift other boats, including journalism:

> "*It is my submission that media law, of itself, is not essential. What is necessary is a vibrant civil society, democratic political parties, constitutional empowerment of the marginalized, decision-making at the grassroots, and accountabilities. In short – good governance will meet the concerns and rights of media.*" (p. 23)

The market model has severe limitations

Media development handbooks typically open with the premise that journalism's calling is to serve the public interest by holding power to account, thereby contributing to democratic governance. At the same time, development agencies tend to privilege a market model that has in recent decades consistently failed to deliver quality public-interest journalism, as evidenced in two U.S. national commissions, the Knight Commission on the Information Needs of Communities (Knight Foundation, 2009), and the FCC-sponsored Working Group on the Information Needs of Communities (Waldman &the WGINC, 2011). The business model of privately-owned media relying on advertising dollars barely functions in wealthy economies, never mind in emerging economies. Yet still, the market retains an almost mystical appeal to media development specialists, as illustrated by the keynote speech to Burma's Third Conference on Media Development, delivered by a Hong Kong University professor:

> "*I believe that at the end of the day, money will follow journalism that is credible and*

relevant to the people. Somehow good journalism will survive and thrive, because the people need it." (Chan, 2014)

Similar thoughts were offered by a representative of the International Press Institute, who told the assembly, "*Good journalism is good business. People will keep buying your product as long as the product is good*" (Ahsan, 2014). How this theory will play out in a country where money is scarce and corruption is high remains to be seen, yet support agencies tend to bank their dollars on the concept.

Today, major donors such as BBC World Trust, USAID, and the Open Society Institute are prominent on the global scene, providing technology and training within a free market paradigm. The largest single donor country has historically been the U.S., via government agencies and private organizations such as the Gates Foundation and the Ford Foundation (Center for International Media Assistance, 2008). The bulk of assistance is dedicated to the "professionalization" of local journalists, seen through donor eyes as unskilled and corrupt (Centre for International Media Assistance, 2008, p. 6; p. 23). In its inaugural report, the Center for International Media Assistance (2008), an offshoot of the National Endowment for Democracy, highlighted the role of overseas assistance in promoting free market sustainability, noting the example of media training projects in former East Bloc countries:

"*From the start, say USAID officials, training in business skills was given a high priority. And it is no less important today. Integrating sound business practices into media assistance is widely recognized as essential to making projects sustainable.*" (p. 57)

This emphasis contains a crucial oversight. For example, Romanian editors have complained that without a supportive market economy, only sensational tabloids and party mouthpieces survive (Calian, 2009; Couti, 2009). A similar situation has been reported in the Latin American context:

"*Crucial developments that nurtured the rise of a market-oriented press in the US never happened. Nowhere in the region do we find a commercial revolution similar to the one that US newspapers experienced, a process in which the economic bases of the press industry shifted from party coffers to the market.*" (Waisbord, 2000, p. 51)

As a result, Waisbord (2000) argues, attempting to insert liberal free-market mass media into Latin America is like "*fitting square pegs into round holes*" (p. 50). In 2014, the chair of the Yangon Media Group echoed these concerns, saying, "*Many publications find it difficult to compete amongst a limited pool of advertisers at this particular stage in the country's development"* (Ko Ko, 2014). A liberalized media market is easier for well-connected, well-heeled friends of the military to access than it is for small-scale non-profit media groups, particularly those serving rural areas. An estimated 70% of print media is published in Rangoon/Yangon, "*much of it controlled by ex-military officials or their relatives, leaving little coverage in rural areas, where most Burmese live,*" according to Ytzen (2014, p. 40). How media owned by cronies and tycoons will serve the needs of people still striving to have their most basic needs met is debatable. Meanwhile, options that could potentially be viable – such as co-operative and non-profit media – too often sit on the sidelines of media development planning.

Journalism fulfills a social mission

Thinking of Burma's media transition, I am reminded of a description of Romania's media in the immediate aftermath of the fall of Ceauşescu, described by poet Andre Codrescu (1991) as a riveting experiment in people's television. Anyone with a story to tell could enter the station and tell it live on air to a national audience.

"*A lean peasant dressed in the ethnic costume of the Maramures region sat under the tricolour, speaking…. He mentioned his friends and relatives by name and named also their children. He told the story of the 'disappeared' from his village, the theft of the young men. It was a well-documented chronicle of pain, unfolding in a rhythm akin to folk epics, hypnotic and eerily beautiful.*" (p. 109)

Concluded Codrescu: "*The immediacy was stunning. I had never seen television like this*" (p. 110). This intriguing model of grassroots television has since been well tamed by the influence of foreign media development aid, aimed at professionalizing the media and providing a 'sustainable' market model based on advertising revenues. Training courses, tours, and internships are regularly offered at CNN, BBC, and other western media headquarters (Couti, 2009). With this model comes an ideology on how media should be constructed, without thought to hearing from local people how it might be constructed differently.

Dominant mass media models of the west demand a highly detached model of journalism (or the artifice of such), an uncomfortable fit for journalism that rises from democratic struggles and that sits

firmly on the side of people who are oppressed. Burma's active, engaged journalism has served the country well for more than a century, and is essential for building trust with people at the centre of the stories. "*Although the [exiled] journalists I spoke with were in large part pleased to have access to training in journalism by [USAID-sponsored] Internews and other nongovernmental organizations, many felt that the dominant U.S. approach to 'objective' journalism do not work well given the political violence characterizing the local context*," Brooten (2006) observed in 2006. Twelve years later, the local context still includes considerable social divisions, including intercultural violence and continued armed conflict in some regions. Under such circumstances, journalism has a social role not simply to record facts, but also to advocate change and provide space for voices of victims of ongoing violence and oppression. Moreover, journalism is an important bedrock for gaining important related social rights, such as government transparency, freedom of expression, education, social justice, environmental justice, labour rights and human health, to name a few. In the case of Burma, a prescription for disembodied, disconnected journalism may undermine an alternative, more engaged model that heretofore has afforded ordinary people protection against the worst abuses of power. It lies at the heart of why villagers have taken risks to share their stories, and is a model that will doubtless continue to be needed in the years to come.

Third sector media is one of Burma's strengths

Throughout the years of the dictatorship, the most vibrant, effective media emanating from Burma arose from social movements seeking not profit, but social justice. This is the model that delivered reports and video footage from inside Burma and ethnic states during the worst years. It is the model that has a historical, indigenous tradition, dating back at least to the colonial era. It is also, as noted in a global study of community media social impacts, the model least likely to attract advertising dollars, regulatory support, donor attention and a seat at policy planning tables *(Association mondiale des radiodiffuseurs communautaires* [AMARC], 2007).

While dissident media outlets were able to survive on a combination of donations, advertising and occasional project grants during the dictatorship, they now enter a newly opened market against heavy-weight competition. "*Although most cronies grew wealthy under the military regime, they seem to be doing even better in the new open economy. Hence, they have used their insider advantage to retain control of key sectors*," explains Ditlevson (2014). Media is one of the key sectors. "*Technically there are so-called private commercial broadcasters, but they are all 'cronies,' and the way they get their licences are controversial,*" observes Khin Muang Win (2014). Print, online publishing and radio broadcasting has been liberalized, with television under negotiation. Community-based media operations are struggling to redeploy and compete in this new environment, and have specific needs that require attention. Community radio director Naw Hsa Moo (2014) describes four key barriers: difficulty accessing broadcast licences; funding constraints; under-skilled broadcasters; and challenging geographic terrain. The potential rewards for Burma's people are great, however. Radio is an affordable medium that does not require electricity or the ability to read and write, and it can easily be offered in any tongue. Community radios and other forms of grassroots community media are capable of reaching out to Burma's most marginalized citizens in their own languages. This could play an important role in creating conditions for a more peaceful, less militarized existence. In August, 2015, space was opened on the broadcast spectrum for community radios, albeit with restrictions on political reporting. To occupy this space, local groups have much work ahead laying the groundwork of organizational and financial sustainability (Wright, 2015). The same is true for other forms of community-based non-profit media. As an added complication, their daily work inside Burma is not as high-profile as work carried out in exile during dramatic events such as Cyclone Nargis and the Saffron Revolution, a situation that lends itself to declining donations, grants, and advertising.

Reconciling ethnic voices are crucial to a peaceful future

As previously stated, one of the most important roles third sector media plays is in meeting the needs of marginalized communities outside of urban centres, in particular among ethnic nationalities. Burma's fundamental conflict has been driven by the state's inability to accommodate the needs of ethnic nationalities that were drawn into the Union of Burma in 1948, and that encircled the central Burman lowlands with a far larger share of territory. Fear of non-Burman cultures led to the establishment of a dictatorship, and tipped off decades of violence and warfare between center and periphery, and between ethnic nationalities themselves as various alliances rose and fell, often egged on by superpowers jockeying for position in Southeast Asia (Yawnghwe, 1987). While ceasefire agreements have been signed in some areas, a ceasefire is not the same as a declaration of peace. As of December 2017 there were an estimated 710,000 people inside Burma displaced by various armed conflicts, with roughly equal numbers fleeing across the borders to Bangladesh, China

and Thailand (International Displacement Monitoring Centre, 2018 ; HRW, 2018). In 2018, the new civilian government seems as ill-prepared to address communal violence between Muslims and Buddhists as has been the military government. These tensions present serious challenges to Burma's future. When access to the means of communication is limited to the state or vested political interests, there can be negative, violence-inciting consequences. At the same time, 'media freedom' is open to co-optation, manipulation and abuse in an environment of communalist conflict, as seen in the role of extremist radio in the Rwandan genocide (De Forges & Annan, 2007). Community media handbooks and workshops guided by organizations such as the World Association of Community Radio and UNESCO provide models for a pluralist, as opposed to communalist, approach to ethnic media. Under such a framework, support for democratically constructed, community-based media can provide an alternative to communalism, as a meeting ground to peacefully share stories and mingle voices (Elliott, 2007). The alternative – a highly centralized mediascape in a single dominant language - does not speak to the need of people to address and debate local issues in the media, in their mother tongues, as part of a transition to a more peaceful future (Brooten, 2013).

To this end, in April 2013, ethnic media practioners gathered in Mon State for a conference titled 'Strengthening of Ethnic Voices in Democratic Media Reform,' organized by Burma News International. At the end of their meeting, participants released a statement that called on the national government to include ethnic media in press law reforms, on larger media outlets to include ethnic content in their programming, and on state governments "*to allow and assist the development of ethnic print media, radio and television.*" A follow-up conference, held in Arakan State in February 2016, revealed much work remained to be done, and that ethnic media remained in need of financial assistance, capacity building, and media production training. "*Ethnic media organizations have been serving the duty of the fourth pillar just like other mainstream media, so the conference calls for the government and respective parliaments to recognize them and give them equal rights,*" read the final conference statement. The German aid agency DW Akademie is one organization that has taken on the role of supporting ethnic community media, stating:

> "*The military government deliberately prevented the development of local media, fearing that armed groups based in the countryside might use them for propaganda purposes. In this current reform phase, however, community media could give ethnic minorities a voice and greater involvement in the political process.*" (Kohn, 2016)

Indeed, mainstream mass market media, by virtue of its structure, has limited interest in or ability to adequately serve the communications needs of remote local communities (Elliott, 2007). In this sense, the potential of ethnic media dovetails with the potential of all community media. It could be argued that the absence of adequately trained and supported community media alternatives supplied a vacuum for communalist hatred to explode unchallenged on Facebook at the start of the Rohingya crisis in 2016-2017, as tracked by digital analyst Raymond Serrato (Hogan& Safi, 2018). In April 2018, 200 ethnic media reporters again met and demanded help in "uplifting media awareness in ethnic areas and the emergence of more qualified ethnic reporters" (SixthEthnic Media Conference, 2018). Support for these journalists remains a potential bridge to peace and reconciliation.

Structural problems must be addressed

After years in exile, returnee Lian H. Sakhong (2014) found his home village in a state of deep poverty and environmental degradation. "*It seems to me that after all those years of struggle for freedom, what we gained, if anything, is incomparable to what we lost,*" he wrote (p. 221). At one time, Burma was one of Asia's wealthiest countries, a net exporter of rice and home to Southeast Asia's region's largest oilfields. Now its GDP ranks well below its neighbours (IMF, 2016). Structural issues that led to this state – in particular, a lack of consensus on the place of non-Burmans and their territories within the union – remain unresolved. Elections, now that they have resumed, follow a first-past-the-post system inherited from Britain, disenfranchising the voting power of minority groups, as opposed to proportional representation (Lidauer, 2014). Meanwhile, years of upheaval and populations have made it unclear who is a citizen and who is not. The UNHCR counts 926,000 people inside the country without citizenship; added to this are refugees and their children who were born in camps in neighbouring countries (UNHCR, 2018). Overshadowing these challenges is history of violent conflict, a militarized oligarchy, and a large standing army whose leaders view free expression as a threat to public order and national unity. The ability of journalists to survive in this environment depends to a great degree on attention given to deep structural changes to secure the safety and well-being of the majority of citizens. The newly elected parliamentarians may have been given a strong mandate for change, but the way forward is neither clear nor secure. As Voltmer (2013) observes, a transitioning government should not be

mistaken for a fully functioning democracy, or even assumed to be on that path in the long run; myriad events can lead to a quite different future. If the international community moves on to the next crisis in another part of the world, or closes its eyes to human rights abuses in the pursuit of a new market, Burma's journalists will remain in a difficult and risky state of affairs.

Conclusion

After enduring decades of extreme risk to practice their profession, new risks face Burma's journalists at the crossroads of political transition. Although onlookers might presume Burma has largely transitioned to a land of democracy and free expression, the picture on the ground is far less clear, and the continued survival of the country's most active media outlets is not assured. The Minister of Information, Pe Myint, is a writer and a former vice-chair of the BurmaPress Council, who in 2018 appointed a former Reuters correspondent as his deputy. "*As a media man, I do believe in press freedom,*" he stated shortly after his appointment, adding, "*We are still in the process of transformation and there is still much room for improvement*" (cited by Htet Naing Zaw, 2016). In the midst of this transition, it is important for media practitioners and their organizations around the globe – many of whom have benefited from footage and reports provided by ethnic and exiled media groups – to actively seek out solidarity with the country's grassroots media practitioners. Burma's journalists, though lacking resources and facing daily dangers, have far out-performed today's global media corporations at the task of relentlessly holding power to account. They have more than earned the world's recognition and support.

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Notes

1. This paper refers to Burma, as opposed to Myanmar, out of respect for ethnic/exiled groups who object to the majority ethnic overtones of 'Myanmar' and the re-naming of the country by the military junta.

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Resumo | Résumé | Abstract

Confronting Risk at the Crossroads of Media Freedom in Burma
Faire face au risque à la croisée de la liberté des médias en Birmanie
Confrontando o Risco na Encruzilhada da Liberdade de Imprensa em Burma

En. Throughout over fifty years of stringent censorship, Burma's ethnic media, exiled news agencies, citizen journalists, bloggers and even state-sanctioned periodicals revealed a surprising level of diversity and dialogue coursing beneath the surface of state control. Today, under the promise of legislative reform, this diverse media activity stands at a historical crossroads, with underground and exiled practitioners returning to above-ground production inside Burma. This article describes perceptions of risk during the years of the dictatorship from the journalists' points of view, and why they continued their work under threat of incarceration, exile, and death. The article then examines the historical context that led to journalists' prominent place in Burma's democratic struggles. Finally, it contemplates the future risks they and their work may face in the new environment, and proffers some aspects for the international community to consider. After decades of struggle, a move to civilian government has created an opening for media organizations to surface above ground and/or to return from exile. However, the position of journalism is far from secure. Journalists are still subject to arrest and harassment, and still face danger in areas where armed conflict continues and Burma Army soldiers operate far from central control. Amid an uncertain transition to civilian rule, there are no tidy endings to the story. As well, the landscape has opened up for Western powers to export their own vision of commercial/corporate media practice in the name of 'democratic development,' without regard to already-successful indigenous journalism structures and methods. Within this overall context, I will argue that without a complete grasp of the diversity and strength of existing grassroots media, there is a danger that international media development assistance may blunt the edge of a style of risk-taking journalism that unabashedly holds power to account, and that seeks social justice, not profit.

Keywords: risk, journalism, freedom of expression, Burma, Myanmar

Fr. Pendant plus de cinquante ans de censure draconienne, les médias ethniques birmans, les agences de presse en exil, les journalistes citoyens, les blogueurs et même les périodiques approuvés par l'État ont montré un niveau de diversité et de dialogue surprenant même sous le contrôle de l'État. Aujourd'hui sous la promesse d'une réforme législative, cette activité médiatique diversifiée se trouve à un carrefour historique, avec des praticiens clandestins et exilés retournant à une production sur place publique en Birmanie. Cet article décrit les perceptions du risque pendant les années de dictature du point de vue des journalistes, et pourquoi ils ont continué leur travail sous la menace d'incarcération, d'exil et de mort. L'article examine ensuite le contexte historique qui a mis les journalistes dans une place prépondérante dans les luttes démocratiques en Birmanie. Enfin, il envisage les risques futurs auxquels les journalistes et leur travail peuvent être confrontés dans ce nouvel environnement, et montre certains aspects que la communauté internationale devrait prendre en compte. Après des décennies de lutte, le passage à un gouvernement civil a créé une ouverture permettant aux organisations médiatiques de faire surface et/ou de revenir d'exil. Cependant, la position du journalisme est loin d'être sûre. Les journalistes sont toujours soumis aux arrestations et au harcèlement et sont toujours exposés au danger dans les zones où les conflits armés se poursuivent et où les soldats de l'armée birmane opèrent loin du contrôle central. Au milieu d'une transition incertaine vers un pouvoir civile, il n'y a pas de fin définie à l'histoire. De même, le paysage s'est ouvert aux puissances occidentales et à la possibilité d'exporter leur propre vision de la pratique

des médias commerciaux/corporatifs au nom du « développement démocratique », sans tenir compte des structures et des méthodes de journalisme indigènes déjà couronnées de succès. Dans ce contexte global, je soutiens que sans une compréhension complète de la diversité et de la force des médias locaux existants, l'aide internationale au développement des médias risque d'émousser la lame d'un journalisme de prise de risque qui mesure sans équivoque la responsabilité du pouvoir, et qui cherche la justice sociale, pas le profit.

Mots-clés : risque, journalisme, liberté d'expression, Birmanie, Myanmar

Pt. Apesar de quinze anos sob censura estrita, a mídia étnica, as agências de notícias produzidas a partir do exílio, os jornalistas cidadãos, os blogueiros e mesmo os veículos de mídia sancionados pelo estado em Burma têm apresentado um surpreendente grau de diversidade e diálogo, funcionado por debaixo do controle estatal. Atualmente, apesar da promessa da reforma legislativa, essa atividade midiática se encontra em uma encruzilhada histórica, onde praticantes marginais ou exilados estão retomando a produção clandestina no interior de Burma. Este artigo descreve as percepções de risco durante os anos da ditadura a partir do ponto de vista dos jornalistas. Também busca entender os motivos pelos quais eles continuam o seu trabalho mesmo sob a ameaça de prisão, exílio ou morte. Para isso, examina o contexto histórico que garantiu aos jornalistas um lugar proeminente na luta pela democracia em Burma. Finalmente, contempla os riscos futuros ao trabalho dessas pessoas face ao novo ambiente, e formula alguns aspectos a serem considerados pela comunidade internacional. Após décadas de luta, a mudança para um governo civil tem criado uma abertura para que as organizações de mídia possam retornar à superfície e/ou voltar do exílio. Contudo, o jornalismo está longe de ter uma posição segura. Os jornalistas ainda estão sujeitos à prisão e assédio. Também correm riscos em áreas em que o conflito armado continua e os soldados do Exército de Burma operam fora do controle central. Em meio a uma transição incerta rumo a um governo civil, ainda não há um final claro para essa história. Além disso, a paisagem midiática se abriu para que as potências do Oeste pudessem exportar suas próprias visões em relação à prática da mídia comercial/corporativa em nome do 'desenvolvimento democrático', mas sem considerar as estruturas e métodos já bem sucedidos do jornalismo nativo. Em meio a esse contexto geral, sustenta-se aqui que, sem uma compreensão completa da diversidade e da força demonstrada pela mídia alternativa (*grassroots*) já existente, há um risco de a assistência internacional ao desenvolvimento da mídia possa atrapalhar um tipo de jornalístico que já leva em consideração os riscos envolvidos em selutar abertamente contra os detentores de poder e que busca justiça social em vez do lucro.

Palavras-chave: risco, jornalismo, liberdade de expressão, Burma, Myanmar