DRAFT PAPER

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Title: Whose reforms? A critical analysis of the drivers of media reform processes in selected Southeast Asian countries

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Southeast Asia has seen tremendous changes since the democratisation movements in the period of 1980s to the 1990s, among them, in Thailand and Indonesia. 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. In recent years, a shift towards political openness began in Myanmar after decades of military rule. While the changes in Myanmar are at a nascent stage, the other two country countries have seen remarkable developments in the area of media development and freedoms. Yet new challenges have emerged, primarily from the commercialisation of media and political divisions in society that have pushed back some of the gains made in the last two decades. Those observing media reform initiatives in Myanmar are cautious in celebrating the changes as media and individuals continue to be targeted for their expression, even though a pro-democracy government has come into power. This research proposes to analyse the goals of the reforms among the different stakeholders in Thailand, Indonesia and Myanmar through a comparative study to identify potential similarities and differences in how different societies respond to, and shape media reforms.

Keywords: *media reforms, democratisation, Southeast Asia, independent media, press freedom*

Introduction

Media and communication scholars as well as proponents of media freedom and independence suggest that media, as an important tool for political expression, is crucial to create and sustain functioning democracies and to serve as a catalyst for human development. This is captured in the definition provided by UNESCO, a UN-led intergovernmental body with the specific mandate to promote freedom of expression:

> *"Free, independent and pluralistic media empower citizens with information that enables them to make informed choices and actively participate in democratic processes. They can help enhance transparency and accountability, by facilitating dialogue between decision-makers and the rest of society and by exposing abuse of power. They also play a crucial role in improving the public's understanding of current or emerging issues, events, priorities, and policy pronouncements and options" (UNESCO, 2008).*

The media is therefore an important sector that undergoes reforms and transformation during the political transitions experienced by countries moving away from authoritarian to democratic rule (Price et.al. 2002). Media reforms refer to responses to expressions of concentrated media power that develop in the context of ongoing struggles over the distribution of communicative resources (Freedman & Obar 2016), leading to the transformation of media policies and public's access and rights to communication channels, and to play a central role in democracy (McChesney 1998;

Waisbord 2010). They essentially involve changes and shifts in institutions, values and practices, and should focus on achieving two goals: independence and diversity (Voltmer 2013). There has been tremendous investment, either as a result of markets opening, or through the introduction of international aid and grants, into the media sector in countries undergoing transition – especially seen in the Central and Eastern European Countries in the 1990s and in Southeast Asia. Where donor funding has been significant, it tends to promote the twin objectives of supporting the media as a tool for changing society at large, and to help develop free and professional media sector (Irion & Jusic 2013). There is a need for a critical look at the ways media reforms have been influenced or adopted and how these are perceived by the local media, communities and activists (Rothman 2015). Most literature focus on the outcomes i.e. what policies/laws enacted, training institutes established and the setting up of public service broadcasting rather than the processes, thus ignoring issues of participation as well as the contesting and ever evolving expectations and goals of reforms.

In Southeast Asia, several countries have undergone democratisation and put in place freedoms of expression and of the media, such as Thailand and Indonesia, the former experiencing reversals back to authoritarian practices to varying degrees while the latter maintaining several standards of competitive and participatory democracy (Ferrara 2015; Abdulbaki 2008). Up to the early 2000s, critics were sceptical of the potential changes in Myanmar, 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 have replaced older ones, with only slight improvements for journalists and owners, while dailies have replaced weekly journals of the past. Observers still take a cautiously optimistic outlook on the changes taking place in the country and especially whether the new media landscape is sustainable or if it will 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, are 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. This research proposes to analyse the goals of the reforms among the different stakeholders in Thailand, Indonesia and Myanmar through a comparative study to identify potential similarities and differences in how different societies respond to, and shape media reforms. The paper does not discuss in detail the contested notions of democracy but takes a position that it can both provide a framework for the expression of goals and be a problematic aspiration for different stakeholders. Critiques suggest democracy needs to be seen as a gradual process rather than as an end project; or that it inaccurately treats as given the ability of all citizens to participate on equal footing (Carpentier 2011), especially when inequalities are known to have been deepened as market-based economies develop. Feminist scholars question whether it is even an adequate political system as it continues to exclude a majority of the population in decision-making (Cornwall & Goetz 2005).

The following sections give a brief history of the transitions and media reform triggers in the three countries, and a discussion on the key issues related to reforms based on desk review and a pilot study conducted with key stakeholders.

Political landscapes

Thailand has been a constitutional monarchy since 1932. It has experimented with the democracy project for over sixty years, with at least 13 military coups interrupting civilian rule and 18 constitutional reforms (Ferrara 2015). Those studying democracy have argued that while Thailand managed some form of electoral democracy and majority rule, it has achieved less in terms of protection of minorities, equality before law and stable competitive politics. Over the years, the military coups have been accompanied by some forms of censorship or media controls. In

the 1976 coup, the press was shut down for two days, the first time for an outright ban, and came only two years after the 1974 constitution ensured freedom of information and the removal of censorship. The then National Administrative Reform Council issued Decree 42 giving a state agency officer arbitrary powers to shut down any newspapers. It stayed in force for 15 years after which the press community successfully campaigned to remove (Baker & Phongpaichit 2005). Social movements in the 1980s and 1990s pushed for the introduction of people's media rules, launching a period of free press, citizens' right to information, community and public broadcasting as well as self-regulation of the media. For a brief period, Thailand served as a model for democratisation in the region, coupled with the positive economic growth it had been experiencing. This lasted until 2006 when the popular government of Thaksin Shinawatra was removed by a coup following mass protests by pro-royalist forces and replaced with an interim government led by the Democrat Party. An elections called in 2011 brought to power again Thaksin's party, this time with his sister Yingluck Shinawatra as Prime Minister. The deeply polarized Thai society combined with the failings of the political party system and an impending transition in the royal family were the excuses needed by the military to launch another coup in May 2014 coup. Led by the military leader and now Prime Minister, Prayuth Chan-ocha, the country underwent a period of martial law and another revamp of the constitution that would shift the regulation of the media back to the state and a significant scaling back of individuals rights to expression.[2] Since the 2006 coup, the media environment has become more politicised and has lost the public trust in its role to facilitate public discussions (Rojanaphruk & Hanthamrongwit 2010).

Indonesia, once a Dutch colony, and the region's largest country in terms of size and population, is today recognised as one of the most democratic countries in Southeast Asia, after a *reformasi* movement following the Asian financial crisis in 1997 brought down President Suharto, who had been in power for 32 years. The causes of the downfall have been debated, with economists pointing to the Asian financial crisis, and political scientists attributing it to the 1994 banning of the three magazines, as well as the incident in July 1996 in which Suharto intervened in the leadership selection process of the Partai Demokrasi Indonesia (PDI) to replace Megawati Sukarnoputri with a government appointee (Sen 2002; Kingsbury 2005). The attack on the party "unleashed a public outpouring of anger and resentment at the New Order on a scale unseen since 1974" (Sen 2002:70). 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. Almost 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 concentration and large conglomerates.

Located at the eastern most part of the region is, Myanmar, a former colony of the British, which gained its independence in 1948. In 1962, after a short experience with 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 in the 1962 coup, launched by General Ne Win who remained in power until 1988, during which political activism and the media came under vicious control of the state. Internal

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[2] Southeast Asian Press Alliance. Thailand: Speech restrictions cloud constitutional reform. 2 August 2016. https://www.seapa.org/speech-restrictions-cloud-constitutional-referendum/

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. The road map was largely criticised by pro-democracy forces as being undemocratic, but in recent years, activists and media representatives say the willingness of the post-Than Shwe regime under the Union Solidarity and Development Party (USDP) to reform the media in 2011 was itself part of the long term plan of the "disciplined democracy". 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 (Pe 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 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*.

Media reform triggers

After years of controlling the media and peoples' political expression, what makes an authoritarian regime give up that power? In media studies, reforms of the media have been closely tied to regime change and political transitions, and it is not surprising that once strong 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 or a combination of both, with media nestled uncomfortably in between the two. Often, the organisations and states involved in deciding on the reforms face the challenge of prioritizing one action over the others, given the limited time, expertise and resources. In developing a model for media in transition, Rozumilowicz (2002) says there are discernible stages in which reforms – political and media – take place, each with its own sets of actions and responses. Reality is far more complex than trying to figure out which goes first when trying to change an entire political culture of a society that is fragmented and spread out across the geographical boundaries. Dismantling state monopoly of the media was a prominent issue in the 1990s reform movement in Thailand, while press freedom and people's access to information were the priorities in Indonesia. But today, the priorities can and have changed, as the there are gaps in achieving media independence and plurality and an informed citizenry. In the case of Myanmar, discussions about democracy will never be complete or be stable if they do not incorporate significant ethnic and religious views (Khin Zaw Win 2010). Likewise, the experiences of Thailand and Indonesia show that regional and sub-national issues, such as the freedom movements in Aceh, Papua and South Thailand, or the plight of refugees and migrant workers, tend not be a major part of the reform agenda. They continue to remain as a challenge or problem to be dealt with later.

Geopolitical considerations and interests in opening up markets also 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. For some, the trigger can be traced back to 2003 when there was an attempted assassination on Aung San Suu Kyi, leading the UN Security Council to consider sanctions, a decision that was vetoed by China.[3] In return, the Burmese government was expected to open up its

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[3] Interview with Thiha Saw, executive director of the Myanmar Journalists Institute and a senior editor, in Yangon on 8 February 2016.

economy and investments to the Asian giant. The regime soon became weary 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 should be studied as it was significant in pushing for a more open regime and to lower the costs of investments and business in the country.[4]

In addition to the external factors that have a lot to do with economic gains of those in power, pressures have also mounted within the country from civil society, media and the middle class. The closure of three magazines in Indonesia in 1994 provoked widespread reactions and resulted in a strong media activism. Economic challenges led to increase in prices of goods, which was a trigger for the mass protests organised by students, who also called for overall political reforms. In the aftermath of the devastating cyclone that hit Myanmar in 2007, more civil society groups emerged and began expanding the community related work and empowerment. While facing their own challenges, these groups may have introduced notions of rights and freedoms in ways that were different from the political organisations were fighting for in the 1980s and 1990s. Social movements focused on the development agenda became a strong force in Thailand in the 1970s and 1980s, many of whom joined the media movement in the call for media reforms in the 1990s (Phongpaichit & Baker 1997).

Like the literature on media movements in Latin America, political personalities and leadership and that specific moment in history when opportunity knocks, are equally crucial factors that trigger change (Waisbord & Soledad 2016). B.J Habibie and Thein Sein were both part of the authoritarian regimes that governed the two countries for decades, but together with Thailand's Anand Panyarachun, who served as Prime Minister twice between 1991 and 1992, they were seen as instrumental in putting together key legislations and policies before their departure, leaving behind a legacy as the 'reformers'. In Thailand, the enactment of the freedom of information legislation in 1997 under Anand Panyarachun was partly because of public pressure but according to an activist "the law came from Anand, his charisma, plus public support. It was top down. After the law was approved, civil society died out."[5] In Indonesia, Merlyna Lim writes:

> "Up to the point when the revolution reached its zenith in May 1998, people had focused on a common agenda, which was confronting the government. However, after the May 1998 political revolution, the society did not know what to do next." (Lim 2003:283)

The political changes in the three countries occurred largely within the established rules or frameworks of the old regime. The dominance of the military framed the transitions to a large extent. In all cases, the institutions see themselves as caretakers to ensure stability, although the power and control they yield can be considered excessive and unjustified. In Indonesia, political representation and structures remained with parties that dominated during Suharto's time continued to participate in the elections and governance (Sen 2011), while the military was not fully removed from the sphere of influence.[6] Another institution that changed little 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,

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[4] Interview with Agus Sudibyo, former press council member, Jakarta, 8 May 2016.

[5] Interview with Kulachada Chaipipat, SEAPA, Bangkok, 6 October 2015

[6] Aspinall (2010) argues that key elites, including the military, continued to have access to important resources to reduce incentives to resist and challenge the system from the outside. He adds that the patronage system was brought into the new system, which also supported the decentralisation of political and economic power to the local governments.

accountability and transparency. One example was Habibie's Minister of Information, Yunus Yosfiah, previously an army man, who was 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).[7] In Myanmar, political contest was even more narrow within the intra-elite of military, the opposition and the ethnic groups over the years (Kingsbury 2005). This explains the ways in which the regime also opened up spaces for the media. In interviews with media freedom advocates in Myanmar, some credit 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 political 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.

Pilot study

A pilot study was conducted with key stakeholders of media reforms between October 2015 and May 2016 that took place in Bangkok (Thailand), Jakarta (Indonesia), Yangon, Mandalay and Mrauk U (Myanmar). A total of 45 people were interviewed, of whom 27 were men and 18 women. A majority (26 or 57.8%) of the interviewees were journalists and editors. The others were media and other human rights activists or representatives of civil society groups (11 or 24.4%), journalism trainers (4 or 8.9%), media development (3 or 6.7%) and one media academic. The selection was based on recommendations and knowledge of their involvement or positions on media reforms and freedom, and efforts were made deliberately to seek out women respondents who were actively involved in various aspects of media movements or development. These are only preliminary inputs to the research and will be further developed. During the consultations, the stakeholders were asked to reflect and comment on six themes: goals of the reforms, role of the media, the laws in place or the legal framework, media ownership, role of civil society and the inclusion of women in the reform process.

Goals of reforms

The possibilities of competing goals are as likely as so-called shared ones. For example, in Indonesia, the participants of the *reformasi* movement had three goals – political freedom, freedom of the press and decentralization[8] and both civil society and the new political leaders were guided by those goals. Activists said the transformation from an authoritarian to a democratic media landscape was pushed by the ban of three critical magazines in 1994 – *Tempo*, *Detik* and *Editor* – as it forced journalists, artists, students and others to articulate specific demands for press freedom.

> "There was no single goal but there was a consensus that freedom of the press, access to information belonged to the public. That is because under Suharto, media was seen as a propaganda tool, content created only to build their political interest and support power. We

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[7] Statement made by Habibie's spokesperson Dewi Fortuna Anwar in an interview with Ispandriarno for this Phd thesis. When Yunus Yosfiah was named as Minister of Information, there was severe criticism from the international community given his role in the killing of five journalists in East Timor in 1975, according to the Committee to Protect Journalists (see https://cpj.org/news/1998/yosfiah.html). Yet, Angela Romano writes that once minister, he responded to journalists' questions on the incident at a human rights conference in 1998 when months before, still under the Suharto regime, such questions would not have been accepted or allowed (2003:131).

[8] Interview with Nezar Patria, a member of the Press Council and editor of the digital department of Jakarta Post, in Jakarta on 4 May 2016.

challenge this as it is elitist. Our goal at that time was also to crack down the ideology that everything is one."[9]

In Thailand, the first wave of reforms in the 1990s focused on the issue of media ownership (Ramasoota 2013), but the visions were different among the stakeholders. Brooten & Supinya (2009) noted that the non-governmental organisations lobbying for the inclusion of people's media rights in the new law promoted the discourse of 'people's rights', while the businesses were using the discourse of 'the free market', and the government pushed for a discourse combining centralized control and capitalism under the notion of 'national security.' People's groups and communities took to the notion of a people's media, which was put forward by academics and civil society, following the 1992 Black May incident. This resulted in the drafting of the 1997 Constitution (widely called the People's Constitution) that had strong 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 in the subsequent years that also became cause of conflicts under the present military rule. Activists and journalists noted that in the previous waves of reform movements in Thailand, the public supported reform for media freedom but at present, people supported the call to regulate and control the media. The class divisions have also influenced the ways in which the media have responded to the political situations.

"The sentiment is that people prefer peace rather than democracy. For almost two decades of reforms, we have had pluralism and public media. The attitude now is democracy can wait; we want peace, security."[10]

"Media is middle class, so seem more to be anti-democracy. There's a comfort zone, so even if you have problems, you are still protected. It is related to class, Bangkok-centric."[11]

An investigative journalist in Myanmar said for him, media reform represented six central areas of improvements: capacity building of journalists, sustainability of the media outlets, an enabling legal environment, safety of journalists, use of technology for communication and media literacy.[12] Others say they prioritised empowerment of the media and journalists as part of the changes while journalists in Mandalay, the second largest city in the country, said reform to them meant having a safe working environment, better salary and welfare for journalists, a level playing field for private and state media, the closure of the Ministry of Information, the freedom to access and interviews public officials and reporting without censorship.[13]

Media role

The stakeholders interviewed agreed that having a free media was crucial for democracy building and to encourage public participation in the political process. Reforms would allow the media to work freely and safely and ensure citizens access to information. However, all countries grapple with the issue of who is a journalist, whether in the form of of dissident/exile/activist media in the transition and post-transition phases or whether online reporters and citizen journalists are "authentic" journalists. The political divisions in Thailand also brought to the fore discussions about

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[9] Interview with Eko Maryadi, former president of the Aliansi Jurnalis Independen (AJI) in Jakarta on 8 May 2016. He explains that during Suharto's time, the policy was to allow one one association to represent each group or community; for example, the Persatuan Wartawan Indonesia (PWI) was the only recognised body representing journalists. The establishment of AJI in 1994 was to challenge this restriction and create diversity in the movement.
[10] Chaipipat, *ibid*
[11] Interview with Chiranuch Premchaiporn, Prachatai director on 7 October 2015 in Bangkok.
[12] Interview with Nyan Lynn of *Mawkun* magazine on 12 December 2015 in Yangon.
[13] Interview with seven journalists and editors from different news outlets in Mandalay on 11 February 2016.

partisan media[14] and that not all media or journalists are always in favour or work towards democratisation. Literature on transition note that media tends to plays a role in the breakdown on authoritarian regimes, but that this function reduces or occurs less so during the "consolidation" phase (Voltmer 2013; McCargo 2003). News organisations themselves are not democratic or promote democracy (Schudson 2011) as can be seen in the slant and agenda taken by some of the journalists in the coverage of the conflict and riots in Rakhine state (Myanmar)[15], in their treatment of Muslim minorities in Indonesia[16] or in the ongoing political divide in Thailand.[17] With the advent of ICT and citizens' media, a relevant question to be asked is if political communication that go through only the journalistic filters are good enough for democracy (Blumler & Coleman 2015). In all three contexts, digital technologies and their impact on media and citizen's access to information were viewed as both opportunities and threats. Hate speech over Facebook in Myanmar and the influence of Twitter in politics and public participation in Indonesia and Thailand were cited as examples of potential negatives in the use of technology. The reforms in Indonesia that began in 1999 did not fully anticipate the impact that information technology would have on news, entertainment and political communication, but today, it is the most influential platform for personal and political use.[18] It is useful to inquire further how the use of social media in disseminating information and shaping opinions can be integrated into the wider reform agenda.

Legal framework

There were mixed responses and levels of confidence about the ability of the legal framework to provide the protections or guarantees for freedom of expression and media freedom. Responses seem to support findings from other transitional societies that regulations and policies on public service in particular, are often abused by or benefit old power holders, or new ones that want to entrench their position (Milton 2001; Peruško 2013). While there are standards regarding the enabling legal environment for media to operate freely and for individuals to exercise their rights to freedom of expression, there is no evidence linking the enactment of media laws to improved situations. Indonesia adopted a Press Law in 1999, which aimed at ensuring the removal of any forms of censorship and control of the media, but other laws that have come in place since then have introduced new threats to the work of journalists. Among them at the State Intelligence Law, Electronic Information and Transactions Law, and the Pornography Law, and criminal defamation continues to be in the books. Upon reflection, some have noted that the 1999 law was only a medium-term goal, as the ultimate aim should be to have no media laws and for the constitution to prevent any laws that would censor or control the media and where journalists do not go to prison for their work (Ispandriarno 2008).[19] The News Media Law and Printers and Publishers Enterprises Law, passed in 2014 in Myanmar, replaced the draconian 1962 Printers and Publishers Registration Law, but journalists say there is inadequate protections in terms of physical safety and access to public information.[20] Models of self-regulation have offered mixed results; both Indonesia and Myanmar opted to legislate the creation and functioning of independent bodies like the press council (Indonesia) or the news media council (Myanmar) and the broadcasting commission.

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[14] Chaipipat, *ibid*.

[15] Regional media freedom organisation, the Southeast Asian Press Alliance (SEAPA) issued a letter to the then Myanmar President Thein Sein on 8 November 2012, calling for more media freedom to combat racism in some of the mainstream media and the statements of senior government officials. https://www.seapa.org/burma-free-press-needed-to-properly-address-rakhine-conflict-open-letter/

[16] Jakarta Post. *Indonesian journalists support Islamic fundamentalism: Survey*. 25 August 2011. http://www.thejakartapost.com/news/2011/08/25/indonesian-journalists-support-islamic-fundamentalism-survey.html

[17] Corporal, Lynette L. Thailand: Media Caught in Red-or-Yellow Divide Too. *Inter Press Service News Agency*. 11 March 2010. http://www.ipsnews.net/2010/03/thailand-media-caught-in-red-or-yellow-divide-too/

[18] Interview with Irawan Saptono of Institut Studi Arus Informasi (ISAI), 8 May 2016.

[19] This was shared by Iskandar Siahaan, a journalist and the head of the Research and Development Department of SCTV on 31 January 2005, in an interview with Ispandriarno for his Phd thesis.

[20] Interview with Burma News International director Nan Paw Gay on 16 February 2016

Thailand adopted the voluntary model for the print media, while a National Broadcasting and Telecommunications Commission only came about in 2011 and has since been superseded by the military junta in its coup in May 2014. Stakeholders interviewed said while the Indonesian Press Council was regarded positively, it continued to face challenges from the enforcement agencies that do not fall back on the Press Law when dealing with complaints related to the media.[21] The National Press Council of Thailand (NPCT), which was formed in 1997 when it was active in the media reform process, has had a challenging experience as news outlets that have disagreed with its decisions choosing to leave the body.[22] The media council in Myanmar is in its infancy but it has had to mediate complaints largely coming from government officials. Journalism trainer and activist Myint Kyaw said the laws introduced were generally better than the old ones but they retained provisions of criminal defamation and they did not replace the Penal Code, which was still used against the media and journalist.[23] Women journalists and activists interviewed in Myanmar said in interviews that the laws enacted were not enforced on the ground and had not taken into account the kinds of threats they faced in their work, especially in areas where conflicts are ongoing. There are also conflicting views of the models for the broadcasting sector, with the state and international media development pushing for the transformation of state broadcasters into public service broadcasting while the media community is calling for the abolition of the state-run stations.[24]

Media ownership

Ownership of the media continues to be a major concern in Indonesia (Lim 2012; Nugroho et.al. 2012). The 2014 Presidential elections particularly highlighted the extent of the political-business relationship and its impact on electoral decision-making (Tapsell 2015). In Myanmar, the media community fears that that military cronies will end up owning media or media related businesses. After the opening up in 2013, several media owners in Myanmar published dailies but these soon folded due to lack of finances, some forcing the owners to partner with known business owners close to the military; among them are publications like *7 Day Journal*, *The Messenger Journal* and *Hot News Journals*; television station MRTV4 and satellite service provider SkyNet (Brooten 2016). The editor of a publication in the state of Kachin said she feared that once the new law on broadcasting was passed, it would not only hurt those in the print, and that the broadcasting licenses would be given to the cronies of the military regime.[25] The obvious lack of economic opportunities in Myanmar for small publishers or media owners will impact on their ability to sustain themselves and as Hallin & Mancini (2004) and Voltmer (2013) have written, may set the course of reforms backwards. Journalists in Indonesia say the main challenge for their work is from the industry itself and with the oligopoly in ownership of broadcasting stations, some newsrooms have been biased in their coverage.[26] Senior journalist and member of the press council, Nezar Patria said the issues now in Indonesia are the role of conglomerates and tycoons who capture the space for press freedom and the market. The initial interviews echo findings that issues of regionalism and ethnic differences influence the way access to and ownership of the media are viewed in both Myanmar and Indonesia (Ida 2011; Hill 2011; Tapsell 2015). An editor of an ethnic language publication from Karen state in Burma said the media reforms was centralized and did not adequately reflect the views or position of those in the states.[27]

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[21] Interview with Asep Komarudin, LBH Pers in Jakarta on 4 May 2016.
[22] In July 2016, Thai language newspaper *Naewna* withdrew from the NPCT, citing its biased positions when it came to enforcing ethical standards. See Thai PBS online article: "Naewna pulls out of press council". 21 July 2016. http://englishnews.thaipbs.or.th/173270-2/
[23] Interview with Myint Kyaw, Myanmar Journalists Network (MJN) on 14 February 2016.
[24] Interview with Toe Zaw Latt, Democratic Voice of Burma, in Yangon on 9 February 2016
[25] Interview with Seng Mai, chief editor of *Myitkina News Journal* on 16 February.
[26] Interview with Arfi Bambani, Aliansi Jurnalis Independen secretary-general on 4 May 2016 and Eni Mulia of the Perhimpunan Pengembangan Media Nusantara on 3 May.
[27] Nan Paw Gay, *ibid*.

Civil society role in media reform

In the 1997 and 2007 processes in Thailand, there was unity among media publishers and the involvement of the academe, grassroots organisations and non-media groups made the media movement strong.[28] Also significant is the existence of media watch or monitoring groups during and since the reforms, a trend similar in Indonesia, which could reflect the improved levels of media literacy and expectations of the public for the media to serve their interests in a democracy. Ramasoota (2013) notes that media monitoring groups watching the media were initiated given the influence and power of the media, and that if the media were weak or unethical, it would affect public discourse and policy making. To date, she says there are more than 10 media watch groups, mostly online, and individuals who use social media like Facebook, as a "collective network trying to make changes."[29] Nevertheless, they face resource challenge, like many civil society groups, and this could hamper their capability to continue monitoring the media. In a case study of three radio stations in Indonesia that broadcast content or discussion about media coverage and ethics after the media had gained its freedom, Jurriens (2011) discusses the potential of the journalists and the public to monitor and scrutinize the media to the extent that it can create a public sphere for policy dialogue. The press freedom movement in Indonesia had the support of wider civil society and community participation was particularly obvious in relation to the broadcasting sector to set up community radio and to legislate the right to information (Birowo, 2011). While the Indonesian experience has seen more collaboration and networking during the *reformasi* days, stakeholders note that the popularity of social media has shifted the idea of public space and spheres online so organised groups are becoming less relevant. In Myanmar, some interviewees said the level of distrust between the civil society and media remained as a problem and it posed challenges for the media community to have a wider base of support. Yet, others say the 2007 Cyclone Nargis, which led to the growth of the civil society movement, was one of the turning points that prompted more interaction between the government and the media as well as citizen journalism in the country.[30] In 2015, alliances of civil society groups and the media were beginning to emerge, for example on the legislation of right to information while civil society projects also include monitoring media content particularly on the issue of hate speech.[31]

Women and media reforms

Question were asked about the presence of women in the discussions over media reforms, and the selection of stakeholders also took into account the need for diversity in background and perspectives. Women academics and activists were among those who were involved in public campaigns regarding the need for community media in Thailand such as Ubonrat Siriyuvasak, Uajit Virojtrairatt, Supinya Klangnarong and Sanitsuda Ekachai,[32] and senior journalists were involved in the independent journalists' movement in Indonesia against the Suharto regime in the mid 1990s, apart from the other well known reformers.[33] Yet, journalists in the two countries lament that there has not been much improvement in areas such as coverage of women and marginalised communities or the continued inequalities between men and women in the media workforce. Those interviewed in Indonesia and Myanmar said the laws were not gender sensitive as they excluded

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[28] Chaipipat, *ibid.*

[29] Interview with Pirongrong Ramasoota on 7 October 2015.

[30] Interview with Zaw Oo, director of Myanmar Knowledge Society on 9 February 2016.

[31] Baker, N. "How social media became Myanmar's hate speech megaphone" in *Myanmar Times*. (5 August 2016). Accessible here: http://www.mmtimes.com/index.php/national-news/21787-how-social-media-became-myanmar-s-hate-speech-megaphone.html

[32] In discussing civil society movement in media reforms in Thailand, Greg Lewis (2006) highlights individual reformers from the media, politicians and academics, though not specifically focused on their gender and how it factored in the reform process.

[33] Women journalists were among the 58 signatories of the "Deklarasi Sirnagalih" on press freedom and the initiators of the Aliansi Jurnalis Independen in August 1994 (AJI,2014)

protection for women and sexual minorities. As a recent example of political change, gender and the role of women in Myanmar's transition can be said to be tied to donor requirements but few organisations (international and local) actually take it seriously. According to one NGO representative, gender is a 'hot word' but little is reflected in the actual work, for example, in the journalism training curriculum, or gender perspectives in safety training for journalists and in terms of participation of women in discussions or conference panels.[34]

Conclusion

This paper has discussed the media reform initiatives in three countries – Thailand, Indonesia and Myanmar – by focusing on the goals of media reforms and how it played out in various aspects, such as the legal framework, media ownership and the role of civil society. From the initial study, it could be concluded that stakeholders have different expectations of media reforms and whether these have the potential to support greater public participation in decision making. Societies have also shifted their expectations of the media against the backdrop of the political changes, but it remains to be seen how far these will impact upon the independence and diversity of media in the respective countries. The triggers for media reforms are usually a combination of factors but it could be said that personalities led top-down processes for the changes in the three countries. As such, it is expected that reform measures will not benefit the wider citizenry, who may continue to be isolated from the reform processes. As this is an ongoing research, I expect to investigate these questions further, including the extent to which gendered reforms can have a place in the wider context of social and political change in Southeast Asia.

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[34] Interview with Yin Yadanar of Article 19 Myanmar on 10 February.

References

Abdulbaki, L. (2008). Media Reform: Democratizing the media, democratizing the state. *Asian Journal of Political Science*, 16(2), 151–172. http://doi.org/10.1080/02185370802204099

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

Abud, M. (2012). *Indonesia: New Digital Nation?* Internews Center for Innovation & Learning.

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

Baker, C. & Phongpaichit, P. (2005). *A History of Thailand*. Cambridge University Press.

Blumler, J. and Coleman, S. (2015). Democracy and the Media – Revisited. *Javnost – The Public*, 22(2), 111-128.

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. http://doi.org/10.1386/macp.5.1-2.103_1

Carpentier, N. (2011). The concept of participation. If they have access and interact, do they really participate?. *CM Communication Management Quarterly*, 6(21), 13-36.

Cornwall, A., & Goetz, A. M. (2005). Democratizing democracy: Feminist perspectives. *Democratization*, *12*(5), 783–800. http://doi.org/10.1080/13510340500322181

Curran, J. (2007). Reinterpreting the democratic roles of the media. *Brazilian Journalism Research*, *3*(1), 31–54.

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

Freedman, D. & Obar, J. (2016). Media Reform: An Overview. In D. Freedman, J. Obar, C. Martens, & R. W. McChesney. *Strategies for Media Reform International Perspectives*. Fordham University Press.

Foster, M. (2013). *The Business of Media in Myanmar*. Internews.

Hallin, D. C., & Mancini, P. (2004). Comparing Media Systems: Three Models of Media and Politics, 360. http://doi.org/10.1111/j.1478-5153.2011.00450_6.x

Hill, D. (2011). On the border: Local media in the land of Papua in Sen, K. and Hill, D. (eds). *Politics and the Media in Twenty-First Century Indonesia: Decade of Democracy*. Routledge. pp. 26-48.

Ida, R. (2011). Reorganisation of media power in post-authoritarian Indonesia: Ownership, power and influence of local media entrepreneurs in Sen, K. and Hill, D. (eds). *Politics and the Media in Twenty-First Century Indonesia: Decade of Democracy*. Routledge. pp. 13-25.

Irion, K. & Jusic, T. (2013). *International Assistance and Media Democratization in the Western Balkans: A Cross-National Comparison*. Sarajevo: Analitika Center for Social Research.

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)*. A Dissertation presented to the Institute of Media and Communication Science, Faculty of Mathematics and Natural Science, Technical University of Ilmenau, in Partial Fulfillment of the Requirement for the Degree of Doctor of Philosophy.

Khin Zaw Win. (2010). 2010 and the Unfinished Task of Nation-Building. In N. Cheesman, M. Skidmore & T. Wilson. (Eds). *Ruling Myanmar: From Cyclone Nargis to National Elections*. (pp.19-31). Singapore: Institute of Southeast Asian Studies.

Kingsbury, D. (2005). *South-East Asia: a political profile*. Australia: Oxford University Press. 2nd Edition.

Jurriens, E. (2011). 'Radio Active': The creation of media-literate audiences in post-Suharto Indonesia in K. Sen. and D. Hill. (Eds). *Politics and the Media in Twenty-First Century Indonesia: Decade of Democracy* (pp. 141-158). Routledge.

Lewis, G. (2006). *Virtual Thailand: The Media and Cultural Politics in Thailand, Malaysia and Singapore*. Routledge.

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). Lanham: Rowman and Littlefield.

Lim, M. (2012). *The League of Thirteen: Media Concentration in Indonesia. Research Report.* Tempe, AZ: Participatory Media Lab & Ford Foundation. Retrieved from http://www.public.asu.edu/~mlim4/files/Lim_IndoMediaOwnership_2012.pdf

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). Retrieved from http://new.bostonreview.net/BR23.3/contents.html

Milton, A. K. (2001). Bound but not Gagged: Media Reform in Democratic Transitions. *Comparative Political Studies*, *34*(5), 493–526. http://doi.org/10.1177/0010414001034005002

Nugroho, Y., Putri, D. & Laksmi, S. (2012). *Mapping the landscape of the media industry in contemporary Indonesia*. Jakarta: Centre for Innovation Policy and Governance.

Pe Myint. (2012). The Emergence of Myanmar Weekly News Journals and their development in recent years. In N. Cheeman, M. Skidmore & T. Wilson. *Myanmar's Transition: Openings, Obstacles and Opportunities* (pp. 204-213). Singapore: ISEAS-Yusof Ishak Institute.

PEN America Centre. (2015). *Unfinished Freedom: A blueprint for the future of free expression in Myanmar*. Retrieved from http://www.pen.org/myanmar

Peruško, Z. (2013). What Went Wrong With Media Reforms In Post-Socialist Europe. *Media Watch*. Retrieved from http://bib.irb.hr/prikazi-rad?rad=658264

Phongpaichit, P. and Baker, C. (1997). Power in transition: Thailand in the 1990s. In K. Hewison. (Ed.) *Political Change in Thailand: Democracy and Participation* (pp.21-41). Routledge.

Pongsudhirak, T. (1997). Thailand's media: Whose watchdog? In Hewison, K. (ed). *Political Change in Thailand: Democracy and Participation* (pp.217-232). Routledge.

Price, M., Rozumilowicz, B., & Verhulst, S. (Eds.). (2002). *Media Reform: Democratizing the Media, Democratizing the State*. Routledge.

Ramasoota, P. (2013). *Community Radio in Thailand: from Media Reform to an Enabling Regulatory Framework*. Heinrich Boll Stiftung.

Rogers, B. (2012). *Burma: A Nation at the Crossroads*. Rider.

Rojanaphruk, P. and Hanthamrongwit, J. (2010). Distorted Mirror and Lamp: The Politicization of the Thai Media in the post-Thaksin Era. In Askew, M. (Ed). *Legitimacy Crisis in Thailand*. (pp. 161-196). Bangkok: King Prajadhipok's Institute.

Romano, A. (2003). *Politics and the Press in Indonesia: Understanding an evolving political culture*. Routledge.

Rothman, P. (2010). *The Politics of Media Development: The Importance of Engaging Government and Civil Society*. Center for International Media Assistance, National Endowment for Democracy.

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.

Schudson, M. (2011). *The sociology of news*. W.W Norton.

Segura, M. & Waisbord, S. (2016). *Media Movements: Civil society and media policy reform in Latin America*. London: Zed Books.

Sen, K. (2002). Indonesia: Media and the end of authoritarian rule. In M. Price, B. Rozumilowicz, & S. Verhulst (Eds.), *Media Reform: Democratizing the media, democratizing the state* (pp. 69-88). Routledge.

Sen, K. (2011). Re-forming media in Indonesia's transition to democracy. In K. Sen & D. Hill

(Eds.), *Politics and the media in twenty-first century Indonesia: Decade of Democracy* (pp. 1–10). Routledge.

Sen, K. & Hill, D. (Eds.), *Politics and the media in twenty-first century Indonesia: Decade of Democracy*. Routledge.

Siriyuvasak, U. (2005). People's media and communication rights in Indonesia and the Philippines. *Inter-Asia Cultural Studies*, *6*(2), 245–263. http://doi.org/10.1080/14649370500104711

Tapsell, R. (2015). Indonesia's Media Oligarchy and the "Jokowi Phenomenon." *Indonesia*. Southeast Asia Program Publications at Cornell University. Retrieved from https://www.academia.edu/16345511/indonesias_media_oligarchy_and_the_Jokowi_phenomenon

Unesco. (2008). Media Development Indicators : A framework for assessing media development.

Voltmer, K. (2013). *The media in transitional democracies*. Polity Press.

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.

Waisbord, S. (2016). The 'Post-state' Argument and Its Problems: Lessons from Media Policy Reforms in Latin America. In T. Flew, P. Iosifidis & J. Steemers. (Eds). *Global Media and National Policies: The Return of the State* (pp. 32-48). Palgrave MacMillan.