



## Space for Academic Freedom in Myanmar before and after the 2021 Military Coup

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### ABSTRACT

Academic freedom is particularly vulnerable during times of war. Since the start of the resistance war in Myanmar in 2021, the military has been repressing civil liberties and state surveillance has become entrenched in every aspect of people's lives. Although the military has often faced defeat on the battleground, there is a strong resilience in ideological control, especially within the university. This paper assesses factors limiting academic freedom in Myanmar by analyzing forms of coercion and consent prevailing in the education bureaucracy under the lens of Gramscian State Theory. Following its crackdown on the Civil Disobedience Movement of lecturers and university students, the State Administrative Council is bolstering its ideological influence by utilizing staff training and legal modifications as tools for the state's transmission of ideology. Universities must conform to the state's ideology and fulfill the legal, procedural, and institutional obligations of the ideological state apparatus. This paper employs document analysis, participant observation, and qualitative interviews to identify the constraint factors that hinder academics from exercising their rights in knowledge production while exposing them to legal and structural violations of their civil and political rights. It argues that the Civil Services Personnel Law and associated institutional culture deepen the deprivation of academic freedom. It also suggests that new educational institutions evolving out of resistance need not repeat the history of coercion,

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while there is a need to heal the damage done to the higher education system by successive military governments that suppressed political consciousness on campus.

### **Rationale for studying the state of academic freedom in the post-coup Myanmar**

In Myanmar, other areas of human rights are far better documented than academic freedom. One reason is the historical enforcement of overt censorship as well as self-censorship in the academic arena. Since the beginning of the rule of the Revolutionary Council in 1962, the concept of academic freedom has appeared taboo in Myanmar universities. The recent awakening right after the political opening in 2011 did not cure all the damage previously caused by prolonged indoctrination by the state. Many studies have pointed out that a lack of academic freedom in the past several decades has had a long-lasting impact on the standards of Myanmar universities and their quality of research and teaching (Htun, 2020; Win, 2015; Goodman et al., 2013). During the reform decade (2011-2020), teaching staff and students were able to push the limits of academic freedom only in places where faculties had strong leadership and an appreciation of the value of enlightenment in academia<sup>2</sup>. Under these circumstances, the decision-making of faculties in teaching, conducting research, and organizing extracurricular activities has been undoubtedly shadowed by academicians' loyalty to the authoritarian state rather than to the international principles by which a university should run.

According to the definition of academic freedom by the Committee on Economic, Social, and Cultural Rights, "Members of the academic community, individually or collectively, are free to pursue, develop, and transmit knowledge and ideas through research, teaching, study, discussion, documentation, production, creation, or writing." It also emphasizes the liberty of individuals to "express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the state or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction" (CESCR, 2004). In 2023, a report by the Academic Freedom Index (AFI) ranked Myanmar as one of the bottom 10 percent of countries, making it one of the worst examples, comparable to other authoritarian states, including North Korea, Syria, Bahrain, South Sudan, Saudi Arabia, and China. According to the AFI (Spannagel & Kinzelbach, 2022), Myanmar universities suffer from severe violations of academic freedom compared to other Southeast Asian countries. From this measurement, one

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<sup>2</sup> An interview with a professor who participated in CDM and left the job on 23 June 2022.

can judge Myanmar's status as lacking freedom in five indicative areas: (1) freedom in research and teaching, (2) freedom of academic exchange and dissemination, (3) institutional autonomy, (4) campus integrity, and (5) freedom of academic and cultural expression. Even worse, Myanmar is a society that ended hyper-authoritarian censorship only ten years ago (Fuller, 2012), and there was not a strong tradition of academics participating in the public sphere. The invisible wall between academics and the media has been reinforced under successive military governments, which also hurts academic freedom, as there were times when academics were explicitly forbidden from engaging with or citing news from independent media<sup>3</sup>. In stark contrast to many of their Southeast Asian counterparts, academics in Myanmar were largely prevented from serving as commentators on their field in the media. This situation is still predominant at the time of writing in 2023, when the Freedom House Index ranked Myanmar in the "not free" category with a Global Freedom Score of 9 out of 100 and an Internet Freedom Score of 12 out of 100, while the State Administrative Council (SAC) has employed various kinds of repression to curb citizens' freedom of expression as an integral part of a military strategy to crack down on the resistance and stabilize their assumed supremacy. Again, Reporters Sans Frontières (RSF) ranked Myanmar among the lowest in terms of press freedom at 176 out of 180 in its 2022 Index. Constraints on freedom in research and training stem from the absence of trust by the ruling military class in the Western tradition of the Magna Charter Universitatum<sup>4</sup>, which prescribes a university as an ideal meeting ground for teachers capable of imparting their knowledge and using research and innovation to empower students by enriching their minds with the responsible production of knowledge. In many authoritarian states like Myanmar, the limits of academic freedom are determined by the degree of dictatorship, the balance of power, the manner of law enforcement, and judicial practices (Suwanwela, 2006, p. 4).

The coup has, in many ways, dismantled the results of ten years of university reform (2011-2021) and silenced discussions about defending academic freedom. Instead, the SAC demands that academics educate youths to be obedient. On World Teachers' Day in October 2024, the Chairman of the SAC, Senior General Min Aung Hlaing, stated that teachers must work for a peaceful society, stressing that "education is the birthplace of national moral standards" (GNLM, 2024a). As obedience plays a critical role in consolidating military might, the SAC is trying to ensure academics' compliance by imposing various types of punishment against scholar activists by firing them from their jobs, imprisoning them, physically harassing them, and banning

<sup>3</sup> Interview on 21 March 2023 with a lecturer who studied at Yangon University for her MA and PhD in the mid -2000s.

<sup>4</sup> The Magna Charta Universitatum is a declaration that outlines the fundamental principles of academic freedom and institutional autonomy. It was signed by 388 rectors and heads of universities from all over Europe on 18 September 1988. It was first introduced in commemoration of the 900th anniversary of the University of Bologna, the world's oldest university.

them from traveling abroad, and forcing the rest to bow to a central authority imposed by an expanded bureaucracy. While the SAC is attempting to limit dissent, there are also resistance forces from universities nationwide striving to create autonomous education centers.

This paper tries to fill the gap in the literature in understanding how an authoritarian state systematically establishes entrenching restrictions on university administration, teaching, research, and public discourse through legal mechanisms and ideological enforcement disguised as civil servant training. It plans to investigate how the state's existing censorship and propaganda policies imply knowledge production and engagement of academics with a broader spectrum of society. While the investigation will focus on the post-coup situation, it will be inherently a comparative study between pre- and post-coup situations on the campus.

## **Research Method**

This qualitative study inquires about the lived experiences of Myanmar academics and students through semi-structured interviews. Five categories of informants were approached to reflect on social relations at a time when political changes were happening in the post-coup setting. To ensure representation from a variety of key actors, five distinct social groups were selected: (1) researchers and donor institutions involved in building the capacity of Myanmar's academics and students, (2) CDM lecturers, (3) non-CDM lecturers, (4) CDM students, and (5) non-CDM students. Members of student unions and teacher unions participated alongside the students and lecturers. In total, 20 in-depth interviews were conducted. Three CDM members interviewed had been forced to flee the country, while the other two are still living within it in hiding out of fear of arrest by the SAC. Some of the students I interviewed returned to the university after two years of staying outside the campus in solidarity with the resistance movement, while many continued their education in foreign countries. Three CDM participants, forced to flee the country for their safety due to the SAC's crackdown on the movement, were in foreign countries at the time of the interview. To uphold the ethical standards of the research, the safety of the participants must be ensured by maintaining anonymity, thereby reducing the risks of stigma and legal consequences. Interviews were carried out in the context of the anti-coup movement, and emerging conflict situations also shaped the changing role of mainstream universities in Myanmar society when they reopened in November 2022.

Prior to the interviews, historical-archival research was conducted to trace the chronological changes in the state of academic freedom in Myanmar and limiting factors during the decades in which pre-publication censorship was the cornerstone of the regime's legitimacy.

Newspapers, government and NGO reports, internet materials, and video recordings—past and present—are extensively surveyed. Mapping Myanmar-oriented and international academic literature on the themes of academic freedom, higher education reform, and Myanmar's democratic transition, as well as social movements against such conservative establishments, guided the development of interview questions. Moreover, to some extent, a participant observation approach was taken in the early days of the anti-coup protests in Yangon, observing the activities of teachers' unions and their interactions with the authorities. Collective movements for greater freedom in academic circles were also observed in pre- and post-coup settings.

### **Academic freedom in an authoritarian context**

A university's core function is to fulfill a nation's needs, mainly by empowering its human resources, cultivating informed citizenship, and producing knowledge (Butler, 2017; Pee & Vululleh, 2020). Even Habermas points out the functionalist role of the university, which is expected to perform knowledge production and equip graduates with essential skills suitable for the ever-changing industrial economy starting in the 20th century (Habermas & Blazek, 1987). In addition, it can also create space for the reorganization of power relations by healing existing social inequalities and expanding global connectivity (Higgs, 2002; Reddy, 1992, p. 19). However, in an authoritarian context, who determines the needs of society is a key concern. Besides their role in economic growth, universities in the so-called Third World countries often appear as an engine transmitting the dominant ideologies of the ruling elites through teaching and research.

A closer examination of the role of universities in producing and reproducing public consent originates from the concept of "hegemony," as discussed in Antonio Gramsci's "Prison Notes." Gramsci explored how the ruling class maintains their power through consent and coercion. Althusser's emphasis on the role of ideological apparatus in consent-making underscores the Gramscian conception of hegemony in the context of Myanmar university history. In addition, to control over a government apparatus, including an army, a police force, an intelligence operation under the Ministry of Home Affairs, prisons, and non-independent courts. Althusser argues that several social and cultural institutions like museums, churches, and universities also play an important role in sustaining the hegemony of the ruling elites.

Shaping society's cultural and ideological framework is a crucial function of the military state in Myanmar. Gramsci and Althusser consider educational institutions important places that can produce hegemonic ideological production and reproduction to dominate "various strata of society to accept the status quo" (Holub, 1992, p. 5). Such a reproduction of this voluntary

acceptance aligns with the ruling class's interests and serves the core function of preserving the ruling class's legitimacy. The diffusion of ideas in an authoritarian society is always involved in the construction of hegemony for one class over another, creating an order in which a certain way of life and thought is dominant (Jacomini, 2020; Williams, 1960, p. 587).

This paper discusses how national education institutions and bureaucracies shape universities to play a role in the diffusion of a shared understanding that legitimizes the dominant social and economic order designed by successive military regimes. "Education is neither neutral nor impartial," according to Ruuska (2023). After the coup, education became increasingly politicized as the SAC denounced those who left their teaching positions and student lives in protest against the coup. Meanwhile, the political forces supporting the National Unity Government accused those who remained on the campus of collaborating with the SAC (Soe, 2023). In Myanmar, the university has remained an element of the ideological state apparatus (Ruuska, 2023), as educational institutions are historically designed to comply fully with the state's directives. While the universities under the Ministry of Education Myanmar serve as centers for deep-rooted indoctrination, representing the ideology of successive military regimes since the coup of 1962, some of the new higher education institutions in ethnic areas also tend to amplify exclusive nationalism<sup>5</sup>. Strengthening educational institutions in the SAC-controlled and liberated areas has been important for political leaders' legitimacy. Given the intensity of the war, the SAC has more resources to maintain more forceful and coercive ideological measures. Universities under the control of the SAC can still be considered "internal auxiliary agents of the state," "reproducing and legitimizing state functions and behaviors" (Udas & Stagg, 2019, p. 66), and opposing the present resistance and maintaining silence on atrocities committed by the coercive state apparatus. Gramsci argues that coercion often accompanies consent-making: the apparatus of coercive state power, which legally enforces discipline on those groups who do not consent actively or passively. Under these circumstances, university staff may often find themselves subject to the military regime's societal process of ideological subordination (Gramsci, 2011), even if they might not subscribe to the regime's ways of coercion and consent-making.

### **History of restrictions on academics in Myanmar's authoritarian past**

For many decades, institutional autonomy has not existed in the Myanmar education system, and it is not surprising that a university without an adequate level of academic freedom

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<sup>5</sup> Personal communication with a researcher and practitioner in the area of higher education in Myanmar on 25 October 2024.

cannot decide how students should obtain knowledge and how the university should be protected from the ideological influence of rulers or partisan political forces (Shils, 1995).

The first higher education institution in Myanmar, Yangon University, functioned with a certain degree of autonomy (Lall, 2021), but its role in society was confined to providing education to the children of the elite and a seat of conformity with the rule of the British Empire. The first union of academics came to life at the University of Rangoon in 1947-1948, when a newly independent Burma was born. In those days, the University Teachers' Association (UTA) aimed to achieve four objectives: (1) to improve the capacity of academic staff and their social welfare, (2) to safeguard the labor rights of the academic staff (both teaching and non-teaching), (3) to upgrade Burma's education system, and (4) to maintain a smooth relationship between students and academic staff. Holding seminars for knowledge production was an everyday activity of the UTA, while it also highlighted the importance of research in learning and national development (Hla, 2014).

In the first ten years after gaining independence, the country plunged into deep political turmoil, but the voices of academics demanding better working conditions were tolerated by the U Nu government. The UTA was able to discuss with the U Nu government a variety of academic freedom issues, including working conditions, from demands for expansion of the academic workforce and a pay raise to adequate housing for teachers and favorable policies for research. Even during political tension and civil war between the ruling government and its political rivals, the UTA was still able to send participants to international education conferences. However, its role in protecting the rights of academics was canceled by the coup maker, General Ne Win, in 1963 (Hla, 2014).

As in many other post-colonial states, substantial state control of educational institutions has been a dominant pattern in Myanmar since independence (Altbach, 2001; Du, 2020). It also shares a tendency of indoctrination in the universities with many other authoritarian states such as China, Vietnam, Syria, and Iran (Altbach, 2001, p. 211). This kind of indoctrinatory education was identified by Du (2020) as a threat posed by sociopolitical intervention forces on academics to perform a dual role, "both an academic task and a political task." This has also happened in many post-colonial African countries, where respect for academic autonomy and freedom is low.

Under the Revolutionary Council, legal institutions were abruptly set up to impose fundamental barriers to academic freedom and curb campus activism. The ulterior motive of lawmakers since 1964 has been to suppress left-leaning student unions until they are eliminated. The first authoritarian version of the University Education Law appeared after 1962 following the student-led demonstrations of that year, locally known as the 7th July Uprising against the end

of the autonomous university system in Myanmar and the newly introduced martial law and campus regulations laid down by the coup leaders. Legal institutions have been fundamental barriers to academic freedom since the 1964 University Education Law was promulgated. It was enforced in the months following the student-led demonstrations, starting in 1962. The key 7th July Uprising was a historical milestone that ended the autonomous university system in post-independence Myanmar. In the suppression of the students' union, its building was destroyed with dynamite, allegedly killing over 100 students (Smith, 2002), although official figures showed only 15 deaths and 27 wounded. Ne Win's Revolutionary Council intended to change the university's governance system by legalizing central control over curricula, funding, the appointment of administrators, and ideological policing of academics.

Initially, it was designed to conform to the so-called socialist society and aimed to (a) produce experts, specialists and skilled academicians to participate in the establishment of the socialist society, (b) train experts and specialists who are capable of promoting the socialist economy, executive and social services, (c) produce trained intellectuals who are well cultivated in the principles and ethical codes appropriate to Myanmar society, (d) produce intellectuals who will be beneficial to the state, (e) give priority to arts and science which will contribute towards earning a livelihood (vocation), (f) conduct research beneficial to the state, (g) instill the spirit of pride in the dignity of labor, (h) constantly develop the intellect and skill of the people participating in the building of the state. Later amendments in 1989 and 1998 abolished socialist labels, but central control of universities was reinforced to silence academics following unrest in 1988 and 1996. History was repeated in three military coups in 1962, 1988, and 2021. Consequently, Myanmar universities experienced 19 shutdowns between 1987 and 2000, with the longest closure of over three years between November 1996 and July 2000. During this period, successive military regimes envisioned higher education in Myanmar as a balance between enhancing human capital and producing a subjugated population. On campuses, strict administrations restricted ideas that the regime rejected.

### **The so-called democratic transition and the rise of advocacy for academic freedom**

The most recent legal reform, which constituted the formulation of a new education law in 2014 and its subsequent amendments, did not abolish existing control mechanisms. Instead, it added some administrative changes to meet public expectations of the so-called political transition. Nevertheless, there was no major shift in philosophy, and academic freedom was not a substantial part of the reform agenda. At the same time, the pace of reform in universities was

designed to be consistent with an overall measured liberalization process backed by semi-military constitutionalism.

The launch of the very first Comprehensive Education Sector Review in 2014 was a landmark that drastically transformed Myanmar's universities. Despite the recommendations made by the Review to enhance the quality and relevance of higher education, where the protection of academic freedom is deemed essential, the draft of the Myanmar education law reflects a deficiency in academic freedom, which is crucial for a functioning democracy. The reform years (2011-2021) seemingly brought a wider space for democratic values and freedom of speech in Myanmar society; scholars and student activists firmly advocated the transformation of universities into autonomous bodies. Four months prior to the coup, the National League for Democracy government granted autonomous status to 16 out of 174 universities, allowing them to exercise some decentralized management and a more significant role in shaping curricula and recruiting both academics and students (Rodriguez, 2023; Myanmar Times, 2018).

Cultural relations with foreign universities between 2011 and 2021 were also a motivating factor for academics in major universities, as increased exposure to international practices boosted their desire to catch up with the rest of the world regarding research and organizational development. The spread of ideas from a Humboldt model of higher education through international exchange may have indirectly influenced higher education reform after 2011. In those days, the semi-military government decided to welcome the idea of working with foreign universities and started to consider initiating the process of granting universities autonomous status (Aung-Thwin, 2021). Both sides, eager to start a new wave of post-Cold War relationships, welcomed collaboration in the education sector as a soft entry point, which sped up the reform process.

Seizing the opportunity to advance the academic reform agenda, numerous scholar-activists, including the University Teachers' Association and student unions, eagerly endeavored to implement institutional changes as a prerequisite for embracing Humboldt's concepts of *Lehrfreiheit* (freedom to teach) and *Lernfreiheit* (freedom to learn) (Goldstein, 1976) within a traditionally repressive environment. Despite rising activism for academic freedom on campus, many academics do not trust the possibility of increased freedom of expression within the campus or even hesitate to engage in making collective demands. For many, it was unconventional to challenge or question the existing rules and regulations imposed by higher authorities, since universities had been designed for strict adherence to the indoctrination of the state<sup>6</sup>, when the

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<sup>6</sup> Interview with one of the founders of the University Teachers Association on 23 July 2023.

military regime found it easier to subjugate intellectuals through consent and coercion, adhering to its own interpretation of uniting the country through disciplinary democracy.

At a time of increasing criticism, the SAC initiated a concept known as the "co-optation of federalism" described by Crouch (2021). However, the frequent use of a federalism discourse does not imply that the military's political positioning has changed much since the coup. Redirecting public attention to the three national courses: non-disintegration of the union, non-disintegration of national solidarity, and perpetuation of sovereignty, it still expects the entire ethnic population to rally behind the authority of the army (Myanmar News Agency, 2024). However, it continues to lose a significant portion of territory in ethnic states, and its promotion of Bamar-Buddhist centrality is no longer widely accepted by the younger population (Win, 2019). To remedy this losing status, the approach of SAC to the educated population is to entrench compliance through coercion and consent, as it had in the consolidation of power after previous coups (GNLM, 2024b).

It was impossible to foresee that the coup would undo some of the positive changes in the immediate past. The education law was changed in 2022 (Ministry of Information, 2022), making the creation of an "autonomized university" an untouchable subject. The shutdown of all student and teacher unions coincided with the implementation of the participatory approach to reform. Now, without autonomy, all universities are structurally controlled under a centralized authority and their budgets are totally dependent on the Ministry of Education and other respective Ministries. To examine the state of academic freedom and constraint factors, the benchmark employed in this paper is Shils' view (1995, p. 8) of "academic freedom as a form of civil freedom." As academics are also citizens, this study denotes that they should have "the same rights as well as obligations" as any other. Similar to the experience of a previous generation of academics after the coup in 1988, many academics were imprisoned or fled into exile. Since the authorities commonly perceive the role of universities as a breeding ground for political dissent during political unrest, the regime's strategy to stabilize the country is to restore its hegemonic position and weaken what it observes as the most vigorous resistance movement ever in the country's history.

### **Coercion in terms of legal framework**

Framed in a Gramscian analysis, the mechanism of coercion by the SAC, which involves the use of force, threats against the CDM movement and pressure to compel academics' behavior, can be seen in the legal changes introduced in the post-coup period. The prompt amendment of the National Education Law in 2022 imposes coercion on academics in Myanmar's

legal context. At the peak of political tension in 2022, the Law Amending the National Education Law (2015) started to be enforced. According to the amendment, Section 4, Sub-Section (c) of the previous law was nullified, meaning that legal mandates that restrict individual or collective initiative of academics for political activism have since then been established. However, restrictions against 'involvement in politics' are vaguely defined by another law that visibly lacks a balance between arbitrary coercion of the state and protection for the professional role of academics to exercise freedom in teaching and research. The Civil Service Personnel Law (2013) is a core instrument that can be interpreted to punish academics for simply exercising their citizens' rights, such as supporting a political idea or openly raising his or her views on political events (Ministry of Information, 2021). This vague law can result in sanctions and, in the worst cases, imprisonment. Under Session 15 of Civil Servant by Law—Disciplinary Offences, Article 163 prohibits civil servants from writing or distributing books that are seditious against the state and the state government or participating in or instigating or abetting in any activity that has an adverse effect on national security and the rule of law.

For effective law enforcement, civil service regulations dictate the pace of career development as it is tied to their obedience to the state ideology. Section 8 of the Civil Service Personnel rules defines "not being involved in politics" in a more detailed description, which includes refraining from party politics, from contributing financial support to a party, or from giving support in any other means; not becoming a member of a political party or any organization, association or union that is not founded according to the rules and regulations promulgated by the state as needed by the situation at a given time. In addition, a civil servant is not allowed to contest an election as a candidate or a representative of any candidate in an election. Last but not least, a civil servant must not participate in electoral campaigns or give aid or voluntary services under a total prohibition on lobbying for a political party or engaging in discussions and talks.

This rigid interpretation of the non-partisanship or impartiality of the civil servant in politics strictly vacates the political and civil rights of any citizen, which the state has an obligation to guarantee. In contrast, academic participation in political activities has been selectively permitted by the state when their intellectual efforts are needed to support the political agenda of the ruling elite. When academics were being co-opted or manipulated to serve the interests of the ruling class over several decades, resistance was almost nonexistent until political liberalization brought

a new breed of academics and students whose worldview was different from that of previous generations<sup>7</sup>.

In general, those who gained the opportunity to study abroad and join international workshops and training were more motivated to change the system, starting from the policy level and day-to-day practice. The role of an academic is not only to "add and revise facts in relation to an accepted framework, but to be ever examining and modifying the framework itself" (Sweezy v. New Hampshire, 354 U.S. 234 (1956), but within the boundaries permitted by the state ideology, academics as civil servants in Myanmar face obstacles as they are required to abide by the Civil Servant Personnel Law. The law requires civil servants to respect and obey the prescribed civil service laws and codes of conduct and demands absolute loyalty to the state in the form of six vows stipulated by the state: to maintain loyalty to and respect for the state, to prevent the disintegration of the union and the unity of the ethnic nationalities, to uphold sovereignty, to serve the country as civil service personnel, to be free from party politics, and to perform the duties and orders given by the state.

The oath forces them to comply with the state concept of cohesion among all ethnic groups. Maintaining the spirit of the union is to accept that subjugating many ethnic groups without their consent is not problematic. In reality, Myanmar has never been successful as a nation (Gagnon & Paul, 2021). The existing tension between the military, who believe themselves to be the sole owner of the state, and the ethnic armed groups who are also playing the role of de facto state leaders in their territories is a constant challenge to the meaning of the union. In general, none of the restrictions are consistent with ILO labor rights. It is also not surprising that neither the Myanmar constitution nor the education laws specifically mention academic freedom. The 2008 Constitution is notorious for its limitations, whereas Myanmar, until today, has not ratified the International Covenant on Civil and Political Rights. In addition, the ratification of the International Covenant on Economic, Social, and Cultural Rights in 2017, which demands state protection of academic freedom in Articles 13 and 15.3, also has little practical impact domestically. Were the country to comply with this provision of the International Covenant on Economic, Social, and Cultural Rights, as Butler (2017) argues, the state is to play a dual role in both providing higher education and creating the academic freedom by which universities can properly function.

Until the coup, the Ministry of Education was still doubtful of the merits of granting academic freedom, contradicting local and international advocates who helped advance Myanmar reform (Vrieze, 2017). Such hesitation had a profound impact later when the military resurrected

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<sup>7</sup> Interview on 23 March 2023 with a CDM professor who worked in public universities for 20 years.

its rule, and universities were run under tight control because of their role in the CDM as part of anti-coup resistance activities. Universities are considered sanctuaries in the Western tradition, but the general freedom of Myanmar university staff is even more limited than that of an ordinary citizen. The exceptional privileged status granted only to those who "perform academic actions" that Karan (2009) specifies does not resonate with the experience of Myanmar universities. Academics who sided with the CDM movement faced contrasting consequences. They were charged with criminal offenses, while many were removed from their positions under Article 53 C of the Civil Service Personnel Law. As Caston (1989) emphasizes, unjust disciplinary actions against academics can be aggravated in Third World countries, especially when the university is run under military control.

### **Consent-making through civil servant training.**

Perpetuating compliance with the hardline ideological stance of the military requires institutional support from civilian-led bureaucratic mechanisms. Civil servant training is where the rhetorical speeches of the senior leaders of the SAC are given to all public servants, including academics. To alienate academics from political activism, attendance at ideological indoctrination became mandatory for academics in the 1970s. The military-backed government under Ne Win installed its ideological apparatus for civil servants by introducing political indoctrination in the Central Institute of Civil Service, a training school for government staff. Pro-military lecturers teach "Political Thought," which remains a mandatory course in both Yangon and Mandalay branches. Smith (2002, p. 34) called such training "re-education" courses, and they were formerly organized by the military intelligence services in the post-1988 uprising. Everyone entering the civil service, including lecturers in universities, is supposed to receive training at some point in their career.

Part and parcel of such "re-education course" is basic military training for both male and female participants. According to the 2017-2020 Myanmar Civil Service Reform Action Plan, it was suspended under the reform scheme after the NLD came into power in 2016 (Union Civil Service Board, 2017). Trainees, including academics, were no longer required to wear military uniforms during the course, practice military drills, or take part in military parades to celebrate the completion of the course. However, as soon as the coup happened, the SAC took no time in reintroducing this military package that includes weapons firing and propagandist indoctrination for academics. By November 2023, fifty universities and colleges across the country had recruited new batches of lecturers, and all newly appointed staff are required to attend special civil servant courses at their respective universities, while regular re-education courses are provided at the Civil Service Academy (Lower Myanmar) at Phaung Gyi and the Central Institute of Civil Service

(Upper Myanmar) at Pyin Oo Lwin. The state-owned media states that by February 2024, a total of 37,510 trainees, including academics, have attended re-education courses since the SAC rule started. In the past, before the NLD government changed its recruitment policy, this training was mandatory for academic career advancement. Without a certificate of successful completion, a civil servant was not to be considered for promotion. To transfer to other government departments, the certificate is a requirement for an academic curriculum vitae<sup>8</sup>.

According to a CDM professor, the curriculum taught at these civil servant courses has always been highly controversial, as they are discriminatory in many ways and deepen social divides in a multiethnic society while mainstreaming a xenophobic and nativist mentality. Participants at the training who could not bear listening to hate speeches, twisted history lessons and criticism against political opponents of the military, diverted their attention to a book or game on their phones. One case involved a lecturer who misrepresented historical facts about neighboring countries, including Thailand. His lecture insisted Bangladesh's population was a threat to the stability of Myanmar and portrayed the Rohingya as undocumented migrants. Regardless of the ideologically biased indoctrination, some of the lecturers were placed in the training course more than once throughout their careers as applications for the career promotion required attendance<sup>9</sup>.

Even though the people have lived with a 70-year-long civil war due to ethnic and social divides, these training institutes set an agenda of national reconciliation, as the military understands it. They are even undermining the meaningful coexistence of different ethnic groups' political, religious, and cultural rights, especially in contested areas. Successive military governments have appointed teaching staff who design courses based on unfounded fears of losing national pride and cultural identity, a xenophobic analysis of geopolitics, and national history interpreted with disrespect towards ethnic demands for sovereignty. Academia turning into a "system of mental gymnastics" (Whittington, 2018, p. 20) was thwarted by many factors, as has happened in many other Third World countries. Htut et al. (2022, p. 1) highlight that the military's education policy views academic freedom as "a challenge to their definition of Myanmar nationalism based on a narrow interpretation of Burmanization that prefers a closed country immune to globalization and possible "westernization" brought in through recent reforms."

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<sup>8</sup> Interview on 22 April 2022 with the head of a university department who took part in the CDM movement.

<sup>9</sup> Interview on 29 March 2022 with a professor who changed career after forced displacement because she took part in the CDM movement.

Moreover, these training courses are also places where the custom of reciting the civil servant oath has been reinforced with everyday displays of allegiance to the state.

Although the Civil Service Reform Strategic Action Plan (2017-2020) laid down a new direction for the decentralization of civil service, the coup has disrupted reforms in the university recruitment system that would empower autonomous education institutions to decide how to appoint and discipline staff. It is a celebrated tradition in many international universities to have professors take a loyalty oath upon their acceptance of a teaching position (Howlett & Cohan, 2008). The oath is used by the university as a tool of "political socialization" (Du 2021; Greenstein, 1969) by shaping the attitude of the staff and turning them into potential multiplying agents. The content of the oath is more problematic when loyalty to the state is reinforced by a patron-client system that favors those who are obedient. Those who comply are appointed to the highest university governing bodies and ministerial positions.

### **Academics in the civil service are designed to be auxiliary forces of the State**

Academics are also listed as reserved forces according to the People's War Strategy. According to Maung Aung Myoe (2009), the People's War Strategy was formulated in the middle of the 1960s to defend the country from foreign invasion and to employ it in counter-insurgency campaigns. It specialized in the militarization of civilians, and basic military training in the civil servant college itself was established by the military strategists of Tatmadaw in 1964. The Ministry of Defense in 2021 published a military handbook for the Defense Service Academy, which listed civilian organizations and civil servants as auxiliary forces, urging them to assume security duties when the state faces a threat. According to the spatial metaphor of the founding logic of the military-civilian relationship, the military stands in the center of a circle. Law enforcement agencies, including the police, border guard forces and militia groups, are its extended organs at the center, while other public service departments under the Ministry of Home Affairs, such as the Fire Service Department, and other elements of bureaucracy are closest to the periphery. The military's policy situates government-organized non-governmental organizations in the outermost layer, where spouses of military officials, civil servants, and war veterans are placed. The military dominance in such a center-periphery relationship was key to the resilience of military rule, and academics were, in theory, considered part of the auxiliary forces. Since the middle of the 1970s, civil servants have received instruction in basic military skills as part of this specific mandate. It remained a key part of the civil servant training curriculum and a tool for mobilizing unified resistance against any enemy before the 2024 conscription law emerged (Ministry of Defense, 2001). Although academics are not as closely associated with physical defense as other

state agencies like the Fire Service Department or the Red Cross, they still play a crucial role in providing security during times of need<sup>10</sup>.

Moreover, to unify academics as a collective body and state bureaucracy, a new regulation was introduced in 2006-2007, and it still prevails at the time of writing. It demands both female and male academics to wear uniforms two days weekly. Standardizing the costume suppresses a sense of individuality in the working environment. It remains one of the tactics that successive governments have been using to classify academics as auxiliary forces of the state. Stretching a strict dress code for non-uniform days for students and teachers further reinforces conformity. Myanmar has been one of the most conservative countries in terms of dress code. Few people silently protested against wearing the uniform, but their superiors often scorned them<sup>11</sup>.

It is simply ironic that academia is prohibited from involvement in politics, while all civil servants, including academics, are forced to register as members of the military's proxy civil society organization, the Union Solidarity and Development Association political party. Academics are compelled to participate in state propaganda campaigns in order to create an ideological divide. This tradition continued until the days of the NLD ruling. In an obvious case, the academics were invited to form a research team to prepare the defense case for the military at the International Court of Justice against Gambia's charge regarding the Rohingya genocide. Again, in Mandalay, academics from Yadana Bon University were instructed to participate in "We stand with Daw Aung San Suu Kyi" rallies when she was about to go to the ICJ, which showed her political stance of alliance with the military. Enjoying the popular support of the people in those days, the state leader chose to defend the criminal actions of the military against millions of displaced Rohingya in 2019. Some Myanmar academics were forced to consent to be supporters of the state's ultra-nationalist agenda<sup>12</sup>. Caston's (1989) question about university vulnerability is correct in Myanmar's case. Referring to the general picture of academic freedom in an authoritarian state, "How, then, does the Third World university survive at all, let alone as a free university" (Caston, 1989, p. 325) resonates with the much-weakened quality of academic life in post-coup universities in Myanmar.

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<sup>10</sup> Interview with a member of the University Teachers' Union on 20 July 2023.

<sup>11</sup> Interview with a CDM professor on 12 April 2023.

<sup>12</sup> Interview on 1 April 2023 with a non-CDM lecturer assigned to Yadana Bon University in 2019.

### **The state of academic freedom during the resistance**

The scarcity of academic freedom is often closely tied to a state's political fragility, particularly in contexts where ethnic conflicts destabilize society and lead to governance systems with limited tolerance for perceived threats to ethnic unity. Caston (1989) argues that governments' obsession with so-called "national integration"—which often entails the suppression of pre-colonial ethnic identities, cultures, and social hierarchies—undermines academics' ability to pursue the autonomy and freedom that universities should embody. This dynamic is especially evident in post-colonial countries like Myanmar, where state-building has historically relied on the intellectual labor of academics to assist in creating a unified national identity. Consequently, academics are pressured to conform to government-imposed ethnic policies that conflict with the standards of freedom of speech and inquiry upheld by international academic norms. Furthermore, in an environment of heavy censorship and stringent restrictions, many academics find themselves unable to adapt to the system, sacrificing their autonomy in the process.

The findings also suggest similarities with the experiences of other Third World countries presented by Caston (1989). His survey reveals that institutional autonomy, the country's political system, political culture, and the economic development phase influence the role of academia in those countries. This connection is naturally shaped by the country's economic wealth and governing system; the academics must perform their duties while poorly trained, and consequently, science can be underdeveloped when a society cannot afford to pay for institutional experiments. For their survival, universities in the Third World must adapt, negotiate, and compromise constantly, and in extreme cases like Myanmar, they can even be poorly paid or end up suffering political manipulation.

Following the coup, most of those who opted to continue teaching had to maintain silence, as open criticism of the authorities would immediately become illegal. Therefore, they must stay silent without any shouts of grievance. Only if they are not politically active, meaning they are not associated with ongoing political resistance or involved in finding solutions for domestic political tensions, can they access scholarly research opportunities. All forms of self-censorship are well complemented by incentives offered to those who choose to remain on campus, such as career advancement to senior positions<sup>13</sup>. Some of them, who are inclined to believe in the state propaganda, actively reproducing the scholastic orthodoxy while claiming their neutrality as civil servants<sup>14</sup>. It is also true that not all academics, particularly those newly recruited or promoted to

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<sup>13</sup> Interview with a non-CDM lecturer from Yangon on 10 April 2023.

<sup>14</sup> Interview on 1 May 2023 with a non-CDM lecturer who later chose to abandon both lecture position and Myanmar citizenship.

higher positions after the coup, supported the CDM movement while comfortably accepting subjugation and indoctrination.

On the first hand, the coup had a significant impact on scholar-activists who faced severe repression. Many lost their positions and lived under constant security threats even after being removed from the universities. Some experienced their lives being turned upside down after going into exile. On the other hand, education has been an intense battleground between the SAC and resistance forces, including the parallel government. The SAC's airstrikes often target education facilities in semi- or fully liberated areas, yet a form of bottom-up decentralization is gaining momentum in the education sector<sup>15</sup>. Meanwhile, Ethnic Basic Education Providers, which are operating in affiliation with ethnic armed organizations, have expanded their public service to higher education levels. The total number of higher education institutions is not verifiable, while some of them are operating in a discreet manner to protect against attacks by the SAC.

While resisting the hegemony of the military-style hierarchical education system, if guided by a human rights-based approach, these institutions can be a space for knowledge production to flourish with academic freedom. However, there are also cases in which military-style indoctrination and administrative control are integral to a new system. In the worst-case scenario, the founding philosophy of emerging ethnic education institutions, which does not aim to ease existing social cleavages, has the potential to consciously or unconsciously deepen racial and religious divisions<sup>16</sup>. In a conventional sense, academic freedom represents the collective right of higher education institutions to autonomy, enjoying freedom from external interference, including that of the state (Riemer 2017). However, in many cases of emerging higher education institutions, the state's political agenda influences details of decision-making inside the campus, and even the public relations strategies of these colleges themselves are tainted with communication techniques for strengthening alignment with the political priorities of the ruling authority in their territory.

Again, the view of the National Unity Government is that even holding teaching jobs in the university under the SAC is perceived as not being neutral or as a betrayal towards the resistance. The social divides between CDMs and non-CDMs were exacerbated by the newly crafted CDM policy, which proposed punishment for those accused of being aligned with the SAC (Soe, 2023). Most of the academics who have been working under the National Unity Government are those who challenged the conventional view of keeping a distance between scholars and the country's affairs. However, when academics' involvement in operating the state's ideological

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<sup>15</sup> Interview with a senior official from the education department of an emerging regional government on 20 October 2024.

<sup>16</sup> Interview with a senior lecturer from a college in an ethnic-controlled area on 3 December 2023.

apparatus is deepened, it is difficult for any university to become a venue for critical debate and independent research. In such cases, knowledge production tasks are not best performed, but the university can also stand as a propaganda unit for the soldiers.

## **Conclusion**

Academic freedom is more vulnerable in times of armed conflict. Even in normal times, systematic constraints on academic discourse and anti-unionism have been strongly present in Myanmar. Despite heavy legal and institutional restrictions, it is harder for the ruling military regime to put academics' functions to work for their ideological state apparatus. Digital communication offers a new way of teaching and convening academic dialogue on various platforms, dramatically weakening the power of the "thought police" and its ideological influence. The resistance movement also attacks the established position of senior academics who remain obedient as the military's reserve force to radically transform the system. While the education landscape will be increasingly influenced by the virtual means of knowledge production, it is also time to leverage a new education system where academic freedom can flourish, and knowledge production can be as rigorous as possible to meet the demands of emerging Myanmar as a federal democratic state in the future. Since many emerging digital universities have started to perform as the ideological state apparatus of emerging territories that are newly liberated or still in contested areas, now the focus is how to safeguard the academic freedom and civil and political rights of academics under new regimes and new university governing systems. Meanwhile, the universities under the Ministry of Education still must struggle to overcome existing digital censorship and surveillance systems, plus legal measures that limit the freedom of both students and teachers. Myanmar's academics should also be wary of emerging authoritarian elements that might bring instability during the interregnum. The old state is collapsing in many ways, but the new one is yet to come. New state actors are testing new forms of authoritarianism; academic freedom is still not widely welcomed.

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## Biography

Nwet Kay Khine, a former journalist and writer from Myanmar, is now affiliated with the International Research Group on Authoritarianism and Counterstrategies based in Berlin. Nwet joined the master's program for International Development Studies at Chulalongkorn University in 2006 and then continued her learning with the Erasmus Mundus master's in journalism, Media, and Globalization at the universities of Aarhus and Hamburg in 2010. She completed her doctoral study at Mahidol University Institute of Human Rights and Peace Studies in 2019. Nwet conducted this research during her post-doctoral fellowship at the Passau International Centre for Advanced Interdisciplinary Studies (PICAIS), where she was hosted by the Chair of Development Politics of Passau University and Regional Center for Social Science and Sustainable Development, Chiang Mai University.

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