

Myanmar's Abrogated Reforms and Hate Speech Circle

Analysis of the Civilian Government's Approach to "Hate Speech"
and the Situations After the Illegal Coup Attempt



Researcher : Py Thet

(A brief translation)

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Disclaimer

'Myanmar's Abrogated Reforms and Hate Speech Circle: Analysis of the Civilian Government's Approach to "Hate Speech" and the Situations After the Illegal Coup Attempt' is a brief English translation of the original Burmese. The full report is available in Burmese with citations and references.

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Research Objective and Methodology

The original objective of this research is to conduct an analysis of how the civilian government dealt with “hate speech” issues. Yet, the research project was extended to an analysis of the “hate speech” situation including how the illegal junta has utilised incitement and propaganda in Myanmar since the coup attempt on 1 February 2021.

The analysis covers 1 April 2016 and 31 December 2022. While the government's official statements and records, statements and announcements on social media, statements and records on official websites, official records of the Hluttaw (parliament) on its website and research findings of “hate speech” by a local research organisation covering the incidents between 1 April 2016 and 31 January 2021 were gathered for the analysis of the situation under the civilian government, media reports of independent media outlets regarding the campaigns and activities of the Myanmar military, the propaganda of the military's mouthpiece and proxy media channels, research findings of “hate speech” by a local research organisation, research reports published by independent organisations and other relevant information covering the incidents between 1 February 2021 and 30 December 2022 were gathered for the analysis of the situation after the Myanmar military staged an attempted coup on 1 February 2021. Analysis of the situation under the civilian government (April 2016 - January 2021) was conducted between 1 November 2020 and 31 January 2021 whereas the analysis of the situation after the illegal attempted coup was conducted between 1 November 2022 and 31 December 2022.

Apart from the media reports and other sources related to two different situations, “hate speech” content on social media was not monitored in real-time during the period instead provided by a local research organisation dedicated to monitoring and analysing “hate speech” on Myanmar's social media and other platforms. “Hate speech”, human rights policies and standards regarding freedom of expression were discussed with three experts with diverse backgrounds.

This analysis does not present screenshots of the original posts on Facebook and Telegram since it is not a report that focuses on highlighting “hate speech” content on social media. Some organisations and individuals are not named for security reasons. It is important to notice that some media websites and parliamentary websites halted publishing or removed content from the platform due to political situation after 1 February 2021.

Preface

Fundamental human rights perspectives, humanism, fundamental ethics and religious doctrines are all directed towards forms of a civilised society such as tranquility, equality and peaceful coexistence within society. Similarly, mutual respect among people and acknowledgement of diversity are invaluable foundations.

Analysis of political shifts throughout history indicates that propagation of ultranationalism and “hate speech” are among the tools previous successive authoritarian regimes have used to grab power. Such propagation of incitement circulates hatred mentality among people, broadening the circle of violence based on hatred.

This research paper analyses the situation of “hate speech” under the civilian government led by the National League for Democracy (NLD) and the situation since 1 February 2021 when the Myanmar military staged an attempted coup.

This report is aimed at contributing to combatting hatred in the mind by nurturing practices of a civilised society such as acceptance of diversity and holding sympathy and empathy for each person, tolerance, mutual respect, and building a peaceful society where human rights culture is prosperous during the transitional period after the Spring Revolution.

Equality Myanmar

Executive Summary

"Hate speech" entered Myanmar society before the term "hate speech" was popular. Moreover, "hate speech" has penetrated the deeper layers of society, where diversity, an element for embellishing democracy and pluralism, has been exploited as raw material for the mass production of hatred. Since the pre-independence era, "hate speech" has been exempted from heightened administrations in Myanmar. Instead, successive regimes, governments and others institutions have long utilised "hate speech" in a systematic manner to normalise hatred ideology in public discourse and daily conversations for their political advantage, resulting in the worst situation afterwards the coup d'état staged by the military during the 1988 Revolution.

While the political history of Myanmar can be generally divided into four eras since its independence; (1) parliamentary democracy era (1948-58); (2) the monolithic authoritarian regime under General Ne Win (1962-1988); (3) military regime (1989-2010) and; (4) and democratic transitional era, minority communities including Muslims have been described as secondary citizens, mixed-blood, illegal immigrants and guests, to the extent that they are subject to discrimination, with Islamophobia and xenophobia being propagated deliberately and systematically.

It was during the democratic transitional period that those who produced and distributed "hate speech" stirred up racial and religious violence under various themes, including racial and religious nationalism. The ultranationalist movement reached its peak prior to civilian government formation led by the National League for Democracy party (NLD) in 2015. There was severe tension and confrontation between those who described themselves as protectors of race (Burma) and religion (Buddhism) and the NLD-led government, resulting in limitations on the extreme nationalists and "hate speech" actors. Despite the inklings and rhetorics for promotion of pluralism, protection of minorities and reconciliation with ethnic groups, the civilian government failed to address or handle "hate speech" issues instead circulated harmful disinformation and discriminatory narratives against persecuted and marginalised minority communities. It is pertinent to note that the NLD-led government actually had many limitations to act under the jurisdiction of the now-defunct 2008 constitution as a democratic government. Yet, the failures of the civilian government to take measures that were possible to implement without being affected by the restrictions of the 2008 constitution indicate the practical stance of the civilian government in regard to understanding "hate speech", protection of minority and vulnerable groups and respecting freedom of expression.

The Myanmar military committed a coup attempt on 1 February 2021, showing its real face. As with the successive Myanmar regimes through history, the Myanmar military has always committed violence against people, inciting violence among the public by reiterating “nationalism”, and “protecting Buddhism from being eliminated by foreign influence. Since the 2021 military coup, the junta has strengthened ultranationalist groups, disseminated religious and racial propaganda, and portrayed people and civilians involved in democratic movements and civil disobedience movements (CDM) as national traitors and terrorists in propaganda that was as frantic as the atrocities committed by its troops.

This analysis paper observes how the civilian government approached “hate speech”, and how effective the civilian government’s measures and activities were in combatting of “hate speech” and promoting pluralism including confrontations with the “hate speech” actors within five years under its rule. This analysis also how the majority of “hate speech” actors that have resurrected since the attempted coup and the military junta are igniting hatred propaganda along with their acts of violence on the ground.

Chapter 1

Hate speech

A form of incitement called “hate speech” nowadays might have existed under several names in history since the time before the term “hate speech” was coined. Why? Historical records indicate that discrimination, hostility, violence and even massive atrocities including genocide originated and morphed through intolerance of diversity after the establishment of diverse civilisations. It is important to notice that “hate speech” and dangerous ideology took a crucial role in significant historical events such as the Holocaust, Rwanda Genocide, Cambodian Genocide, Bosnian Genocide and the Rohingya Genocide case filed by Gambia against Myanmar at the International Court of Justice (ICJ).

It is crucial to include a consideration of the definition and characteristics of “hate speech” when it comes to discussing “hate speech”. Impeding and preventing freedom of expression on the pretext of combating “hate speech” and lack of genuine understanding of the forms and nature of “hate speech” are included in some main reasons that hinder countering and combating “hate speech” around the world.

The first point to recognise is that “hate speech” is not an internationally accepted legal term, but rather an emotive concept with a vague definition. As people define “hate speech” on the basis of their own experiences, perceptions, responses to the environment, discourse or worldview, the definition of “hate speech” may range from swear words, offensive language, hostility, incitement to violence to even

incitement to ethnic cleansing and genocide. Nevertheless, there is no globally accepted definition of “hate speech” and international law rarely refers to the term.

As “hate speech” is contextually broader than a combination of the two words - “hate” and “speech”, “hate” refers to a context beyond normal concept of hatred and “speech” also includes not only verbal communication but other forms of expression ranging from oral, writing, demonstration, depiction, transmitting or signalling, dance, gesture or performance to many others. Furthermore, the most fundamental foundation of it is the ideology underpinning those forms of expression (speech, writing, demonstration, etc.) and content (incitement to hostility, communal violence, genocide, etc.) behind.

As Jonathan Leader Maynerd and Susan Benersh assert, “some scholars erroneously conclude from this that ideology or speech in general are not catalysts for violence - assuming that ideology and speech can encourage violence only by inculcating hatred.” In previous and ongoing mass atrocities, including massacres, the holocaust, ethnic cleansing and genocide, the justifications of hate crimes do not rely on language that linguistically and visibly depicts “hatred” against a community; clearly and frequently incites hostility towards or dehumanises a community. Narratives using very typical and simple language that normalises discrimination and violence or that claims elimination of a community or an “enemy” community will necessarily promote the value of “our” society or benefit in “our” society, may bring about crucial encouragement to the commission of massive discrimination, atrocities and even bloodshed through discourse and dissemination. Hate can be a distraction in such scenario.

In a few parts of this analysis, more precise terms are used rather than “hate speech”, while acknowledging that the term is widely used across the globe, including Myanmar. Since the term “hate speech” is frequent throughout the paper, this chapter presents a definition of “hate speech” at the end.

It is impossible to leave freedom of expression out when it comes to discussing “hate speech”. Although freedom of expression is a qualified right, international law outlines clear circumstances where freedom of expression may be restricted or must be limited rather than mentioning the term “hate speech”. The International Covenant on Civil and Political Rights (ICCPR) which guarantees the right to freedom of expression states that the right to freedom of expression “may subject to certain restrictions ... for respect of the rights or reputations of others” and “for the protection of national security or of public order (ordre public), or of public health or morals”.

ICCPR also states that “Any propaganda for war ... and any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.”

International human rights law does not recognise blasphemy, criticism, insults and offences against religions, mocking God, gods or deities, national flags, monarchies, governments, heads of state and politically powerful individuals, institutions or entities as “hate speech” or expressions that must be banned. The UN Strategy and Plan of Action on Hate Speech also firmly states that combatting “hate speech” does not mean “limiting or prohibiting freedom of speech.”

Then, sometimes “hate speech” that insults, offends or discredits the culture, values or customs of a community (for instance, mocking, insulting and offending gods or religions of a community) may often exist underneath the threshold those subjected to be legal charges. While such expression does not reach the threshold that international law requires States to essentially prohibit, it may still impact on targeted communities or individuals.

Being not a “hate speech” toolkit, this short analysis particularly aims to highlight a brief contextual background of “hate speech” through history and how authorities having power approached or utilised “hate speech” at different times in history.

The UN Strategy and Action Plan on Hate Speech’s interpretation of “hate speech” is “any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor.

As “hate speech” especially its harmful form, namely incitement to violence often tends to target groups or group identity which vary based on societal, political and economic factors, the readers may notice that some groups of identities which are not usually included in common protected characteristics are among in targeted groups of “hate speech” in next chapters. For instance, civil servants who refused to work for the military junta after the attempted coup on 1 February 2021, became one of the targeted groups of “hate speech” actors among military’s supporters and propagandists, which is a new scenario because the civil servants had not been targeted by “hate speech” for refraining from working for the authority during the previous civilian government.

Chapter 2

Contextual Background of Hate Speech in Myanmar

Findings from intergenerational scholars, researchers, observers, journalists and multifaceted records of the successive governments indicate that “hate speech” narratives on the basis of race, religion, blood origin or racial purity or religious value constitute a large share of the broader “hate speech” narratives circulated in Myanmar society. Prior to the independence of the Union of the Republic of Myanmar, a strong sense of ‘nationalism’ emerged throughout society, especially among ethnic Burman (Bamar) residents. The nature and form between nationalism today might be different from nationalism at that time. However, there were narratives that caused racial and religious violence between Bamar and other ethnic groups including Indian and Chinese, and strengthened discriminatory sentiments based on race and religion.

This chapter will present a brief timeline of communal violence and riots based on religion and race in Myanmar between the pre-independence era and civilian rule in 2015 as follows:

May 1930 – Racial violence erupted between ethnic Burman (Bamar) people and the people of Indian origin in Yangon (known as Rangoon then) based on the socioeconomic background as a fallout of the world economic crisis, leaving more than 120 people of Indian dead and more than 2,500 people of Indian injured with a few Burmese dead, according to the official statement of the British government.

January 1931 – Anti-Chinese riots emerged on the basis of a quarrel between a Burmese and a person of Chinese descent in Yangon’s Chinatown, resulting in 12 dead.

July – August 1938 – A second wave of anti-Indian mobs (especially Muslims) was mobilised by Burman Buddhist monks and laypeople in response to a Muslim cleric's critical writings on Buddhism. The mobs morphed into riots in Yangon after confronting the police force, killing 1204 people.

September 1938 – 'The Kala-Bamar Battle' written by Maung Thein Pe (Thein Pe Myint) was released. The book was reportedly reprinted four times in September and three times in October, with 10,000 copies each time.

1950s – A wave of nationalist authors emerged with articles claiming narratives regarding the Mujahidin insurgent movement that had emerged prior to independence, including Shwe Done Bi Aung whose mostly famous fictional stories including "Ko Daw Karuna" and "Thway Neh Yay Dae Sar" iterated a claim that "Buddhist women have an important role in preventing Islam from swallowing Buddhism" and described the Buddhist women who married Muslims as "Kala Htit" in Burmese.

1961 – The State Religion Act was signed by Prime Minister U Nu.

1962 – The Burma's army led by general Ne Win staged a coup de tat.

1967 – Anti-Chinese riots merged following Chinese students' defiance of the military regime's ban on Mao badges and carrying copies of Mao's "Little Red Books" to schools. The riot turned violent, killing about 50 people, injuring many and ruining Chinese civilian houses and shops.

1978 – Immigration and military authorities of Burmese Socialist Programme Party regime, launched Nagamin operationa (Operation Dragon King), forcibly eviting hundreds of thousands of Rohingya people to Bangladesh.

1982 – The Burma Citizenship Act (1982) was enacted as a replacement for the 1948 Union Citizenship Law, creating three tiers of citizenship: full citizen (N), associate citizen (AC) and naturalized citizen (NC) in effect making those who did not match the criteria of the "Nationalities" mentioned in the new law and so-called "mixed-blood" secondary and tertiary citizens, in other words, guest citizens and naturalized citizens.

1988 – The Burma army led by General Saw Maung, the army chief of staff and defence minister, staged a coup de tat. This led to brutal and violent crackdowns on civil protests during the 8888 Revolution. Religious propaganda and fabricated narratives inciting violence have been generated in a more systematic and widespread manner

since the 1988 coup de tat whereby the military junta established the State Law and Order Restoration Council in 1989 and the State Peace and Development Council in 1997.

1991 – The military junta established the Department for the Promotion and Propagation of Sasana (referred to as Buddhism) under the Ministry of Home Affairs and Religious Affairs, publishing “How to Live as a Good Buddhist” book written by U Kyaw Lwin or Hna Phet Hla (pseudonym), then the head of the department, and building Buddhist missionary centres in the hill regions.

September 1993 – The military junta led by general Than Shwe formed the Union Solidarity and Development Association in 1993, which was after a similar association was created by the “Care-taker Government” in October 1958 after general Ne Win forcibly took power from prime minister U Nu. As of 2010, the Union Solidarity Development Association had been replaced by the Union Solidarity and Development Party (USDP).

June 1995 – The Ministry of Immigration and Population was established with its official motto, “A landslide does not submerge a race, but another race does,” which is part of a speech delivered by U Mye, Depayin Wun Htauk (Assistant Minister of Depayin area) at the ninth conference of the General Council of Burmese Association (GCBA) in Mandalay in October 1921.

2001 – “How to Live as a Good Buddhist” was republished with a ‘969’ symbol blazoned on its cover. A book titled, “Worrisome for the Disappearance of the Race” that depicted false religious propaganda and narratives against Islam was released.

2010 – The military regime held so-called elections whereby Thein Sein, a former military general became president representing the military proxy party, Union Solidarity and Development Party in 2011, followed by increasingly growing internet penetration.

2012 – Wira Thu, an ultranationalist Buddhist monk leader was released from prison. Anti-Muslim riots erupted in northern Rakhine State, based on a rumour about a rape case. The communal violence between Buddhists and ethnic Muslims – Rohingya and Kamein, ended up with at least 192 people killed and about 140,000 displaced people. The riots spread to cities in other Regions and States in the following years.

2013 – Ma Ba Tha (The Race and Religion Protection Association) was formed. A campaign encouraging Buddhists to buy goods from only Buddhist shops was launched. Sasanapalaka Gana Vasaka group was formed in Mawlamyine, Mon State

by Ma Ba Tha monks in initiating the 969 movement. In the wake of Ma Ba Tha, the notion of 969 movement along with other 969 sub-groups under the umbrella network of 969 movement was subsumed under the Ma Ba Tha network. Sangha Maha Nayaka issued an official instruction banning 969 emblems.

2015 – Four “race and religion protection” laws – (1) Monogamy Law; (2) Buddhist Women Special Marriage Law; (3) Religious Conversion Law and (4) Population Control Healthcare Law – were adopted in Pyidaungsu Hluttaw (Union Parliament) following the president Thein Sein’s official request to the parliament as the head abbot of Ma Ba Tha (headquarter) sent a letter to the president, calling for the enactment. These laws are some of the bills passed in parliament in a short period.

2015 - The NLD party won a landslide victory in the nationwide 2015 general election despite being hit by propaganda based on religion during the electoral period. Under its rule starting in 2016, a political party that had faced oppression and been targeted by propaganda, surprisingly circulated disinformation about minority groups, including the Rohingya.

Chapter 3

Situation of Hate Speech Under the Civilian Government

3.1 The Government's Understanding of Hate Speech

The civilian government's understanding of "hate speech" is controversial despite its efforts to tackle "hate speech."

The Interfaith Harmonious Co-existence Bill initiated under the USDP-led government was renamed the Bill for Protection Against "Hate Speech" and drafted under the NLD-led civilian government. During the first term of the Pyidaungsu Hluttaw (Union Parliament), the former was submitted to the parliament but never discussed until the end of the term. After the latest version of the bill the seventh draft which was leaked to civil society organisations in 2016, Thura U Aung Ko, the Minister of Religious and Cultural Affairs stated that the Ministry of the State Counsellor Office and the Ministry of Foreign Affairs incorporated into drafting the bill. On 7 August, 2018, the Ministry of Religious and Cultural Affairs announced that the bill was handed over to the Ministry of Home Affairs.

While the government failed its obligations to transparently inform civil society and the public of the progress in drafting the bill, it was quite questionable whether the bill complied with international standards in combatting "hate speech" and could guarantee no negative consequence for the right to freedom of expression. In the latest version of the bill, "hate speech" is broadly defined with censorship and punitive sentence being the main methods of addressing the issue.

Having promulgated no specific law regarding "hate speech" under the civilian government, the President's Office adopted the "Prevention of Incitement to Hatred

and Violence (or) Prevention of Proliferation of Hate Speech” directive which only instructed all ministries and State and Region governments to “take all possible measures to denounce and prevent all forms of hate speech” with no proper effective actions against those who stir up incitement.

Regarding its inadequate effect and non-compliance with international standards, Oliva Spencer, a human rights defender with a focus on freedom of expression said, “They (The office of the president’s Prevention of incitement to hatred and violence (or) Prevention of proliferation of “hate speech”) are vague and violate international standards. They repeat the previous authoritarian (and either malevolent or naïve) mindset that you can fix entrenched issues through punitive measures.

Matthew Burgher from ARTICLE 19 publicly said, “...an approach that rests on censorship and criminalisation is likely to do more harm than good” in the organisation’s statement released on 4 February 2020, along with policy briefing on the directive of the Myanmar president’s office.

It is also suspicious as that the government issued a directive on the prevention of “hate speech” in the final year of the term and in the aftermath of the Gambia’s accusation against Myanmar over the Rohingya Genocide at the International Court of Justice (ICJ) in 2019, as well as when it was close to Universal Periodic Review (UPR).

A social media monitoring team was formed under the civilian government in compliance with the international standards. (Further details is presented in the next chapter.) Despite some hints that the monitoring team would only focus on monitoring potential threats on social media from foreign countries, the government never explained about the process, mandate and relevant information about the monitoring team. U Zaw Htay, the spokesperson for the President Office, explained about the government’s actions on religious and racial “hate speech” on social media without providing any details about the time. On 4 September 2020 and 4 November 2020, he said thousands of Facebook accounts, pages and groups were removed and more than 230 websites publishing fake news were blocked. “Sometimes, we proceeded with the mechanism. Sometimes, we sent the official message to Facebook. Officials from Facebook verified and took actions in accordance with the community standards.”

However, the removal of “hate speech” by the government and Facebook also affected irrelevant things. For instance, Facebook removed the article, “8888 Uprising and Myanmar’s Politics” which was written by U Kyi Myint, a prominent lawyer U Kyi

Myint and “ More Wins in 2020 than in 2015”, a review post related to the general election, written by Myoe Yan Naung Thein, a political analyst, was repeatedly removed from the platform.

As an effort of the NLD government for pluralism development and prevention of discriminating things, “Patriotic Spirit”, a poem taught in Grade IV’s curriculum, was removed from the curriculum in March 2019, after a civil society’s criticism claiming that it contains offensive and discriminatory language. Taking objection to the lines “We hate mixed-blood, as it means the extinction of nationality” in the poem, the civil organisations sent a letter to President U Win Myint, and then it was removed. But, according to the studies of the Burmese curriculum text, offered from Grade IV to matriculation students, regarding culture and religion, there are five articles that motivate the nationalist spirit, while there are four poems that inspire the nationalist spirit in the matriculation curriculum. Moreover, in one of the university education curriculums, the article “National and the Act of Safeguarding the Nation,” which was written by Lel Ti Pundit U Maung Gyi, is still include. The article urged the Buddhist women to only marry men of same race and religion, to prevent the endangerment of their own race.

3.2 Attempts in the Parliament

Some lawmakers discussed combating “hate speech” and harmful disinformation in the second term Union Parliament. On 25 October 2017, Daw Yin Min Hlaing, a lower house member of Gangaw township, urged the government to monitor the “abuse of information technology” online, receiving arguments and support from other MPs. The MP said that the purpose of her suggestion was to combat disinformation and “hate speech” and not to infringe on people’s right to privacy and right to information. However, prevention of fake newsmay constitute some forms of violation of free speech and the interpretation of “hate speech” by the lawmaker is very questionable.

Addition to this, U Thant Zin Maung, the Minister of Transport and Communications informed the parliament of the plan to establish a monitoring team and the Pyithu Hluttaw approved it. Following the establishment of the Social Media Monitoring Team in February 2018, Myanmar civil society organisations criticised the controversial and intransparent plan. In response to that criticism, permanent secretary of the Ministry of Transport and Communications, U Win Khant defended that the team would not monitor local groups considered spreading “hate speech” as the civil society organisations believed, instead watching potential incitement from foreign countries on social media, not the local groups spreading “hate speech” at a press conference.

In another case in September 2019, Daw Thandar, a lower house lawmaker from Eaime constituency, urged the government to sign the ICCPR, an international human rights convention that requires all State Parties to ban propagation of war and religious, racial and national incitement pursuant to Article 20. Seven NLD lawmakers supported the proposal while one USDP lawmaker and four military lawmakers argued against it, resulting in recording the discussion as an archive.

Later, the ICCPR signatory went into limbo till the end of the second Parliament session.

3.3 Legal Framework Concerning Hate Speech

Despite the lack of specific laws concerning “hate speech” issues, Myanmar’s current legal framework has laws and provisions applicable to deal with “hate speech” issues. Oliver Spencer, a human rights defender with a focus on freedom of expression in Myanmar, answered “ Myanmar’s legal framework is inadequate to address any human rights concerns. Second, “hate speech” issues cannot be adequately addressed through a legal framework solely. Third, for the most harmful forms of “hate speech”, namely incitement to violence, the Penal Code already has provisions, and these have rarely been used”.

Section 153(a) of the Penal Code which has been active since the colonial era in Myanmar states as follows:

Whoever by words, either spoken or written, or by signs, or by visible representations, or otherwise, promotes or attempts to promote feelings of enmity or hatred between different classes of [persons resident in the Union] shall be punished with imprisonment which may extend to two years, or with fine, or with both.

Section 505(c) of the Penal Code also states as follows:

Whoever makes, publishes or circulates any statement, rumour or report with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment which may extend to two years, or with fine, or with both.

Despite Myanmar's lack of specific laws for "hate speech," if the government so desires, it can apply some provisions and laws, including the two listed above, to combat incitement. However, the media reports analysis indicates that two out of the three prosecutions under Section 153(a) of the Penal Code, according to media reports, are lawsuits lodged by the Myanmar military against Ko Aung Ko Htwe, a former child soldier, his sister, Ma Nay Zar Tun and his two supporters, U Myint Zaw and Daw Khin Cho Naing, for their media interviews with Radio Free Asia media outlet regarding his experience when the military forcibly recruited him into a child soldier.

In the Section 505(c) cases, the Karenni (Kayah) State government prosecuted Karenni youth leaders for protesting the installation of a bronze statue of General Aung San in Loikaw, the State's capital. (The charge was later changed to Article 8(f) of the Law Protecting the Privacy and Security of Citizens.) It appears that the only prosecution under Section 505(c) of the Penal Code for incitement on the basis of religion or ethnicity was against Maung Thway Chun, a prominent ultranationalist author, for making the claim at an ultranationalist rally that the speakers of the upper house and lower house are Christians.

However, it is very worrisome for the freedom of expression but also quite controversial to rely on only legislation in order to combat "hate speech," a local researcher working on "hate speech" issues said. "Especially in a country where the authority institutions such as the government and the military not only unrecognise marginalised minority communities including Rohingya but violate the freedom of expression in all war, a law preventing "hate speech" would be extremely dangerous."

3.4 How the Civilian Government Handled the Ultranationalist Movement

No sooner had the NLD party won the election, a team led by U Tin Oo, the patron of the party, went to the headquarters of Ma Ba Tha office in January, 2016. In the meeting with leading senior monks, he told them that the venerable monks could make suggestions whatever they wanted and scold him and that the party would be there whenever the monks summoned, as a means to initiate the negotiation with Ma Ba Tha. Then the NLD-led government restricted and controlled the activities of the ultranationalist movements, escalating tensions between those forces and the government.

In 2016, Yangon Region Chief Minister U Phyo Min Thein said during his Singapore visit that Ma Ba Tha (Race and Religion Protection Association) was not necessary

as there was already a State Sangha Maha Nayaka Committee. The Yangon chief minister repeated his opinion at Yangon International Airport after Singapore arrival, sparking outrage among Ma Ba Tha networks and followers who threatened to launch nationwide protests if the Region government did not find a solution regarding their outcry. Yet, the State Sangha Maha Nayaka Committee declared Ma Ba Tha an illegal organisation, ordering to permanently remove all Ma Ba Tha signboards. Ma Ba Tha declared it would change its title to Buddha Dhamma Prahita Foundation at a special press conference. In response to that, Thura U Aung Ko, the Minister of Religious and Cultural Affairs and a former military general who experienced tough criticism for his support for Daw Aung San Suu Kyi and his cooperation with the NLD-led government, said in July, "Its name was changed from Ma Ba Tha to Buddha Dhamma Prahita Foundation in order to keep its so-called social activities. It was a trick they pulled against the State Sangha Maha Nayaka Committee's decision. Regarding this, the Sangha Maha Nayaka will take necessary actions at a necessary time."

In July 2019, Sangha Maha Nayaka Committee issued another decision at the 17th conference, ordering the nationwide removal of Buddha Dhamma Prahita Foundation signboards within 45 days and refraining from doing any activities under the name of Buddha Dhamma Prahita Foundation. When interviewed by Myanmar Now in December 2020, Minister U Aung Ko also warned that if Young Men Buddhist Association (YMBA) swerved away from its original objectives, it would suffer the same fate as Ma Ba Tha. Nevertheless, the Buddha Dhamma Prahita Foundation and other ultranationalist groups blatantly challenged the Sangha's authoritative body and the government's orders. The civilian government also tried to control some key "hate speech" actors and took action on some "hate speech" issues.

Case Studies

U Wirathu

After being released from prison in 2012, U Wirathu's religious incitement and rhetoric against the government intensified in 2015. He even expressed gratitude on social media towards Kyi Lin, the murderer, Aung Win Zaw, the mastermind, and Zeya Phyo, who had raised money for the murder of U Ko Ni, a high-profile Muslim lawyer, at Yangon International Airport. On 26 February, 2017, U Wirathu proclaimed, "At this event, I felt relieved as my worries about the future of Myanmar's religion have disappeared, thanks to Kyi Lin, Aung Win Zaw, Aung Win Khaing, and Zeyar Phyo".

In response to his preaching of hatred between different religions, the State Sangha Maha Nayaka Committee banned U Wirathu from delivering public sermons from 10 March, 2017 to 9 March, 2018. However, as it was a religious order rather than a legal order, it was not strong enough to control his “hate speech”.

On 5 May, 2019, during a demonstration by nationalist extremists to preserve Article 59 and amend Article 261 of the 2008 Constitution, U Wirathu addressed that soldiers who have committed numerous human rights violations should be “worshipped as gods”. Additionally, he made disparaging remarks about Daw Aung San Suu Kyi, claiming that she had appointed foreigners as advisors and surrounded herself with foreigners, even sleeping with them. He also suggested that if she were to become the president, people should just “spread their cheeks”. U Wirathu further asserted that if they were living in the same time as Buddha, Daw Aung San Suu Kyi’s position would be at the doorstep where the dogs sleep.

In May 2019, U Wirathu faced legal action for allegedly defaming state leader. The western district administrator of Yangon Region commenced a prosecution against him at the western district court, citing Section 124(a) of the Penal Code for “high treason and sedition.” Fearing prosecution, U Wirathu fled and remained in hiding for over a year until he surrendered himself on 3 November, 2020. Upon his arrest, while standing at the entrance of the Western District Police Chief’s office, he made a chant, “I will fight until the “evil, bastard bird party” (referring to the NLD party) goes extinct”. In the case of U Wirathu, it has been observed that although he, not only as a monk but also as a human being, openly encouraged violence and murders but also spread “hate speech”, he was not charged with the crime of inciting hatred, but rather under Article 124(a) for defaming the state.

U Hla Swe (Bullet Hla Swe)

U Hla Swe served as an MP in the Amyotha Hluttaw (upper house of parliament) for the first Hluttaw term in 2010. In the 2015 general election, he also ran for the upper house of parliament seat representing USDP, but lost to the NLD candidate. He earned the nickname “Bullet” from his public comment, “Come when we offer you the Shwe Let (meaning golden hands in Burmese) if not, you will get the bullet instead”, while inviting ethnic armed organizations to the peace process through the media. He is notorious for inciting “hate speech” on Facebook and at pro-military and pro-Ma Ba Tha rallies. On 3 August 2019, a protest was held against the US government’s targeted sanctions on top military officials. The government charged U Hla Swe with Article

124 (a) of “high treason and sedition” due to the language he used in the protest. At the rally, he publicly denounced the US Embassy in Myanmar for publishing a Burmese female artist’s paintings depicting Buddha wearing a mask due to air pollution in Myanmar on its social media, which led to removal after outrage among the public. U Hla Swe stated that the US embassy dared to put on a mask at the Buddha image, but feared to do the same to the picture of prophet Mohammed as they are afraid if they would be bombed by Muslim terrorists.

On 6 August, U Sann Aung, a member of Islamic clergy opened a lawsuit at Kyauktada township court against U Hla Swe for inciting anti-Muslim “hate speech”. However, no action was taken. On 7 August, the Kyauktada township deputy administrator, U Myo Myint, issued a complaint against him under Section 124(a) with an arrest warrant was issued. U Hla Swe had remained on the run as a fugitive for over a year until he surrendered himself to the police station in December 2020.

3.5 Hate Speech Found on Social Media under the Civilian Government

- Since the formation of the new civilian government as a fallout of the result of the 2015 general election, the “hate speech” by those generating religious incitement and harmful disinformation was disseminated throughout social media in the new political environment. The closer the 2020 general election, the more the narratives were.
- Although offensive criticism and insults against Daw Aung San Suu Kyi as a political leader are legitimate speech under the protection of international standards, Rohingya people and Muslims were usually scapegoated with many accusations whereas women and ladies who are married to foreigners or have interreligious marriage were hit by misogynist “hate speech” and sexual assaults in criticism of Daw Aung San Suu Kyi.
- Rohingya people were described as “Bengalis”, “Illegal Bengalis” and “Rohinnya”, especially in election campaigns. Nationalists and supporters of the USDP circulated the narrative claiming that “Vote for USDP if you don’t want to lose your Buddha shrine at home”. Unsurprisingly, the NLD candidates themselves also cultivated the false narratives that stigmatised and discriminated Rohingya people such as claims that “the Bengalis illegally entered Myanmar not because of NLD party and party members but because the military regimes and USDP allowed them in the past”. Chinese nationals and local people of Chinese descent were also hit by similar harmful disinformation during coronavirus pandemic.

- Persons with disabilities and campaigners promoting awareness for the right of the persons with disabilities were mocked and even assaulted by “hate speech” in the wake of awareness campaigns for the persons with disabilities in public area and public transportation services.
- LGBTQI+ are often hit by “hate speech” as well. In a significant case, an influential monk named Ashin Ahsaralinkara or Koe Bwe Ya Sayadaw gave a public comment in on a LGBTQI person who took his own life as he had suffered severe discrimination and bullying in his workplace. The monk said “It is good that a Gan Duu (a derogatory term for homosexual men and transwomen) died. If I were the president, I would shoot dead a series of them.

3.6 Government’s Hate Speech

The civilian government itself produced religion-based discrimination and attacked marginalised minority communities with harmful disinformation intentionally or recklessly rather than promoting pluralism and implementing effective measures to prevent and combat “hate speech”. Thura U Aung Ko, a former military general who was moderately accepted as a reformist, called Muslims and Hindus “associate citizens”. He used the term in a media interview while explaining his unwillingness to persecute or oppress religious minority groups on his first day as the new Minister of Religious and Cultural Affairs under the civilian government. The Muslim and Hindu communities condemned the use of such terms which discriminates against citizens based on their religion.

In October 2016, a group named Harakah al-Yaqin (renamed Arakan Rohingya Salvation Army (ARSA) later) launched attacks on three border posts in Alel Than Kyaw village, Rakhine State’s Maungdaw township, killing nine police and four soldiers. Following the attacks, the Myanmar military began committing mass killings, arbitral arrests, gang rapes, and extrajudicial killings as part of its “clearance operations”. There were at least 6,700 Rohingya civilians killed in northern Rakhine State as the military continued its atrocities until August 2017, including 740 children under five. In addition, at least 288 villages were burned and destroyed, and hundreds of thousands fled into Bangladesh atrocities.

Following the military’s “clearance operations”, in December 2016, the Ministry of State Counsellor Office published propaganda denouncing claims that Rohingya women were raped by soldiers as “fake rape” on its official social media page. Daw Aung San Suu Kyi also rejected the term “ethnic cleansing” regarding the military’s

atrocities against Rohingya, claiming “the term was too strong an expression” in a BBC’s interview. The Minister of Religious and Cultural Affairs, Thura U Aung Ko, publicly admitted to the media that the government had started writing a historical book in order to assert there is no Rohingya in history and Rohingya is not an ethnic in Myanmar. Meanwhile, lawmakers also discussed and asked the government how to address “Bengali” issues before it became more complicated in the international community. The government of Myanmar also rejected the UN fact-finding mission’s report on the Myanmar military. The Ministry of State Counsellor Office removed the “fake rape” post later. The page itself disappeared after 1 February 2021 where the military staged the coup attempt.

Chapter 4

The Situation of Hate Speech After the Attempted Coup

On 1 February 2021, the Myanmar military attempted an illegal coup by arresting most of the government officials and political activists in the early morning of the first day of the first regular assembly of the third term of Pyithu Hluttaw. In violating then-in-force 2008 Constitution, the military justified the attempted coup by “electoral fraud” in the 2020 general election, citing Articles 417 and 418 of the constitution. The president U Win Myint still had his term remaining two months in the wake of the attempted coup. Contrast to its initial claim of “electoral fraud”, the military junta has increasingly invoked extreme nationalist narratives and rhetorics such as allegations of insults to Buddhism and the dominance of foreigners in Myanmar.

Even prior to the coup, during the civilian government’s rule, pro-democracy supporters, individuals advocating for pluralism, members of the NLD party, human rights activists, and minorities, including Muslims, were subject to “hate speech” by military supporters and extreme nationalists, and violence incited by such incitement. After the attempted coup, support from the military intensified the proliferation of “hate speech” which led to an increase in the number of groups affected by it. In response to the attempted coup, civil servants instigated a non-violent civil disobedience movement with the public engaging in various forms of peaceful resistance including pots-and-pants campaign, military product boycott and mass street protests. However, the military responded with disproportionate violence, including unlawful killings. As a result, the public was left with no choice but to take up arms, leading to an armed resistance revolution in March and April 2021.

4.1. Propagation of Religious Incitements and Threats

The military junta resorts to violent tactics to suppress on-ground protests and demonstrations, as well as the civilian population across various parts of the country. Meanwhile, the media is strictly controlled and propaganda is used to intimidate democracy activists and those opposing the military dictatorship. The People's Defense Forces and revolutionary groups have been wrongly accused of violence. In a video speech on 10 February, junta chief Min Aung Hlaing accused some civil servants of "failing to perform their duties due to fraudsters' instigation", and threatened to "take effective action" against them. While many of the youths, including Ma Mya Thwe Thwe Khine who was a young girl and the first fallen hero during Spring Revolution revolution, were being violently shot and killed by the regime troops, the military junta threatened of the risk of "being shot in the back of the head" on state-owned MRTV television to hinder the nationwide demonstration planned for Resistance Day strikes on March 27. Despite international media coverage of these events and eyewitness accounts, the military junta has denied the reports and falsely portrayed the protesters as those orchestrating violent riots. During a press conference on April 9, 2021, General Zaw Min Tun, the military junta's spokesman, issued threatening propaganda in response to reports that approximately 600 people had been killed by the military council since February 1, stating that if automatic rifles were fired at an assembly of protestors, 500 people would be killed within only hours. Furthermore, the junta-appointed Central Committee for Counter-Terrorism declared Committee Representing Pyidaungsu Hluttaw (CRPH), Myanmar's legitimate legislative body, along with the official government, the National Unity Government (NUG), and the People's Defense Force (PDF), as terrorist organisations through state-owned media on 8 May. The military junta has also been suppressing media freedom by disbanding independent news media, raiding and ransacking offices, and arresting independent media workers, killing and torturing journalists on the ground, while inviting pro-military media propaganda groups to their press conferences and treating them as public information sources.

At the press conference of the military junta held on 19 May, 2022, the spokesman General Zaw Min Tun accused the People's Defense Forces of attacking pagodas and killing Buddhist monks, at the instigation of Muslims and Christians. In addition to the press conferences, the military leader's speeches are often filled with propaganda and religious overtones. In August 2021, seven months after the coup, junta chief Min Aung Hlaing added that during the last five years of the NLD civilian government, "Buddhists have been disheartened."

Min Aung Hlaing, who often states in his speeches that Myanmar is predominantly a Buddhist country, expressed his displeasure at the dissolution of 'Ma Ba Tha' and Ma Ba Tha's rebranded 'Buddha Dhamma Prahita Foundation', almost a year after the coup attempt, in a propaganda speech in the newspaper published on 2 January, 2022. In addition, during the NLD government, the inclusion of sexual education in the education curriculum "hurts the culture of Myanmar," he said in his speech.

In August 2021, about seven months after the military coup attempt, the book "The Second Democratic Government and Myanmar" written by U Soe Thein, a former admiral who served as a minister under former president U Thein Sein, was released. Actually, that book is the second volume and the first volume was released in October 2020 before the general election. Both of these books were not widely available to the public and were only available within the leading community of the USDP party and the military, so it was difficult to obtain them. However, according to excerpts from the news media reports, mainly in volume (1), narratives claiming that if the NLD party won the election, the country would be in a bad situation, religion (Buddhism) will disappear, foreigners will dominate, the plan to extradite military leaders to the ICC and execute 36 generals, including former military junta chief Than Shwe, are written citing "hate speech" and disinformation circulating online by Ma Ba Tha supporters. Mainly, the fake news that Daw Aung San Suu Kyi sent a letter to Dr. Waka Udin, the chairman of the Arakan Rohingya Union was included in the book. In the second volume, U Soe Thein even described 1 February 2021 as the day "Myanmar's independence was maintained".

According to the records of the former military officers who joined CDM, even women in the military are assigned to share fake news on Facebook and Telegram, and report about daily propaganda activities back to the higher-ups. CDM Captain Zin Yaw revealed to the media that the senior officers, from each military division, are distributing fake news and his subordinates were instructed to give mandatory likes.

In areas where internet access is limited and on pedestrian streets in cities, the military spreads propaganda, racial and religious incitements related to NUG, PDF, and Ethnic Armed Organizations. In August 2021, Myanmar experienced a surge in COVID-19 cases which resulted in many deaths. During this time, the military circulated pamphlets and posters by cars or by posting them publicly, alleging that NUG and PDF were disrupting COVID-19 prevention and treatment in Regions such as Yangon, Mandalay, Bago, and Shan State. Additionally, there have been instances

where the military dropped pamphlets from helicopters containing propaganda content that suggests the Kachin Independence Army (KIA) and the Organization of Islamic Cooperation (OIC) would be pleased if PDFs from Buddhist-dominant townships such as Kalay, Yinmabin, Budalin, Kyunhla, and Minkin in Sagaing region, or Yaw and Gangaw townships from Magway, engaged in conflict with the military that is a predominantly Buddhist institution as well. The pamphlets also alleged that the OIC supported PDF with money and weapons, and propagated Buddhist killing. In September 2022, it was discovered that religiously-based propaganda inciting hatred towards AA was present in Rakhine State. It is possible that similar incidents have occurred in other cities as well.

The military junta is currently facing international pressure following an attempted coup, with the Rohingya issue being one of the prominent concerns. Months after the coup attempt, the military propagated that they would conduct the repatriation of Rohingyas from refugee camps in Bangladesh and Rakhine State. In December 2021, a group of junta-appointed ministers, including Daw Thet Thet Khaing, and the Rakhine State Chief Minister made a window-dressing visit to the refugee camps in Maungdaw Township. However, on 25 November, 2021, a local order was issued stating that Muslim individuals must travel with a travel authorisation form (4). In December, Rohingya refugees lodged a lawsuit against Meta Company, Facebook's owner, for USD 150 billion, alleging that the company had not effectively handled "hate speech" against the Rohingya. Then, in March 2022, the US government officially determined that the Myanmar military had committed genocide against the Rohingya minority.

In response to the US government's decision regarding the Rohingya genocide, General Zaw Min Tun stated that while some individual soldiers may have been involved in killings, "the military as a whole did not commit genocide", "There is no reason to commit genocide," he said, denying genocide. On the other hand, General Nay Myo Thet, who had served in northern Rakhine State from 2015 to 2021 and joined the civil disobedience movement during Spring Revolution, provided details in an interview with Myanmar Now about the orders and systematic actions of military officers during raids on Rohingya villages.

Rohingya people, whose rights have been violated for decades, including the right to citizenship and freedom of movement, have encountered arrests by the junta police while fleeing from Rakhine state to other areas in Myanmar after the attempted coup. Due to being crammed into overcrowded vehicles for extended periods, many

sometimes die from suffocation. Those who are arrested are often beaten while in prison and subjected to menial labor, such as cleaning sewage. Additionally, the number of Rohingyas fleeing by boat has increased in 2022, with a fivefold increase in the number of Rohingyas taking shelter in refugee camps in Cox's Bazar district, Bangladesh compared to 2021. 2022 has also witnessed the highest number of Rohingya deaths at sea.

4.2. The Reawakening of the Military's Pillars

Although the military staged an illegal coup attempt and ousted the elected government, citing electoral fraud as the reason, they later resorted to their old tactic of inciting ultranationalism in order to continue to hold illegal power. Ethnic, religious, and nationalist extremist groups, either individually or in groups, once again, became useful to the military. With the guidance of the military, extremist nationalist individuals and entities, which had been limited and obscured under the civilian government, gradually started to rise and network together after the attempted coup.

A few months after the attempted coup, the junta chief Min Aung Hlaing met with the two leading monks of Ma Ba Tha. The Young Men's Buddhist Association (YMBA), also obviously supported and welcomed the coup attempt, issuing a letter numbered 15/(YMBA) 2021 on 3 February, 2021.

Bullet Hla Swe, a fugitive charged with "sedition" and surrendered to police in December 2020, under the civilian government, was released on bail by the junta on February 1, 2021, and his case was closed on 11 May. After his release from prison, Bullet Hla Swe, who is considered the second most prominent "hate speech" speaker after U Wirathu, delivered a speech in support of the unlawful execution of 88 Generation student leader U Jimmy aka U Kyaw Min Yu and lawmaker U Phyo Zoya Thaw, under the pretext of the death penalty. Additionally, he became chairman of the USDP's Nay Pyi Taw union territory in November 2022. Furthermore, Michael Kyaw Myint, Secretary of the Yeomanry Development Party, and Daw Moe Moe Khaing, a member of the Central Committee of the party, who had been arrested for inciting religious riots during the civilian government, were released on 18 May, 2021, by the junta.

U Wirathu, a globally recognised religious extremist and another fugitive for "hate speech", voluntarily surrendered on 2 November, 2020, under the civilian government. He was not released as quickly as some of his associates such as Bullet

Hla Swe and Michael Kyaw Myint, who were released shortly after the attempted coup in 2021. However, U Wirathu came out on 6 September, 2021, more than seven months after the attempted coup. The junta's Yangon Region government withdrew the case against U Wirathu, claiming he needed treatment at an army hospital since May. According to sources from the nationalist network, U Wirathu's release was made only after agreements with the junta were made. Security regarding his public speech and personal safety may have been included in this agreement. Upon his release, U Wirathu held his first sermon in a village of military supporters in Nattalin Township, Bago Region. He was escorted to the event by police, soldiers and Michael Kyaw Myint, and the police fired five shots in celebration.

While ultranationalists and actors of religious violence were released from prison, one of the most significant roles of USDP, the military's main pillar, was attained by an ex-military and one of the masterminds of the nationalist extremist movements. The USDP appointed U Khin Yi as chair of the party at the conference held on 5 October, 2022. U Khin Yi served as Police Chief during successive military regimes and as Minister of Immigration under U Thein Sein's government. Notably, he provided weapons to plain-clothed thugs (known as Swan Arr Shin) during the 2003 Depeyin riot and the 2007 Saffron Revolution, both during the State Law Order Restoration Council/State Peace and Development Council rule.

Furthermore, during the transitional period, U Khin Yi played a significant role in orchestrating Ma Ba Tha activities. He also organised several rallies in support of the military and protests calling for the resignation of the Minister of Religion and Cultural Affairs, U Aung Ko. Participants in these rallies were reportedly equipped with sticks, swords, and other weapons and engaged in violent confrontations with detractors, resulting in damage to property and vehicles.

There is another prominent Buddhist monk who has been closely associated with the SAC. He has received titles and gifts from the military leader as tokens of appreciation. Sitagu Sayadaw Ashin Nyanissara, a well-known monk in Myanmar, made controversial remarks about religious conflicts, describing Muslims as "guests" in the country and Buddhists as hosts. He has maintained close ties with successive governments since U Thein Sein's administration, a period of transition towards democracy. He has also established friendly relations with the military. In addition, he has involved himself in political affairs and shown favoritism towards ultranationalists.

Notably, in 2017, during the Rohingya genocide, Sitagu preached sermons to soldiers and military families in Bayin Naung township, Than Taung Gyi, Karen State,

which has drawn criticism from human rights groups. During his sermon, Sitagu shared the story of Lord Dote Hta Gamani of Sri Lanka (formerly known as Silom), who had killed millions of “Kyay Kalar”. Lord Dote Hta Gamani was concerned about his merits when he was dying. Then, the monks came to the palace. They reassured him that among the millions he had killed, only one person had built the five precepts and another person had built the five precepts and the Saranagon (Three gems of Buddhism). The monks said that the millions of people the king had murdered included only one and a half “real humans”. Referring to this story, Sitagu emphasised the alliance between the military and the Sangha and concluded the sermon by stating that the military must not only fight for the country, but also for the Lord Buddha’s religion.

After the attempted coup in 2021, Sitagu publicly praised the military and its leader, Min Aung Hlaing. However, he did not make any remarks regarding the regime troops’ act of arresting, torturing, and murdering many people on a daily basis. On 20 March, 2022, during a ceremony where Insein Sayadaw U Tilokka Bivamsa, the chairman of the Ma Ba Tha ultranationalist group, was awarded the highest religious title, Sitagu praised Min Aung Hlaing, calling him “a generous, wise, and powerful king.” Sitagu Sayadaw also delivered a speech at Maha Boddhi pagoda in Gaya city, Bihar State, India in December 2022, where he said the reason why 500 monk surrounded and followed Buddha when he went on a trip in the past is to protect the Buddha from being assassinated by other different religious groups. This raised suspicions among other religions and created anxiety among the people.

4.3. The Emergence of Radical, Terrorist Organizations

Several extreme nationalist groups gained momentum, and multiple terrorist organisations emerged under various names in the aftermath of the coup attempt. Among them is the Pyusawhti militia group, which declared its existence on 15 May, 2021, announcing it was secretly established in Mandalay on 5 March, 2021. Pyusawhti is not a geographically-based group, but rather a network formed by like-minded individuals, like Ma Ba Tha. However, unlike Ma Ba Tha, Pyusawhti’s violent tendencies are more pronounced and aggressive.

The group is primarily focused on five main tasks: reporting on those who oppose the military, protecting individuals accused of being informants (“Dalan”), compiling lists and reporting on protest leaders in villages and townships, recruiting weapons manufacturers and military trainees, and providing assistance to veterans’ families. In practice, Pyusawhti extends beyond these stated objectives and engages in violent acts, serving as an informal militia force for the military.

Furthermore, with the support of extremist nationalist monks, regime troops and the Pyusawhti group are coercing villages into attending military training and threatening them with a monthly fine of 500,000 kyats if they refuse to participate. U Wathawa, a prominent monk leading Pyusawhti, has publicly stated that villages supporting the People's Defense Forces should be "obliterated from Myanmar's map".

Another significant group that emerged following Pyusawhti's formation is the Thway Thout group. On 21 April, 2022, pro-military Telegram channels disseminated news that the Thway Thout group intended to exact revenge by killing PDF and urban guerrilla's family members. On that same day, the Thway Thout group (MDY) announced their "Red Operation." The Pyusawhti group began as a volunteer organisation before transforming into a militia, whereas the Thway Thout group openly engaged in acts of terrorism and targeted individuals in urban areas. After killing their targets, the Thway Thout group frequently employed the gruesome tactic of tying corpses, attaching a Thway Thout badge to the victim's neck and leaving them on the streets to intimidate nearby residents. According to reports, at least twenty individuals have been murdered in Mandalay by mid-September 2022, including family members and supporters of NLD party members. Some victims' relatives are unaware why they were targeted and killed.

During an early April press conference, General Zaw Min Tun, who oversees the junta's propaganda, denied any association between the military and the Pyusawhti and Thway Thout groups. However, there is compelling evidence that suggests the military's involvement with Pyusawhti, such as the presence of former military and Ma Ba Tha members within the group, as indicated by Pyusawhti's official statements. Additionally, there have been instances of joint raids on civilian villages conducted by Pyusawhti and junta troops. Moreover, Michael Kyaw Myint, an extreme nationalist and military supporter, initiated the call for the establishment of the Thway Thout group. More than a year after its inception, incidents where individuals apprehended by the military were later found dead with Thway Thout badges attached further underscore the involvement of the junta in Thway Thout group.

4.4 Hate Speech Found on Social Media After the Attempted Coup

- The lackeys of the military, those advocating violence and Ma Ba Tha members circulated "hate speech" on any possible platforms. Especially, they resorted to Telegram application as their accounts, pages and groups as well as military-run institutions and military propaganda channels were removed from Facebook.

- Religious “hate speech” incites a fake narrative claiming that the Organisation of Islamic Cooperation (OIC) and ethnic revolutionary organisations (ERO) most of them such as Kachin, Karen and Karenni belong to Christianity were encouraging the People’s Defence Forces, most of them are Buddhist and Burman, to wipe out Buddhism.
- Buddhist people and Burman who have suffered atrocities of the military since the attempted coup realise the plight of the ethnic minorities and persecuted minorities including Rohingya. Yet, Rohingya are still described as “Illegal Bengalis” with religious incitement and propaganda falsely depicting Rohingya and Muslim communities.
- Women are significantly hit by “hate speech” in the context of the Spring Revolution after the attempted coup. Actresses and models who actively supported and led the public resistance against the military junta are often portrayed as the sexually exploited victims of the PDFs and EROs in fake narratives.
- As one of the various communities actively participated in Spring Revolution, LGBTIQ+ are also targeted by the “hate speech”. While LGBTIQ+ leaders are arrested by the junta police and security forces and, sexually tortured in interrogation centres and prisons, LGBTIQ+ people are still attacked by “hate speech” on social media. As a significant example, U Aung Myo Min, the Minister of Human Rights of the National Unity Government (NUG) was frequently hit by the “hate speech” of the pro-military and Ma Ba Tha. However, some revolutionary forces and those describing themselves as fighting for democracy and human rights often utilise the LGBTIQ especially gay and transwomen as a character in depicting the cruelty of the junta. For instance, some media outlets published misogynist and homophobic cartoons to mock the military spokesperson general Zaw Min Tun.
- Media and journalists have been historically described the traitors in prior to the attempted coup. Since the attempted coup, “hate speech” especially incitement to violence against the media has been more arduous. With the descriptions of media personnel, journalists and citizen journalists are frequently hit by incitement to violence and bullying.
- CDM members have experienced the direct threats and bullying in its propaganda including Min Aung Hlaing’s speech and the pro-military Telegram channels’ messages which indirectly justified the regime troops’ targeted killings of unarmed and civilian CDM leaders and members such as medical workers and teachers.

- The lives of people from central Myanmar, Anyar region has dramatically changed since the attempted coup. As the Sagaing region remains one of the strongest resistance areas, the people from Mandalay, Sagaing and Magwe Regions are particularly targeted by not only the discriminatory military offensives of the junta troops but also the accusations that most men from those areas are PDF members or supporting PDFs. Suggestions that people holding the "5/" code – the national identity system that represents Sagaing Region should not be employed, allowed to travel and stay overnight at different regions. Similar cases also happen in other States and Regions where the armed resistance groups actively fight back the military.

Chapter 5

Conclusion

“Hate speech”, one of the myriad issues to be addressed in Myanmar, directly links peace process, and prevention and reduction of massive human rights violations ranging from discrimination to genocide.

While Myanmar has encountered the consequences of “hate speech” throughout history, the perpetrators are yet to be held accountable for “hate speech” and hate crimes.

“Hate speech” issue can neither be addressed by one night or will be addressed until tolerance for diversity and respect for minorities are established. Particularly, it is crucial to remove and reform not only incitement to discrimination, hostility and violence but also discriminatory prejudice, perception and ideology plagued inside the society.

It should not be surprising that several resources including time are utilised to establish a reform. Vague posture of the civilian government regarding “hate speech”, its failure to protect minority groups from “hate speech” and the government that described itself as a government valuing democracy and human rights, ignoring the atrocities of the Myanmar military and protecting it with fake news under the disguise of national security are ugly truths. However, elimination of the Myanmar military, one of the roots of “hate speech” and establishment of a future society are among people’s determinations during the Spring Revolution.

Positive changes have occurred during the Spring Revolution that emerged along with the anti-junta movements of the people of Myanmar. The National Unity

Government (NUG) withdrew the objection issued by the civilian government led by the NLD party, to the ICJ's Rohingya Genocide Case. A minister of the NUG individually apologised to the Rohingya community for lack of any support for their human rights in the past. A spokesperson of the Office of the Acting President officially apologised to the Rohingya community for what he testified when he served as a witness at the human rights committee of Canadian's upper parliament in 2007. The government of the United States also formally recognised the Rohingya Genocide. Bamar people of central Burma, the largest ethnic group in Myanmar, realised and had empathy for Rohingya people's sufferings when they saw the atrocities and brutality of the Myanmar military with their own eyes. Nationalistic and religious propaganda that the dictators including the military regimes have utilised, is no longer effective to the public as in the past.

While Myanmar's "democratic transition" that began in 2011 was abrogated by the attempted coup of the Myanmar military in 2021, a comprehensive reform of Myanmar society is getting stronger along with Spring Revolution. Myanmar will remain an ethnically and religiously diverse society thus will still experience "hate speech" issues like other diverse societies. Regarding the establishment of a nation without "hate speech" every stakeholder should crucially not only counter and combat "hate speech" but to refrain from expressing "hate speech" themselves. Therefore, it is only to abandon "hate speech" and discriminatory ideologies on the persistent march towards genuine reform.