Transnational Energy Projects and Green Politics in Thailand and Burma

A Critical Approach to Activism and Security

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for Lisa and Kyela

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Abstract

Most studies in environmental politics have traditionally examined three broad areas: the degradation of the environment; the regulatory regimes governing the environment; or environmental activism within the affluent North. This thesis provides an alternative perspective, exploring environmental activism in the less affluent South. In particular, while human rights and social justice perspectives have historically been largely absent from many environmental movements of the North, this thesis argues that, due to precarious living conditions and authoritarian governance, these issues are of primary importance for environmentalists in the South. As a result this thesis contends that most environmental movements in the South are part of a growing global justice movement and that important cultural diversities within this movement can result in novel forms of resistance and environmental governance. The focus here is on the emancipatory actors within these movements in the South who challenge existing power structures within society. Likewise, by adopting a critical perspective, this thesis argues that large business interests pursue energy projects in the South in the name of energy security and large scale industrial development that are often inappropriate for local development and security needs.

To test these hypotheses, four case studies were undertaken that examine transnational gas pipeline and large dam projects at various stages of their development which originate in either Burma (Myanmar) or Thailand. Empirical research, primarily in the form of interviews, undertaken in the countries hosting the various energy projects demonstrated that although environmental activists in the South were assisted by transnational activist networks there were also important local factors that impacted on the emancipatory philosophies, strategies and tactics of many activists in this region. These strategies have achieved some success, with environmental impact assessment (EIA) processes in Thailand now providing a potential opening for the political engagement of communities. Nevertheless, this thesis finds that the power of corporate interests in the international political economy often poses insurmountable barriers for activists to achieve both their short and long term aims. The findings suggest that despite the efforts of activists, local indigenous and ethnic minority communities continue to bear the brunt of the social and environmental costs of transnational energy projects in the South while receiving few of the benefits. Rather than safeguarding these communities from deprivation, these projects often exacerbate existing social tensions and conflicts, resulting in increased community insecurity.

Declaration

This work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution to Adam Simpson and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text.

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Adam Simpson   December 2009

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Other people who have helped me over the years include my parents, Ann and Graham, and my brother, Giya, who have provided constant support through some rocky times. Adam Smith and Alex Hannell in London, Anton van den Hengel and many other good friends have provided sounding boards during many years of solving the world's problems in late night philosophical discussions. Vic Beasley provided some minor grammatical and formatting assistance in the later stages of the thesis. Thanks are due to my colleagues in International Studies at the University of South Australia for the mid-corridor debates, particularly Lis Porter who as Head of School showed faith in me and an interest in my research.

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Notes on Language and Bibliography

Thai family names are often long and unfamiliar, even to other Thais, and both ethnic Burmans and most ethnic minorities in Burma (except the Chins, Kachins and Nagas) have no family name.

I have therefore followed the custom adopted by academics specialising in this region by citing Thai and Burmese authors in the text and bibliography by their first, rather than last, names (Brown 2004; Fink 2001, 270; Hewison 2005; Lintner 1999, 496; McCargo and Ukrist Pathmanand 2005; Warr 2005, xv).

Romanisation of Thai and Burmese names and words can result in several different spellings. I have endeavoured to maintain consistency throughout the thesis but where needed I have noted alternative spellings.

Acronyms and Key Terms

kWh is Kilowatt Hours (unit of energy consumption)
MWh is Megawatt Hours (unit of energy consumption)

Btu is British Thermal Units (unit of energy consumption)

MMBtu is 1 Million British Thermal Units (1,000,000)

(3412 BTUs = 1 kWh)
(1 BTU = 1,055.06 joules)

tcf is trillion cubic feet
mcfd is million cubic feet per day

1 acre = 2.5 rai

AASYC	All Arakan Student and Youth Congress
ADB	Asian Development Bank
AE	Accion Eologica (Friends of the Earth Ecuador)
AEPS	Alternative Energy Project for Sustainability
AGM	Anti-Globalisation Movement
ALD	Arakan League for Democracy
ALTSEAN-Burma	Alternative ASEAN Network on Burma
ANC	Arakan National Congress
ASSK	Aung San Suu Kyi
ASEAN	Association of Southeast Asian Nations
ATCA	Alien Torts Claim Act
BLC	Burma Lawyers' Council
BRN	Burma Rivers Network
CNOOC	China National Offshore Oil Corporation
CSS	Critical Security Studies
DHP	Department of Hydroelectric Power (Burma)
DKBA	Democratic Karen Buddhist Army
EG	Emancipatory Groups
EGS	Environmental Governance State
EIA	Environmental Impact Assessment
EIR	Extractive Industries Review
EJM	Environmental Justice Movement

EMO	Environment Movement Organisation
ERI	EarthRights International
EU	European Union
FER	Foundation for Ecological Recovery (aka PER) (see TERRA)
FGS	Focus on the Global South
FoE	Friends of the Earth
FoEI	Friends of the Earth International
FTUB	Federation of Trade Unions Burma
GAIL	Gas Authority of India Ltd
GJM	Global Justice Movement
GMS	Greater Mekong Subregion
GSP	Gas Separation Plant
J18	18 June 1999 – 'Carnival Against Capitalism'
ICG	International Crisis Group
IFI	International Financial Institution
IMF	International Monetary Fund
IMT-GT	Indonesia-Malaysia-Thailand Growth Triangle
IPE	International Political Economy
IR	International Relations
IRN	International Rivers Network (now known as International Rivers)
IUCN	World Conservation Union
KCG	Kanchanburi Conservation Group
KDRG	Karenni Development Research Group
KESAN	Karen Environmental and Social Action Network
KHRG	Karen Human Rights Group
KNLA	Karen National Liberation Army (military wing of KNU)
KNPP	Karenni National Progressive Party
KNU	Karen National Union
LNG	Liquefied Natural Gas
MAI	Multilateral Agreement on Investment
MDA	Militant Direct Action
MDB	Multilateral Development Bank
MYPO	Mon Youth Progressive Organization
NBA	Narmada Bachao Andolan (India)
NEB	National Environment Board (Thailand)
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission (Thailand)
NIMBY	Not-In-My-Back-Yard
NLD-LA	National League for Democracy – Liberated Area (Burma)
NOC	National Oil Company (China)
NSM	New Social Movement
OECD	Organisation for Economic Co-operation and Development
OEPP	Office of Environmental Policy and Planning (Thailand)

ONGC	Oil and Natural Gas Corporation Ltd (India)
PER	Project for Ecological Recovery (aka FER) (see TERRA)
PGA	People's Global Action
PPP	People's Power Party (Thailand – formerly TRT)
PT	Pheu Thai Party (Thailand – formerly PPP)
PSU	Prince of Songkla University
SAM	Sahabat Alam Malaysia (Friends of the Earth Malaysia)
SBPAC	Southern Border Provinces Administration Centre
SEM	Spirit in Education Movement
SGM	Shwe Gas Movement
SIA	Social Impact Assessment
SLORC	State Law and Order Restoration Council
SNF	Sathirakoses-Nagapradeepa Foundation
SPDC	State Peace and Development Council
TBBC	Thailand Burma Border Consortium
TERRA	Towards Ecological Recovery and Regional Alliance (see also FER/PER)
TNC	Transnational Corporation
TRT	Thai Rak Thai (Thailand)
UK	United Kingdom
UN	United Nations
UNCED	United Nations Conference on Environment and Development (Rio de Janeiro 1992)
UNDP	United Nations Development Programme
UNEP	United Nation Environment Programme
US	United States (of America)
WCD	World Commission on Dams
WCS	World Conservation Society (US)
WSF	World Social Forum
WSSD	World Summit on Sustainable Development (South Africa 2002)
WTO	World Trade Organization
WWF	World Wide Fund For Nature

Chapter 1 – Introduction

This dissertation focuses on how environmental politics is played out in both the countries and transnational spaces of the less affluent global South. It developed out of the concern that a wide gap existed between many of the issues focused upon by environment movements in the South and those in the North. Although some environmental groups and movements in the North have shifted their focus away from a narrow ecological focus over the last two decades, there often remains a significant difference in foci between activists based in the South and those in the North. This difference has also been reflected in academia, which is dominated by scholars in the North.

The circumstances in which activists in the South operate are largely foreign to those in the North and can be illustrated by the situation on a remote conflict-ridden stretch of the Salween River where it forms the border between Thailand and Burma (Myanmar). The Ei Tu Hta camp for ethnic Karen internally displaced peoples (IDPs) sits on the river between the proposed Dar Gwin and Wei Gyi Dam sites in Karen National Union (KNU) controlled Burma. Hsiplopo, the camp leader, is unable to visit his family because although they only live three hours walk away the Burmese military, with which the KNU is engaged in the world's longest running civil war, have camps in between that are only two hours walk away.[1] The camp is also built on steep hillsides, denuding the forest cover in the limited area available, and is unable to grow its own rice, relying instead on regular donations from the UN and other non-governmental organisations (NGOs) shipped upriver by longtail boat.[2] This type of insecurity colours the daily existence of both the Karen people in this camp and many other ethnic minorities in Burma. Nevertheless, despite these conditions, Hsiplopo's commitment to the campaign against the

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[1] Hsiplopo (2009, 6 January). *Interview with author*. Ei Tu Hta Camp Leader/Chairman, KNU Member. Ei Tu Hta Camp, KNU controlled Burma on the Salween River.
[2] Nay Tha Blay (2009, 7 January). *Interview with author*. Director of Karen Office of Relief and Development (KORD) and activist with Karen Rivers Watch (KRW). KORD Office, Mae Sariang, Thailand.

proposed nearby dams was resolute: 'We don't want dams … the military cannot build the dams because the KNU will not let them while the people do not want them'.[3]

Despite the civil conflict, or perhaps because of it, exiled Burma environmental groups undertake perilous work with the KNU in this region to help promote human and environmental security for the Karen people. As an exiled activist from the Karen Environmental and Social Action Network (KESAN) explained: 'KESAN's programs are in the KNU area [in Burma] so we have a close relationship with the KNU leaders'.[4]

It can be difficult for environmental activists in the North, for whom this precarious existence is entirely foreign, to comprehend fully the existential struggle that dictates much environmental activism in the South. As a result, many Northern environment movements, and the American environment movement in particular, have been largely apolitical with the issues of 'human health, shelter, and food security' traditionally absent from their agendas (Doyle 2005, 26). Despite recent work in this area in the North, much more attention and research is required on environment movements that address these types of issues within the South.

While the focus of my research has always centred on the South, the particular focus that emerged throughout my doctoral research on transnational energy projects developed largely through contacts with environmental activists based in Thailand. During a residential course on Buddhist Economics in 1998 at Schumacher College in the UK one of the course teachers, Sulak Sivaraksa, a renowned Thai social activist and advocate of Engaged Buddhism, told me about forest protests that he was participating in over the Yadana Gas Pipeline Project that was to carry natural gas from Burma to Thailand.[5] I investigated this activism further and later that year travelled to Thailand to make contact with the major actors involved with the protests including the transnational NGO EarthRights International (ERI) and the local Kanchanburi

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[3] Hsiplopo (2009, 6 January). *Interview with author*. Ei Tu Hta Camp Leader/Chairman, KNU Member. Ei Tu Hta Camp, KNU controlled Burma on the Salween River.
[4] Alex Shwe (2009, 8 January). *Interview with author*. Activist with Karen Environmental and Social Action Network (KESAN) (aka Ko Shwe). Chiang Mai, Thailand.
[5] Sulak Sivaraksa (1998, 25 January). *Interview with author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.

Conservation Group (KCG). Many of the issues that activists were addressing in this campaign were quite different from the ones examined by scholars from the North. Decha Tangseefa of Thammasat University in Bangkok described the experience of the ethnic Karen people in the Thai-Burmese borderlands region, many of whom have been displaced from their homes in Burma by attacks by the Burmese military, the tamadaw,[6] that are linked to the Yadana Pipeline and other transnational energy projects:

> Although these people are living in danger zones, the territorial sovereignty of the despotic state renders them imperceptible to the "outside" world. Their sufferings have rarely been accounted for by the international community. Most of their stories have never been disclosed, and even when they have, they have often been ignored. No matter how loud they have screamed, a large number of forcibly displaced peoples "inside" the Burmese nation-state have been tortured and killed without being heard as they dissolve back to the soil they hoped would be their homelands (Tangseefa 2006, 405).

As this research project developed, the connections between these sorts of human security issues and environmental protection in the South emerged as fundamentally linked. From my early contact with activists in Thailand my research interests therefore coalesced around an examination of the environmental activism that arose in response to four transnational energy projects based in Thailand and Burma. As my investigations into these projects developed it became obvious that the extent and nature of environmental activism against these projects was highly dependent on the level of authoritarianism of the political regimes that governed these countries, and that it affected local and transnational activism differently. It was also clear that local and transnational business interests often supported the energy projects and collaborated with these political regimes in the pursuit of this type of large-scale development. It became apparent, however, that while these proponents often cited energy security as a rationale for proceeding with the projects, the actual impacts on local communities in the vicinity of the projects were often adverse and detrimental to their environmental security. This paradox drove the research project from its inception.

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[6] Throughout this thesis the 'Burmese military' or '*tatmadaw*' refers to Burma's ruling military regime, which is dominated by the Burman ethnic majority of central Burma.

Aims and Research Questions

This dissertation was designed to fill the gaps in the literature in the understudied area of environmental activism and politics in the South. Despite an increased focus on the environment in the last two decades, most book length approaches to environmental politics still examine predominantly ecological issues or regulatory regimes and focus particularly on the affluent states of the North (Howes 2005; Kutting 2000; Paehlke and Torgerson 2005). Although there has been increased attention on environmental movements in recent years, much of the material still focuses primarily on movements within the North (Carter 2007; Doherty 2002; Doyle 2000; Dryzek et al. 2003; Gottlieb 2005; Hutton and Connors 1999; Rootes 2007; Sandler and Pezzullo 2007; Shabecoff 1993). Large business interests play a significant role in pursuing inappropriate development in the South, yet the few studies that examine the role of business in environmental politics also tend to focus on business interests in the North (Blair and Hitchcock 2000; Doyle and McEachern 2008). There has been some analysis of environment movements in the South (Doherty 2006; Doherty and Doyle 2006; Doyle 2005; Duffy 2006; Dwivedi 1997; 2001), and various studies of transnational activism more generally (Atkinson and Scurrah 2009; Cohen and Rai 2000; della Porta et al. 2006; Edwards and Gaventa 2001; Eschle and Maiguashca 2005; Keck and Sikkink 1998; Khagram et al. 2002; Reitan 2007; Routledge et al. 2006; Rupert 2000)**,** but only one comparative study examining how authoritarian regimes in the South impact on environmental activism and this omitted analysis of the role of business (Doyle and Simpson 2006).[7] One article has examined environmental policy under various political regimes but it avoided any discussion of the impacts on environmental activism (Fredriksson and Wollscheid 2007). To provide an alternative approach this thesis, therefore, aims to determine the impacts on the nature of environmental activism that business plays in supporting or undermining authoritarian governance in the South.

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[7] The comparative study listed here written by Doyle and myself is an article examining green politics under the authoritarian regimes of Burma and Iran, which appeared in a special issue of *Environmental Politics* focusing on *Environmental Movements and Transnational Politics* and was later published in an edited book (Doyle and Simpson 2008). For the purposes of this thesis my citation formula is as follows: for my research that appears in this article I either use no citation at all or otherwise indicate that it is my original contribution to the article; and for research that is Doyle's contribution the citation will be used in the usual manner.

It is also rare to see book-length analyses of environment movements or campaigns using a multilevel (Dwivedi 2001), or multiscalar (Kaiser and Nikiforova 2006), approach. Most studies of activism either focus on the local (Doyle 2005; Rootes 2007), or the transnational level (Reitan 2007). None undertake separate theoretical analyses of both local and transnational activism within the same campaigns. An edited collection by Piper and Uhlin (2004) considers transnational activism in Asia with each case study providing some linkages to national activism in a different country, but it does not focus specifically on environmental activism or consider campaigns against energy projects, nor does it examine Thailand or Burma. As an edited book it is also a disparate collection of case studies by a variety of authors rather than a book length investigation that conducts separate analyses of local and transnational activism. I therefore adopt the novel approach in this thesis of undertaking a multilevel multiscalar analysis that examines the various levels of environment movements – individuals, groups, NGOs, coalitions and networks – and also the various scales at which activism is undertaken, including local and transnational dimensions of the same campaigns. This thesis, therefore, aims to provide explanations for any differences that occur between environmental activism at local and transnational levels against transnational energy and development projects in the South.

Within the emerging literature on environmental security there is also a dearth of studies that link this concept to environmental activism. While some book length approaches employ green or critical theoretical approaches in examining environmental security (Barnett 2001; Dalby 2002), others focus primarily on the actual threats facing communities in the South (Dodds and Pippard 2005; Doyle and Risely 2008; Liotta et al. 2008).[8] Linkages between political regimes and large business interests often play a significant role in undermining environmental security in the South while environmental activists can play a crucial role in environmental governance, yet there are no book length comparative analyses of how these actors interact. An article by Doyle and Doherty contrasts the complicity of conservation NGOs and non-democratic national and transnational actors in generating a neoliberal environmental governance state (EGS) with the role of more emancipatory groups (EGs) but this perspective limits the potentially constructive function EGs can play in governance (Doyle and Doherty 2006). This thesis

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[8] There are some chapters in this edited collection that specifically address environmental activism (Doyle 2008b; Simpson 2008b), but most chapters focus on the threats faced.

provides an alternative model where emancipatory governance groups (EGGs) oppose global neoliberal governance by providing a more nuanced and localised form of environmental governance. In sum, the central aim of this dissertation is to use the campaigns against transnational energy projects in Thailand and Burma to address some of the existing limitations in the environmental politics literature on the impacts on environmental activism of political regimes, business interests and environmental security in the South.

To achieve these broad aims this research project poses six research questions:

Does authoritarian governance in the South impact on the extent of environmental activism at local and transnational levels?

Does environmental insecurity resulting from authoritarian governance and transnational energy projects impact on the issues focused upon by environment movements in the South and the philosophies and practices that they employ?

Are environmental activists in the South likely to be social movement activists and participants in emancipatory governance groups (EGGs)?

How do local cultural factors impact on the philosophies and practices of environmental activism in the South and is there a difference between the impacts on local and transnational campaigns?

Does the organisational structure and composition of environmental groups in the environment movements of the South impact on their ability to both achieve their goals and contribute to effective environmental governance by improving environmental security for marginalised communities?

> *How does the role that transnational and large business interests play in supporting both authoritarian governance and transnational energy projects impact on environmental activism in the South?*

These six research questions are addressed throughout this dissertation, and particularly in the case studies of Part 2, but it is in Part 3 that the specific findings relating to each question are analysed.

Research Methodologies

This dissertation is fundamentally about environmental politics, and in this sense it draws on the fields of environmental studies and International Relations (IR), but its focus remains more generally within politics which is, according to Doyle and McEachern, 'central to environmental studies' (Doyle and McEachern 2008, 21). I wrote this dissertation in the same tradition as other practitioners and theoreticians within the academy who consider themselves to be scholar-activists engaging in emancipatory research (Humphries et al. 2000), who contribute to academia while also providing analysis that is useful for activists (Reitan 2007, 26-32). As is the case in other respects, there is a parallel here between environmental politics and feminism. Both fields seek to bridge the gap between an academic discipline and street activism. Eschle and Maiguashca, feminist academics from the UK, seek to find ways of converging towards this goal through

> 'politicised' or 'critical scholarship', that is, research that explicitly recognises and takes responsibility for its normative orientation; that aims to empower a marginalised and oppressed constituency by making them visible and audible; and that attempts to challenge the prevailing power hierarchies, including in terms of the construction of knowledge (Eschle and Maiguashca 2006, 120).

This approach can also be found in critical International Political Economy (IPE), which also informs this thesis, where authors are committed to seeking 'emancipatory forms of knowledge' (Gill 2008, 6). Within environmental studies itself there exists a strong notion of

> advocacy, of a strategic problem-solving focus, of an eclectic methodology in interdisciplinary approaches, of critical and at times radical thought and propositions. Environmental studies has been for the environment in all its diverse and ambiguous orientations. In environmental studies there is a strategic goal: to bridge the gap between theory and practice (Doyle 2000, xxx).

These critical approaches therefore emphasise their common emancipatory focus.

These disciplinary considerations have had impacts on the methodological approach I adopted in this thesis. As Reitan argues, '[i]If the personal is political, I would also say it is methodological' (Reitan 2007, 26). As a result I adopted an emic approach that values the insider's perspective and which Harris argues makes the research subject the 'ultimate judge' of the adequacy of an observer's description and analysis (Harris 1979, 32). Due to the complex cross-cultural issues related to my research I also favoured qualitative over quantitative methodologies as they emphasise the 'human factor' (Neuman 2000, 126).

My general approach to the research project was post-positivist where I considered the accounts by activists were 'part of the world they describe' (Silverman 2001, 95). This constructivist approach assumes that the natural and the social world are, in Crotty's words, 'one human world ... We are born … into an already interpreted world and it is at once natural and social' (Crotty 1998, 57). In this respect it was also important to remember that, as a researcher and author undertaking field research with activists, I was a subject as well as an object (Doyle 2005, 5). The main form of field research undertaken for this dissertation was, therefore, the informal interview which was conducted in person, by phone or via email. These interviews were primarily undertaken with social and environmental activists across Asia who were the key 'informants' of my field research (Neuman 2000, 374). I generally asked interviewees to speak for themselves as individuals rather than as part of an organisation or movement because, as Alasuutari notes, even within subcultures there are 'disagreements and different points of view' (Alasuutari 1995, 57). Interviews with government and corporate employees were not pursued because the core focus of this dissertation is the strategies and tactics in environmental activism rather than the management of environmental issues by governments or the for-profit sector which would comprise a separate research project.

It should be noted, therefore, that this thesis is largely based on how the activist community see themselves rather than the nature of activism *per se*. Nevertheless, Neuman suggests that this sort of focus may draw misplaced accusations of bias, related to the 'hierarchy of credibility', which are often levelled for giving 'voice to parts of society that are not otherwise heard' (Neuman 2000, 377). Compounding this problem is that all of the case study organisations examined in this thesis are relatively small, with EarthRights International (ERI), as the largest organisation, having only fifteen employees in the main office in Southeast Asia during a period of fieldwork in 2004.[9] As a result, many of the interviews conducted are of either founders of organisations or employees with significant responsibility. These interviewees may be considered to have vested interests in characterising their organisations in a particular way and therefore cannot be considered objective. Nevertheless they are also likely to be in the best position to provide the rationale for the formation of the organisation and its founding and operational values and philosophies. Indeed, as Yin notes, insights gained from interviews 'gain even further value if the interviewees are key persons in the organizations … and not just the average member of such groups' (Yin 2009, 264).

One way of overcoming a small sample size within an organisation is to integrate evidence (Yin 2009, 265-66). Within this thesis I have, for example, integrated evidence I found which tends to demonstrate the veracity of the assertions made in interviews with ERI activists by: interviewing activists outside ERI on the performance of ERI (for example Sai Sai of Salween Watch and Aung Htoo of Burma Lawyers' Council); drawing attention to various media reports on ERI itself and its campaigns (for example reports in *The New York Times* and *The Times*); evaluating the reports produced by ERI itself (for example examining the dominant themes of *Total Denial*); and documenting international awards and attention bestowed on ERI co-founder Ka Hsaw Wa for his work on human rights and the environment (for example being awarded the Goldman Environmental Prize and being played by Woody Harrelson in the play 'Speak Truth to Power' at the Robert F. Kennedy Center in New York). Despite the supporting evidence provided throughout this thesis, as a research project firmly within an emancipatory research

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[9] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

paradigm it endeavours to give voice to the oppressed or marginalised communities in the South (Humphries et al. 2000). While Ka Hsaw Wa has been extraordinarily successful as an ethnic Karen activist living in exile it should be noted that he was also tortured by the Burmese military and spent many years living in the forests of Burma as an internally displaced person (IDP) before this success.

The interview was used in preference to the questionnaire for both methodological and epistemological reasons. Using surveys for cross cultural research often magnifies the problems associated with surveys of any kind and therefore they were not employed here (Neuman 2000, 406). Shipman also argues that interviews are 'more flexible than questionnaires, [they] can probe deeper, can be adjusted to circumstances, [and] can increase rapport and co-operation' (Shipman 1988, 84). As an interviewer, therefore, I could provide a more personalised context for the interview (Kidder and Judd 1986, 225). Of course the 'cost' of the informal approach during interviews is the reduction of control and reliability in the process although the contribution to objectivity, which these factors purport to make, is often illusory in social research, with Weber arguing that all research is contaminated to some extent by the values of the researcher (Silverman 2001, 54).

The type of interview employed was usually unstandardised and non-directed, although key questions were often asked (Phillips 1966, 110). The informality of such interviews was a conscious methodological decision reflecting my acceptance of the limitations of objectivity in human interaction. Similarly, although there were some specific issues which I thought were pertinent, the unstandardised nature of the interviews encouraged a permissive atmosphere in which new and relevant topics were broached. In this manner insights were obtained that may not have been revealed in a more formal interview situation.

I undertook this fieldwork in the countries where the cross-border energy projects were being undertaken as well as other countries in the region. There were obvious security difficulties in undertaking research for projects that originated in Burma with ethical dangers attached which tie together 'the experience of the researcher and the researched' (Lee-Treweek and Linkogle

2000, 5). I undertook research in Burma with one fieldtrip to the centre of the country and one into KNU controlled Burma along the Salween River near the Wei Gyi and Dar Gwin Dam sites but many of the actual sites for the projects were in areas of civil conflict or areas otherwise off limits to foreigners. Fortunately, for the research purposes of this thesis, Burma's authoritarian regime and the resultant civil conflict has resulted in what I argue is an activist diaspora so that interviews could be more freely undertaken in neighbouring countries such as India and Thailand. Nevertheless, as a research project with Iranian exiles has demonstrated, when dealing with authoritarian regimes researchers may need to omit 'many details or keep them to an absolute minimum to protect … participants' (Liamputtong 2007, 38). The greater freedom and mobility for conducting research in Burma's neighbouring countries coincided with the impacts on environmental politics of the political regimes in each country. As a result, while fieldwork in Burma was extremely limited, research was readily undertaken in India for the Shwe Pipeline and in border provinces in Thailand for the Salween Dams and Yadana and Thai-Malaysian Pipelines.[10] The research undertaken in the borderlands between Thailand and Burma therefore answered the appeal by Tangseefa who called attention 'to the necessity and urgency of conducting academic field research in the dangerous areas in the Thai-Burmese border zones, in "the condemned grounds"' (Tangseefa 2006, 406). The limitations that applied in the ability to conduct research inside Burma itself also provided insights into the restrictions facing environmental activists, not only in that country but also under other authoritarian regimes such as Iran (Doyle and Simpson 2006).[11]

Despite interviews being undertaken in Thailand and India, Burmese activists often still preferred, in order to maintain their own ability to engage in activism within the activist diaspora, and sometimes due to their own precarious residency status, to remain anonymous. Additional concerns sometimes also related to the welfare of their families remaining in Burma. In these somewhat democratic countries, however, even Northern activists had security concerns over being identified and often therefore remained anonymous. As suggested by Neuman, I therefore created pseudonyms for some interviewees to maintain confidentiality (Neuman 2000,

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[10] These Thai border provinces were Kanchanaburi, Tak and Mae Hong Son in the west and Songkhla in the southeast.
[11] Ettefagh, A. (2004, 16 February). *Interview with author.* Iranian activist. Tehran, Iran.

376).[12] Some Burmese activists already operated under pseudonyms even within formalised NGOs such as ERI.[13] Indeed, the commonly used name of the co-founder and executive director of ERI, Ka Hsaw Wa, was a pseudonym which allowed him to travel freely under other names, including his true name, in the Thai-Burmese borderlands.[14]

Security concerns, in addition to the informality of some interviews, also resulted in a variety of recording formats for the interviews. The preferred medium was to record the interview on a dictaphone and then transcribe it through word-processing afterwards. In general, I recorded formal interviews with public figures, such as the Engaged Buddhists Sulak Sivaraksa and the Dalai Lama, by dictaphone where identification was not a security issue.[15] Some activists did not want to be recorded, particularly if it was the first interview or before a certain level of trust had developed. I had gained 'overt' access to ERI by gaining their trust over a number of years of correspondence and contact (Silverman 2001, 57), but this varied with changes in personnel.[16] In these cases notes were taken during the interview and written up afterwards.

Language issues were also considered in my research methodology and were representative of wider socio-political issues. Due to the politically-driven activist diaspora, all Burmese activists spoke some English, having been displaced from the areas of their native languages. Interviews were therefore generally conducted in English, which is the lingua franca of the multi-

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[12] In O'Kane's study of women activists in the same area of the Thai-Burmese borderlands almost all her interviewees preferred to use a pseudonym (O'Kane 2005, 28).

[13] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand. Naing Htoo (2005, 10 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[14] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[15] To gain a deeper understanding of *Engaged Buddhism,* an activist philosophy employed in several of the campaigns examined here, I undertook several Buddhist retreats in various counties and also residential courses in *Buddhist Economics* and *Gandhi and Globalisation* in the UK and India respectively. Throughout this period I also undertook interviews with prominent Engaged Buddhists on issues such as activism and nonviolence including His Holiness the Dalai Lama in India, and Sulak Sivaraksa and A.T. Ariyaratne, both at Schumacher College and in their respective home countries of Thailand and Sri Lanka. These Buddhists were all involved in *emancipatory* activism and therefore provided important insights into the development of Engaged Buddhism as an activist philosophy and practice.

[16] An example here is that although I had accrued almost a decade of interaction with ERI the trust-building process had to begin again after a change in management in the Southeast Asia office with an activist preferring that I not use a dictaphone to record interviews. Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

ethnic transnational activist communities in the region. Some Thai activists, however, spoke little English and in these situations a translator was used during interviews.[17] Even for those activists who spoke English quite fluently as a second language, however, email is a difficult medium of communication and emails sometimes went unanswered.[18]

Energy Projects

This dissertation examines four transnational energy projects based in Thailand or Burma to examine environmental politics and activism in the South. The projects consist of three transnational gas pipelines and a set of large hydropower dams on the Salween River, all at various stages of their development, where the electricity is exported across borders for foreign exchange. The pipelines were originally planned to link together the proposed South Asian regional energy grid with the proposed Trans-ASEAN gas pipeline grid (ACE 2003; Chaturvedi 2005, 125; 2002; Simpson 2008b; Sovacool 2009a; 2009b). The Salween Dams are part of either the proposed Mekong Power Grid, a project promoted within the Greater Mekong Subregion (GMS) forum with the backing of the Asian Development Bank (ADB), or the ASEAN Power Grid, which has the goal of supplying electric power from a grid serving all ten member countries by 2011 (Osborne 2007, 5). These projects are all opposed by environmental activists for a variety of reasons linked to adverse impacts on the environment, human rights and justice.

The first case study is the Yadana ('Jewel') Gas Pipeline Project, the first major cross-border gas pipeline in Southeast Asia, which transports gas from the Gulf of Martaban across Tenasserim Division in southern Burma into Kanchanaburi Province in Thailand and which, in many ways, is prototypical for this sort of project.[19] It was built throughout the 1990s, with gas

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[17] For these situations I also had the university information sheet for interviewees and the interview consent form translated into Thai by Pipob Udomittipong.

[18] A typical response from a fluent non-native English speaker is: 'Sorry that I have not responded to many questions you asked … I type slowly, so normally, I cannot reply so well through emails'. Pipob Udomittipong (2008, 9 February). *Email to author.* Activist with Salween Watch and translater for Prachatai (formerly of EarthRights International).

[19] The associated Yetagun gas pipeline from offshore Burma was built soon after and joined the Yadana pipeline at the Thai border. I focus particularly on the Yadana project as it was the first to be constructed but similar lessons

deliveries commencing eighteen months later in December 1999, and was a contentious project in both Burma and Thailand, being the subject of long-running human rights court cases against the oil and gas transnational corporations (TNCs) Unocal and Total in the United States and France respectively. The Petroleum Authority of Thailand Exploration and Production (PTT-EP) and Burma's state oil company Myanmar Oil and Gas Enterprise (MOGE) were also partners in the project with the Electricity Generation Authority of Thailand (EGAT) purchasing the gas and converting it into electricity at its Ratchaburi power plant (see Table 1-1) (Simpson 2005, 258-60). The authoritarian role of the Burmese military regime, the State Peace and Development Council (SPDC), proved pivotal to the breakdown in community involvement in this project although the TNCs and the Thai governments of the 1990s were also complicit.

Project	Primary TNCs* (with home country governments also as a potential target for activism)
Yadana Gas Pipeline	PTT (Thailand), EGAT (Thailand), Unocal [now Chevron] (USA), Total (France), MOGE (Burma)
Thai-Malaysian Gas Pipeline	PTT (Thailand), Petronas (Malaysia)
Shwe Gas Pipeline	Daewoo International (South Korea), PetroChina (China), Kogas (Korea), ONGC Videsh (India), GAIL (India), MOGE (Burma)**
Salween Dams	EGAT (Thailand), MDX (Thailand), Sinohydro Corporation (China)

* See list of acronyms (page x) for full names
** PetroChina is buying the gas from the other TNCs who comprise ownership of the A1 and A3 offshore blocks. Although not initially a partner, MOGE used its 'step-in' rights in the Production Sharing Contract to take a 15 percent stake in the blocks in 2008 after the discoveries were made (The Economic Times 2008).

Table 1-1 – The Primary TNCs involved with the Energy Projects and their Home States

can be drawn from the Yetagun project. The UK company, Premier Oil, after years of dismissing human rights abuse claims by NGOs over the Yetaugun pipeline, agreed to sell its interests in the Yetagun project in September 2002 (Macalister 2002; 2003).

Throughout the project activists focusing on the Thai side of the border argued that the project was unnecessary for Thailand's energy needs, that the Thai section of the pipeline route caused environmental damage and that Thailand's environmental laws had been broken (Simpson 2008b, 216). Activists and local ethnic minorities from Burma also argued that the project exacerbated environmental degradation and military repression along the Burmese section of the route, including increased forced labour and systematic rape in ethnic minority communities.[20] After facing several years of litigation in the US by ERI and others on the basis of these claims, Unocal announced an out of court settlement with the Burmese plaintiffs in early 2005. In June 2005 CNOOC, one of China's national oil companies (NOCs), announced a take-over bid for Unocal that was blocked in the US, largely for national energy security reasons (ICG 2008b, 10). Chevron then launched a successful counter-bid for Unocal, taking up Unocal's 'minority non-operating interest' in the Yadana project (Chevron 2007). As a result Chevron became the US focus of the campaign against the project. The central support of Thailand for the project based on national energy security, along with the acquiescence of other states, ensured adverse impacts on the environmental security of ethnic minorities in Burma under the ruling military regime. Promises of improved access to electricity for local communities remained unfulfilled, however, with even figures from the state owned newspaper, the New Light of Myanmar, showing that the per capita usage of electricity in Tenasserim Division was the second lowest in Burma six years after the pipeline's completion (Simpson 2007, 545; Thiha Aung 2005b). As Le Billon and Khatib suggest, the Yadana Pipeline provides a good example where, once gas networks are in place,

> the benefits of stable gas supplies provide strong incentives for countries to co-operate – with the risk of being counter-productive in terms of improving human rights by domestic governments (Le Billon and Khatib 2005, 116).

The second project is the Trans-Thailand-Malaysia (TTM) Gas Pipeline Project (the 'Thai-Malaysian Pipeline'). In 1994 Thailand's PTT-EP and Petronas of Malaysia signed Production Sharing Agreements (PSA) to exploit natural gas in the Malaysia-Thailand Joint Development

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[20] Unocal's president in 1997, John Imle, admitted in an initialled deposition before a US court that not all porters on the project, either carrying equipment for construction or the associated military presence, were voluntary: 'Some porters were conscripted' (cited in Giannini 1999, 15).

Area (JDA) in the Gulf of Thailand, with another signed a decade later (Petronas 2004; PTTEP 2004). The TTM project called for offshore drilling, the construction of two gas separation plants (GSP) in the predominantly Muslim Chana district in Songkhla and the laying of a gas pipeline from the GSPs on the coast to the border with Malaysia where most of the gas was to be exported. The concerns held by environmentalists, academics and local communities included an increase in air pollution, changes to the rural lifestyle of the local inhabitants and increased coastal pollution, including mercury from the drilling in an area predominantly populated by small-scale fishing families (Penchom Tang and Pipob Udomittipong 2003). There was ample evidence that the pipeline would not benefit the local people, but peaceful attempts to influence decision makers were largely met with either indifference or violent repression. The government and developers initially argued that only a pipeline and GSP would be built, but as these projects neared completion a power plant and other industries were proposed to create demand for the gas in Thailand (Allison 2000; Kamol Sukin 2007; Lohmann 2007, 15). This was precisely the industrialisation process that occurred in fishing villages in Rayong and Chonburi on Thailand's eastern seaboard, which activists argued would occur again in Chana, despite protestations to the contrary by state authorities (Supara Janchitfah 2004, 27-33).[21] The historic marginalisation felt by Muslims in southern Thailand was exacerbated during the government of Thaksin Shinawatra by a crackdown on Muslim separatists in Songkhla's three neighbouring provinces, including two massacres that killed over 130 Muslims (Baker and Pasuk Phongpaichit 2005, 228; Gilquin 2005, 129-36; McCargo 2009; Simpson 2008b, 218-20; Stein 2004; Supalak Ganjanakhundee 2005).

The third project is of a set of proposed hydroelectric dams on the Salween River in Burma including the Tasang Dam in Shan State, the Wei Gyi and Dagwin Dams along the Thai border and the Hat Gyi (or Hutgyi) Dam in Karen State. The dams are at various stages of development but all face campaigns over the same issues of environmental degradation and military repression of ethnic minorities that accompanied the Yadana project. The projects are scheduled to export almost all the resultant electricity to EGAT in Thailand and also divert water

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[21] Prasart Meetam (2005, 11 February). *Interview with author*. Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand. Reungchai Tansakul (2005, 8 November). *Email to author*. Professor, Prince of Songkla University. From Had Yai, Thailand.

into Thailand's Bhumiphol and Sirikit reservoirs (Piya Pangsapa and Smith 2008, 493). In June 2006 China's largest hydropower company Sinohydro Corporation agreed to partner EGAT and build the $1 billion 1,200 MW Hat Gyi Dam Project (Corben 2006; Osborne 2007, 11). The previous December Burma's Department of Hydroelectric Power (DHP) had signed a Memorandum of Understanding (MoU) with EGAT for the 'development, ownership and operation' of the Hat Gyi Hydropower Project (EGAT and DHP 2005).[22] In April 2006 the Thai construction company MDX Group formed a $6 billion joint venture with DHP to build the 7,110 MW Tasang power plant and in March 2007 China's state-owned Gezhouba Group announced that it had won a contract for the diversion tunnel as part of the dam construction (AP 2006; Sapawa 2007a). In addition to Thailand's involvement these projects also demonstrated the growing influence of China and its TNCs in the region, particularly in Burma.[23]

The campaigns against these projects were representative of broader campaigns by activists and ethnic minorities against environmental devastation and political repression in Burma. As Vandana Shiva notes in the resistance against the Naramada and Tehri Dams of India, local communities do not just struggle to preserve their homeland; they are against the destruction of entire civilisations and ways of life (Shiva 1989, 189). The Hat Gyi Dam site reflects these issues since it is an area still prone to civil conflict between the Karen National Union (KNU) and the Burmese military.[24] Despite attempts to continue work on the Hat Gyi Dam, security is still tenuous in the region with EGAT suspending the project in September 2007 after two employees died from wounds associated with civil conflict while undertaking work on the dam (TNA 2007). Ethnic conflict in the area has already displaced 500,000 ethnic Karen, with 140,000 refugees registered in Thai refugee camps along the border (Corben 2007). Various

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[22] The Thai and Burmese governments had been attempting to keep their plans for the project concealed and the MoU was not made public. A copy of the MoU was later leaked to the journalist Richard Lloyd Parry and posted on *The Times* website (Parry 2006).
[23] Although the Chinese government is generally unresponsive by civil society activism over dams in Burma the campaign against the dams on the Nujiang (Nu) River, upriver from the Salween in China, received major international media coverage and high-level lobbying in Beijing which resulted in China's Premier Wen Jiabao announcing in 2004 that thorough environmental and social impact assessments were required before the dams could move forward (Brewer 2008, 23; Kultida Samabuddhi and Yuthana Praiwan 2003).
[24] Although officially the Karen National Liberation Army (KNLA) is the armed wing of the KNU I have usually referred to both organisations as the KNU throughout this dissertation as the actions of the KNLA simply represent KNU policy.

estimates suggest that between 75,000 and 100,000 further ethnic minorities will be displaced by the Hat Gyi and other dams (DPA 2006; McLeod 2007; Pianporn Deetes 2007).

As with all the projects, the impacts on local communities are often detrimental while the benefits are accrued further afield. It is always the marginalised who are most adversely impacted by large dams with even a World Bank funded ecologist arguing that 'many large dams exacerbate poverty by damaging the fisheries and wetlands on which the poorest people depend most' (Pearce 2006, 10). The experience of the Baluchaung (Mawbye) Dam in Karenni State is also instructive here. It has the capacity to produce 12 to 17 percent of Burma's electricity, but most of the local people continue to have no electricity (KRW 2004a, 68; Salween Watch and SEARIN 2004, 43). There are twenty villages close to the hydropower plants in Mahtawku and Lawpita tracts but, despite living within the security zone of the plants with some actually living under the power lines, none of the villages receives electricity (KDRG 2006, 33).

The fourth project is the Shwe ('Gold') Gas Pipeline Project which emerged in 2004 as a tri-nation project to pipe gas from the Bay of Bengal off Burma's Arakan State to India via Bangladesh.[25] The main partner corporations in the venture were Daewoo International with a majority interest, Korean Gas Corporation (Kogas) and the Indian corporations Oil and Natural Gas Corporation (ONGC) Videsh Ltd and Gas Authority of India Ltd (GAIL). Beginning in January 2006, however, media reports emerged that the vice chairman of PetroChina and the Burmese Ministry of Energy had signed a MoU on 7 December 2005 in which the Ministry agreed to sell gas from the offshore A1 Block through an overland pipeline to Kunming in Yunnan Province in China for 30 years, commencing in 2009 (Financial Express 2006; India Daily 2006; Islam 2006; PTI 2006; Tin Maung Maung Than 2005b, 265; Turnell 2007, 123; 2008, 962). In January 2007 China National Petroleum Corp (CNPC), the state-owned parent company of the listed PetroChina (Newmyer 2008, 191), announced it was launching a feasibility study on the Yunnan gas pipeline which would follow the proposed 1,250 km oil pipeline between Sittwe and Kunming, and that it had signed further PSAs with MOGE to be carried out off the Arakan coast. The gas pipeline would travel across the Arakan Roma Range,

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[25] In a book on energy security Misra suggested that the most viable option for the Shwe pipeline to India would have been through Bangladesh but this was written prior to the gas being allocated to China (Misra 2007, 76).

Burma proper and northern Shan State (AFP 2007a; Pipeline and Gas Journal 2007; Xinhua 2007). In August 2007 the Indian government and a senior energy ministry official from Burma finally announced that the gas from Burma's A1 and A3 Blocks would be sold to China through PetroChina and in December Daewoo International, as the majority operator of the gas fields, confirmed the announcement (Mukul 2007; Reuters 2007a; 2007c; Simpson 2008b, 221; Verma 2007).

The campaign against the dams by activists was based on concerns that the same environmental destruction and contempt for human rights that occurred in the Thai-Burmese border region during construction of the Yadana Pipeline would be meted out to local peoples and ethnic minorities during this project (ERI 2004a). Arakan State is one of Burma's poorest, with the lowest per capita electricity usage in the country, even according to the Burmese regime, but there are no serious plans to provide local electricity (Modins.net 2004; Thiha Aung 2005a; 2005b; 2005c). Rather, as with the Yadana Pipeline, the gas is to be exported for foreign exchange to entrench military rule further.

The four projects were chosen for this dissertation as they provide key examples of both local and transnational environmental activism in the South. The projects are focused on two neighbouring countries, Thailand and Burma, which share a border and therefore allows them to easily cooperate on transnational energy projects. Despite their proximity they have very different political regimes and levels of environmental security which allowed a direct comparison of the impacts of these variables on environmental activism at various levels. This comparison was enhanced as much of the transnational activism over the Burma projects was undertaken in Thailand by Thai activists and Burma exiles who were part of Burma's activist diaspora. Despite differences in the structure of the two economies and the role that business played, transnational capital was central to the projects in each country which provided an opportunity to examine the repertoires of action adopted by activists to business actors under either more or less authoritarian regimes. Two of the projects based in Burma were undertaken to supply Thailand with energy so an important distinction between the two countries is that Thailand is largely an energy consumer (although initially a supplier to Malaysia for the TTM)

while Burma is largely an energy supplier. While these four projects allowed in-depth analysis of activism relating to Thailand and Burma, comparing only two countries also set limits on the generalisations that could be drawn which can only be expelled by further examination of environmental activism against transnational energy projects in other countries in the South.

Project	Supplier	Receiver
Yadana Gas Pipeline	Burma	Thailand
Thai-Malaysian Gas Pipeline	Thailand	Malaysia
Shwe Gas Pipeline	Burma	China*
Salween Dams	Burma	Thailand

* Initially this gas was destined for India and Bangladesh but during 2006-07 it became apparent that the pipeline for this project would be built to China

Table 1-2 – Transnational Energy Projects

Although the supplier country in each of the projects may use a small fraction of the energy from the project, the vast majority of the energy was to be exported to a single country (see Table 1-2). In two of the projects examined here, the Yadana Pipeline and the Salween Dams, the authoritarian military regime of Burma provides energy to Thailand in exchange for foreign currency. I have argued elsewhere that in these projects and the Nam Theun 2 Dam in Laos,[26]

> the dominant classes have created an energy 'love triangle' whereby Thailand exports the many problems associated with cross-border energy projects to its more authoritarian neighbours while importing the resultant energy (Simpson 2007, 539).

In the Shwe project it appears that China will import the energy while most of the adverse impacts will be felt in the impoverished Arakan State in Burma. Competition in the region for

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[26] Activists see similar issues arising in Laos as in the projects in Burma despite the authoritarian regime there being somewhat less brutal. Hackman, R. (2005, 24 January). *Interview with author*. Consultant, Canada Fund. Canada Fund Office. Vientiane, Laos. Shoemaker, B. (2005, 23 January). *Interview with author*. Consultant with McKnight Foundation and formerly Laos consultant with International Rivers. Vientiane, Laos.

energy resources is likely to increase with both India and China, in addition to Thailand, likely to be looking to Burma for future energy supplies, so the issues raised from these projects are likely to re-occur.[27] The TTM Pipeline provides another view, where the challenges to local communities have been felt most acutely in Thailand while initially at least most of the energy is sent to Malaysia. Even if the need for the energy is created in southern Thailand through industrial development, it will be against the wishes of the vast majority of local inhabitants. These case studies therefore provide key exemplars of transnational development projects that raise questions of equity and justice and have resulted in vigorous local and transnational oppositional campaigns.

Structure and Theoretical Framework

In the development of this dissertation it became apparent that examination of the case study material was to play a significant role in answering the research questions and therefore in the determination of the major findings. Nevertheless, this material was only analytically significant within the context of a broader theoretical model upon which the analysis was to be based. As a result, the structure of this dissertation developed logically into three parts: the theoretical model; the case study analysis; and the major findings and conclusions. Part 1 therefore outlines the key theoretical framework that arises in addressing the research questions. The core theoretical approach for the thesis draws on the environmental politics literature to examine the nature of environment movements in the South. Much of the theoretical approach discussed in this chapter is derived from academic sources in the North, which is where much of the discourse on environmental politics originates.

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[27] India's consumption of natural gas was 0.6 TCF in 1995 and this increased to 1.6 TCF in 2002 with a projected consumption of 1.6 TCF by 2015. Despite a major domestic find of an estimated 7 TCF offshore from Andhra Pradesh in 2002 India will continue to look for natural gas supplies abroad (Misra 2007, 70-71). Despite China's search for greater energy security there are large potentials for energy efficiency. Since 2001 energy demand has grown by 1.5 per cent for every 1 per cent increase in GDP and it requires up to 5 times as much energy per unit of GDP than the US and 12 times that of Japan (Yi-chong 2007, 47).

Central to this approach is the material by Doyle and Doherty who between them have provided a significant body of work on environmental movements. In particular Part 1 examines their model of emancipatory groups (EGs) and the environmental governance state (EGS) which, I argue, limits the concept of environmental governance to a neoliberal institutionalist approach. I therefore argue EGs should be replaced with emancipatory governance groups (EGGs) to indicate the constructive contribution to environmental governance that emancipatory groups can make. These EGGs are social movement organisations defined by adherence to the four core pillars of green politics, democracy, sustainability, justice and nonviolence (Carter 2007, 47-48), although EGGs in the South are likely to interpret these concepts somewhat differently to movements in the North.

As discussed at the beginning of this thesis, much green theory and analysis from the North focuses on issues and environments of the North which can be entirely foreign to environmental actors in the South. Indeed a major theme within this research project is that Northern environmental activists and environmental academics who spend little time in, or studying, the South often focus on issues that conflict with the foci of Southern-based environmental activists or academics who prioritise justice and human rights. While the theoretical examination of environmental politics draws from mostly Northern academic sources, the most useful are therefore those that include a focus on emancipation and the South. While green theories developed solely in the North can provide a useful theoretical basis for analysing environmental conflict in the South, it is those authors who have travelled and undertaken research in the South who provide the most valuable insights for the analysis in this thesis.

Within an anlysis of environmental movements in the South the concern over environmental security is one which corresponds to that proposed by Barnett who synthesises theories from green politics and IR to argue that environmental security should be defined as the way in which 'environmental degradation threatens the security of people' (Barnett 2001, 12). From this perspective, therefore, environmental security is intrinsically linked to human security. Although issues of environmental security are relevant for people in the North, they become far more immediate for people in the South who often experience precarious living conditions due to

poverty and authoritarian governance. The North often has the wealth to ameliorate detrimental environmental impacts but in the South these living conditions render environmental security and justice inseparable (Doyle and Risely 2008). While this dissertation considers many aspects of environmental security it focuses on energy security in particular, as it is often cited as the main reason for pursuing the energy projects by proponents in receiver countries. While examining security issues relating to these energy projects this thesis does not, however, unlike much of the energy security literature, focus specifically on the energy requirements of the nation-states involved. Rather, it investigates the development paradigm that creates the thirst for this energy and analyses the human and environmental security of local communities in the vicinity of the projects. By undertaking this examination the impacts that these security issues have on environmental campaigns can then be explored.

Another element which plays a key role in determining the nature and extent of environmental activism in the South is the nature of political regimes under which activists operate. Despite having very different forms of governance, Thailand and Burma, as in many other countries of the South, are ruled by regimes characterised by authoritarianism, although this is far more severe in Burma. Part 1 therefore introduces the two types of authoritarian regimes that dominate these countries, hybrid competitive authoritarian regimes and traditional authoritarian military regimes. The degree of repression under these regimes, and the opportunities for public dissent or participation in development decisions, has a significant influence on the nature and extent of the resultant environmental activism.

While activists in Thailand and Burma operate under very different political regimes their campaigns are often determined by the role that business interests play in promoting or sustaining authoritarian governance. In both countries political and business elites are intertwined and while the power of transnational business interests, in the form of international financial institutions (IFIs) or TNCs, can sometimes challenge domestic business, the local and transnational interests of large capital are often closely aligned. TNCs from both the North and the South play a large role in the politics of development in the South through foreign direct investment (FDI) and nowhere is this more evident than in the energy sector. This influence by

transnational business provides a key motivation for actvists to transnationalise their campaigns as it is often easier to pressure TNCs through their more democratic home countries than the more authoritarian hosts.

Case Studies in Environmental Politics in the South

Part 2 contains the case study material of this thesis. Chapter 3 investigates environmental politics in the two core countries, Thailand and Burma, with a particular focus on the relevance of political regimes, business politics and environmental security to environmental activism. The possibilities for environmental activism in these countries are largely determined by their domestic political regimes. As well as framing the domestic environment, these regimes can also significantly influence the level of transnational activism. The relationship between business and the government in power is often crucial to understanding how a political regime functions. Thailand and Burma have very different political regimes and this diversity is also reflected in the structures through which business power is represented. Nevertheless, the deployment of power by domestic and transnational business in both countries plays a significant role in the legitimation or otherwise of environmental activism. Perspectives on environmental security in both countries have also determined the level and type of environmental activism with heightened insecurity resulting in increased transnational activism. This chapter, therefore, provides an important context for the analysis of environmental activism for the remainder of Part 2.

Chapters 4 to 6 are the three core chapters analysing environmental activism in response to the transnational energy projects discussed above. These chapters provide a multilevel multiscalar approach that examines the various scales of geographic reach of the campaigns against the projects with Chapter 4 addressing local activism and Chapters 5 and 6 considering various aspects of transnational activism. The diversity of campaign strategies and tactics in these chapters reflects the differing stages of the projects and the variety of states, TNCs, communities and environmental actors involved. Campaigns are useful ways to analyse activism because, as Keck and Sikkink demonstrate, they highlight the relationships, resources

and institutional structures, such as political regimes, that facilitate or impede this activism (Keck and Sikkink 1998, 7). Chapter 5 provides a case study of the central organisation of this thesis, EarthRights International (ERI), an NGO that straddles the North and South with a particular interest in the nexus between human rights and environmental protection in Burma. As this chapter demonstrates, the implementation of ERI's ideological tenets of justice and equity within its organisational structure and activities may well be linked to its broader success in achieving its goals.

The division between local and transnational activism in these chapters is undertaken to isolate activities that are culturally significant to particular localities and to identify differences between approaches at local and transnational levels that are often aimed at different audiences. Difficulties arise, however, in categorising some aspects of campaigns as either local or transnational when the reality suggests no such clearly defined apportionment. Indeed Keck and Sikkink argue that the divide between the international and national realms is becoming 'increasingly artificial' (Keck and Sikkink 1998, 4). This situation applies particularly in relation to Burma where open protests are rare due to repressive authoritarian governance. While dissenting activities such as these rare protests undertaken in Burma are clearly local, defining other aspects of activism as local or transnational is more complex.

Throughout the eastern border regions of Burma adjoining Thailand activists, as with refugees, may live or operate in a kind of citizenry limbo, neither clearly in Thailand nor Burma. Some activists cross these borders at will due to living and operating under pseudonyms.[28] Burmese ethnic minority communities may live on the Burmese side of the border in areas under the control of insurgent ethnic groups and therefore beyond the reach of the Burmese military, or in refugee camps nominally on the Thai side of the border which face military incursions from the Burmese (Tangseefa 2006).[29] The borderlands are especially useful for activists and insurgent ethnic groups as insurgent groups often 'specifically target border regions for their intrinsic,

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[28] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.
[29] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

tactical and material importance' (Acuto 2008, 33). The region is particularly important to this dissertation as it plays host to most of the transnational energy projects considered here with the Salween Dams likely to have an even greater impact on the region than the Yadana Gas Pipeline (Piya Pangsapa and Smith 2008, 493). In her study of women activists in this region O'Kane describes the state of flux in these borderlands:

> Numbers of border arrivals and crossings fluctuate in relation to military operations, economic deterioration inside Burma and the continued possibility of sanctuary in Thailand. Each location has its own historical, cultural and geographical characteristics and people's semi-permanence there has complicated and re-constituted the borderlands in various political, social, economic, cultural and environmental ways. In this way Burmese political opposition groups have also become established components on this complex human milieu (O'Kane 2005, 14-15).

Similarly, in Burma's western border regions adjoining Bangladesh and India refugees and insurgents populate both sides of the mountainous borders, although expatriate activists tend to congregate in the major cities (Egreteau 2008). These borders and the populations in the surrounding regions are, therefore, relatively fuzzy (see Chaturvedi 2003; Christiansen et al. 2000; Gleditsch et al. 2006), rather than hard and well defined. Borderlands are grey zones that, particularly in times of conflict, acquire several meanings beyond that of mere legal boundaries (Acuto 2008, 32). Kaiser and Nikiforova argue that borderlands are in themselves central to the forming of identity being

> central nodes where the intersections of power, place and identity are made visible. As both zones of contestation and spaces of becoming, borderlands are fundamental sites in the multiscalar reconfiguration of the sociospatial imaginary, and far from disappearing in a borderless world, their number and significance are increasing markedly … in the increasingly fragmented, ruptured place-identities of contemporary timespace (Kaiser and Nikiforova 2006, 952).

Compounding these classification difficulties, activists will generally undertake fieldwork inside Burma while the writing and publishing of reports will often be undertaken externally by expatriate communities. In these cases it is logical to define most activities in terms of the intended audience which is, quite often, transnational. The approach adopted here, therefore, is to categorise the writing of reports in Burmese or an ethnic minority language in Burma as local, while reports written in English by ethnic minority groups based in Burma or in its border regions

is considered transnational. It should be emphasised here that the characterisation of this activism as transnational does not in any way diminish the undertaking of research within Burma itself, which is fraught with risks and undertaken by many of these groups. It simply reflects the methodological approach adopted here that focuses on the rationale for particular types of activism.

Furthermore local activism within the vicinity of the project itself or in a town or city nearby is usually, but not always, focused on the energy supplier country for the project. In the case of the TTM project, this approach is self-evident as most of the issues relating to the project affect Songkhla province in southern Thailand which supplies the gas, while the pipeline links up with the existing Malaysian pipeline grid. In the case of the Yadana project, however, Thailand is the receiving country but most of the local activism – as defined here – during the pipeline's construction occurred in Thailand since overt activism in Burma is extremely rare. As the Salween Dams and the Shwe Gas Pipeline were still at the early stages of their development – that is, the transnational infrastructure of the project had not been completed – activism in the receiver countries is therefore still considered transnational. As a result of this approach, most of the local activism examined in Chapter 4 occurs in Thailand in response to either the Yadana on TTM projects. As a general rule, therefore, activists are considered to be involved in local activism when they operate primarily in their home country for a domestic audience and that country is also the physical location of the project (usually the supplier country). Otherwise it is considered transnational activism and is examined in Chapters 6 and 7. Despite many activists operating to some extent at both local and transnational levels, in Table 1-3 below they have been allocated to one category based on their primary activity. Although obviously a simplification this table provides a useful indication of the focus of activities of particular actors within the campaigns.

Project	Activists	Home Country (other countries)*	Local Activism** (Ch 5)	Transnational Activism** (Ch 7)
Yadana Gas Pipeline	Kanchanaburi Conservation Group (KCG)	Thailand	X	
	Sulak Sivaraksa	Thailand	X	
	Karen Environmental and Social Action Network (KESAN)	Burma (Thailand)		X
	Karen Women's Organisation (KWO)	Burma (Thailand)		X
	Karen Human Rights Group (KHRG)	Burma (Thailand)		X
	Burma Lawyers' Council (BLC)	Burma (Thailand)		X
	The Moustache Brothers	Burma	X	
	Dr Cynthia Maung	Burma (Thailand)		X
	EarthRights International (ERI)	Burma/US (Thailand)		(see Chapter 5)
Thai-Malaysian Gas Pipeline	Ida Aroonwong – Alternative Energy Project for Sustainability (AEPS)	Thailand	X	
	Bunjong Nasae – Southern Coastal Management Project (SCMP)	Thailand	X	
	Prasart Meetam	Thailand	X	
	Reungchai Tansakul	Thailand	X	
	Penchom Tang – Campaign for Alternative Industry Network (CAIN)	Thailand	X	
	Sahabat Alam Malaysia (SAM)	Malaysia		X
	The Corner House	UK		X
	Friends of the Earth (FoE)	UK		X
Shwe Gas Pipeline	Shwe Gas Movement (SGM)	Burma (Thailand,		X

		India, Bangladesh)		
	All Arakan Students and Youth Congress (AASYC)	Burma (Thailand)		X
	Arakan Oil Watch (AOW)	Burma (Thailand)		X
	Korean House for International Solidarity (KHIS)	South Korea		X
	Patrick	Thailand		X
	EarthRights International (ERI)	Burma/US (Thailand)		(see Chapter 5)
Salween Dams	Salween Watch	Burma (Thailand)		X
	Burma Rivers Network (BRN)	Burma (Thailand)		X
	Karen Rivers Watch (KRW)	Burma (Thailand)		X
	Karenni Development Research Group (KDRG)	Burma (Thailand)		X
	Shan Sapawa Environmental Organization (Sapawa)	Burma (Thailand)		X
	Towards Ecological Recovery and Regional Alliance (TERRA) [Project for Ecological Recovery (PER)]	Thailand		X
	Alternative ASEAN Network on Burma (ALTSEAN-Burma)	Thailand (ASEAN countries)		X
	International Rivers	US (Thailand)		X
	EarthRights International (ERI)	Burma/US (Thailand)		(see Chapter 5)

* Countries in parentheses are secondary to the home country but may be the centre of operations, especially when Burma is the home country (it is then considered transnational activism).

** Activists are considered to be involved in local activism when they operate primarily in their home country for a domestic audience and that country is also the physical location of the project (usually the supplier country). Otherwise it is considered transnational activism.

Table 1-3 – Taxonomy of Environmental Activism against the Projects

This list of activists involved in the disputes is by no means exhaustive; rather it reflects some of the leading actors with an emphasis on diversity. It should also be noted that in some campaigns there are many activists, often students, monks or local villagers, who are involved in the campaigns and protests but who are not necessarily part of a group and have therefore not been listed here. Other individuals have been listed due to their role as either prominent individual activists or as significant representatives of particular groups. The case study material in Part 2 provides detailed insights into the operations of both local and transnational campaigns against transnational energy projects in the South and these insights are used to determine the major findings found in Part 3.

Major Findings

The six research questions that were posed above are addressed throughout the rest of this dissertation but it is only in Part 3 that the major findings are assembled to answer all the questions in full. Although the questions and their findings overlap at various points, they also provide specific conclusions based on the outcomes of the case studies. The results suggest that the nature of the political regime in a country, its relationship to both local and transnational business interests, and the resultant impact on environmental security for marginalised communities in the vicinity of the projects, will significantly impact on both the level of activism at both local and transnational levels and the issues that are focused upon. They also suggest that local cultural characteristics will have varying degrees of influence on environmental activism and may significantly impact on strategies and tactics. The organisational structure and composition of environment groups and organisations also appear to be directly linked to their underlying political philosophies and for social movement actors this may also be reflected in the relative success in achieving their goals.

In addressing the first research question this dissertation finds that the extent of local or transnational activism in environmental campaigns against transnational energy projects appeared to be linked to the degree of authoritarianism of the political regime in the home

country where the projects occur. In Chapter 3 the political regimes of Burma and Thailand are analysed with Burma's military junta qualifying as a traditional authoritarian regime, with few sites of competition, and Thailand's political regime qualifying as hybrid competitive authoritarian, although the degree of openness in political spaces has varied over time with different administrations. In Chapter 4 the local activism takes place almost entirely in Thailand against the Thai-based activities of the Yadana and TTM projects. The transnational campaigns in Chapters 6 and 7 take place in Thailand and around the world but are focused almost entirely on the three Burma-based projects. A tabulated interpretation of this outcome is provided in Table 1-4 below where the Thailand-based projects have high levels of local activism and the Burma-based projects have high levels of transnational activism. The Yadana project, which traversed both Thailand and Burma, therefore experienced high levels of local and transnational activism.

Project	Level of Local Activism	Level of Transnational Activism
Yadana Gas Pipeline Project (Thailand/Burma)	High	High
Thai-Malaysian Gas Pipeline Project (Thailand)	High	Low
Salween Dam Projects (Burma)	Low	High
Shwe Gas Pipeline Project (Burma)	Low	High

Table 1-4 – Relative Intensity of Local and Transnational Campaigns

The evidence from the case studies of Burma and Thailand suggest four conclusions regarding the relationship between the extent of activism and the nature of political regimes in the South.

- First, there appears to be a direct relationship between authoritarianism and the extent of human rights abuses and environmental destruction linked to development projects, particularly transnational energy projects, in the South. Under traditional authoritarian regimes these adverse impacts are therefore likely to be greater than under hybrid regimes.

- Second, there is an inverse relationship between authoritarianism and the ability of local activists to voice their concerns through protest and various media, with increasing authoritarianism resulting in fewer outlets for dissent. Compared with traditional authoritarian regimes, therefore, competitive hybrid regimes offer activists significant opportunities for dissent even if they face restrictions not encountered under democratic regimes.

- Third, these local restrictions under traditional authoritarian regimes increase the importance of developing transnational networks and coalitions to undertake transnational campaigns. These regimes are therefore likely to create 'activist diasporas' comprised of expatriates who engage in activism transnationally from outside their home country. Activists leave their local authoritarian environments for transnational settings, creating transnational networks and coalitions of exiled activists. In the case of Burma, expatriate activists escaping authoritarianism under the Burmese military are distributed throughout the world but particularly active in Thailand, India, Bangladesh and the liberated area of the Thai-Burmese border region. In addition Burma's activist diaspora transcends ethnic divisions and it therefore provides cohesion within the activist community which is absent from the broader exile community. As 'divide and conquer' has been one of the Burmese military's main strategies in neutralising opposition by ethnic minorities the current multiethnic activist diaspora may contain the seeds of a more potent future opposition movement that promotes democracy, human rights and environmental protection in Burma.

- Fourth, the evidence therefore suggests a distinctive relationship between the level of authoritarian governance and the predominance of local or transnational activism under hybrid or authoritarian regimes. There appears to be an inverse relationship between the level of authoritarian governance and the level of local activism, with increasing authoritarianism beyond a tipping point resulting in less local activism, but a direct relationship between the level of authoritarian governance and the level of transnational activism, with increasing authoritarianism beyond a tipping point resulting in greater transnational activism. These four conclusions are shown in Table 1-5.

Regime Type	Level of Authoritarianism	Adverse Impact on Human Rights and Environment	Local Activism	Transnational Activism
Hybrid (before tipping point)	Low* (1, 2, 3, 4)**	Low* (1)	High (2, 4)	Low (3, 4)
Authoritarian (after tipping point)	High (1, 2, 3, 4)	High (1)	Low (2, 4)	High (3, 4)

* These values are indicative only, being relative to traditional authoritarianism, and are not intended to imply that hybrid regimes suffer only from insignificant authoritarianism or that projects under these regimes cause little adverse impacts.
** The relevant conclusions are in brackets

Table 1-5 – Local and Transnational Activism under Various Regimes

In answering the second research question this dissertation finds that the issues focused upon by environment movements in the South and their associated philosophies and practices are impacted by the prevalence of environmental insecurity and precarious living conditions resulting from authoritarian governance. The definition of environmental security employed in this thesis is drawn largely from Barnett who argues that environmental security should be

defined as the way in which 'environmental degradation threatens the security of people' (Barnett 2001, 12).[30] Within the case studies examined here the concept of energy security is employed by many proponents in energy importing countries such as Thailand, in the context of national energy security, to justify support for the energy projects. From a critical perspective, however, energy security as part of environmental security relates more to the ability of individuals in marginalised communities to secure sufficient access to energy for their personal needs. The evidence in this thesis suggests that transnational energy projects in the South that are justified through the discourse of national energy security tend to favour large business interests over those of the general population, and particularly over those of marginalised ethnic minority or indigenous communities in the vicinity of the project. Rather than providing environmental security to these communities, these energy projects appear to accentuate their marginalisation and increase their insecurity while the benefits are accrued by business and political elites in the urban centres of both the North and South. While other aspects of environmental security in local communities deteriorate, there is little evidence of improvements in energy security for these communities.

While issues of sustainability are evident in the four environmental campaigns in this thesis, issues of environmental security focusing on livelihoods, social justice and human rights were dominant, indicating a predominantly emancipatory perspective. Even if it was not articulated throughout these campaigns, the goal of emancipation was a common theme in the philosophies that underpinned these movements. Ecological issues were also significant but not of primary importance above and beyond other perspectives. Nevertheless, achieving justice for communities, primarily for ethnic minorities in Burma and Muslim fisherfolk in southern Thailand, was intimately linked to issues of ecological health. In general, however, more severe authoritarianism and more precarious living conditions resulted in a greater focus on concerns over human rights and justice, particularly in relation to women. As a result the campaigns against the projects in Burma, with more poverty and marginalisation, focused more specifically on these issues.

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[30] This perspective is further developed in (Simpson 2007). See also (Elliott 2009, 411).

When examining the philosophies and practices that activists adopted in local campaigns, Chapter 4 demonstrates that these were only possible under the more competitive Thai regime and that there are two main approaches to influencing development decisions. The first form of activism was to register dissent through protest actions while the second was engagement with the state and business through public participation in state-sanctioned fora. Protest was undertaken in all campaigns involving Thailand, but the extent of this protest was heavily dependent on the political openings available within formal public fora and the two forms of activism sometimes converged due to dubious participation regimes. State-sanctioned fora in this context included consultative processes whereby participation from the public was sought in development decisions, primarily through processes linked to environmental impact assessment (EIA). Despite attempts by activists to accommodate government processes, the few occurrences of EIA public participation in these case studies illustrated the gap between theory and practice. Genuine opportunities to participate in development decisions provide opportunities for activists to voice dissent without engaging in open protest but in Thailand, as in many parts of the South, these opportunities remain limited.

In answering the third research question, the evidence from the four campaigns in this thesis also suggests that most environmental activists and groups in the South are social movement actors as they satisfy the three characteristics defined by della Porta and Diani: they are involved in conflictual relations with clearly identified opponents; the environment movements in these case studies are comprised of actors that are primarily linked by informal networks; and the activists in these campaigns share a distinctive collective identity based primarily on the green ideals of democracy, sustainability, justice and nonviolence (della Porta and Diani 2006, 20-23). In addition, all campaigns exhibited some form of public protest which Doherty and Doyle argue is a fourth key characteristic of social movements (Doherty 2002, 7; Doherty and Doyle 2006, 702-03).

Social movement activists in the South were also likely to be participants in what I argue are emancipatory governance groups (EGGs). The concept of these groups refines the orginal model by Doyle and Doherty which divided groups into either emancipatory groups (EGs) or part

of the environmental governance state (EGS). The original model tends to underestimate the constructive governance role that EGs can play by limiting the concept of governance to a neoliberal post-materialist form within an EGS. Environmental groups have demonstrated through their engagement with local, national and global bodies that actors do not need to adhere to neoliberal values to contribute to environmental governance. EGGs, unlike groups within the EGS, adhere to the four core green pillars of environmental politics: democracy, sustainability, justice and nonviolence (Carter 2007, 47-48). Despite adoption of these values by EGGs in both the North and the South there remain significant differences in approach or emphasis relating to these values due to differing political, cultural and environmental settings which has sometimes resulted in conflicts between Northern and Southern activists.

In addressing the fourth research question it is clear that local cultural or religious influences shaped some of the philosophies, tactics and strategies in the campaigns at the local level with the symbols of these influences employed by activists in the pursuit of their goals. With Buddhism being the dominant religion of both Thailand and Burma, the practice of Engaged Buddhism, which has been a central characteristic of environmental activism in these countries since the 1980s, featured prominently. In addition the influence of Islam on activism, which historically has been limited, was increasingly evident thoughout the campaign against the TTM project in southern Thailand as it became a symbol of resistance. Other culturally specific forms of activism also resulted in novel forms of resistance with The Moustache Brothers employing a specifically Burmese form of satire through a-nyeint performances.

Although culturally specific symbols were central to the campaigns of activists at a local level, these were not so significant within transnational campaigns. The essentialising of religious and cultural symbols still appeared, but in transnational campaigns appeals to the international community were often couched in more universalised concepts such as human rights and democracy (DeLaet 2006, 10-11). While activism was still influenced by local cultural factors these influences were also sometimes abandoned in favour of a rationalist bureaucratic framework or the adoption of a rights-based approach. Despite this perspective, the adoption of

the human rights discourse also lent support to the cultural particularism expressed by some groups in the form of rights to the protection of indigenous knowledge and environments.

In addressing the fifth research question this dissertation examined the structure and composition of several organisations at a variety of scales and found that the ideologies and philosophies that underpinned the organisations impacted upon their organisational structure, which in turn influenced their ability to achieve their goals and contribute to effective environmental governance. Most environmental groups in the South are social movement actors whose organisational goals are closely linked to the green ideals of democracy, sustainability, justice and nonviolence and therefore qualified as environmental governance groups (EGGs). Two very different organisations illustrated the relationship between philosophy and structure. The local and informal Kanchanburi Conservation Group (KCG) opposed the Yadana project and its concern for equity and justice resulted in a conscious attempt to achieve a flat, largely consensus-based decision-making structure. Although the group elected a president, this person's role was more closely aligned to that of a spokesperson and was shared between a woman and a man to achieve a gender balance.

In contrast, EarthRights International (ERI) was a transnational NGO, with offices in Washington D.C. and Chiang Mai, which acted as legal counsel for Burmese villagers in US federal courts. ERI's focus was on human rights and the environment and it made a genuine attempt to employ its activist philosophy within its own organisation. It attempted to ameliorate structural power imbalances between its Northern and Southern activists by recognising the importance of Southern management in Southern issues. Like KCG, ERI placed a strong emphasis on consensus decision making and an effective lack of hierarchy, with all employees considered equal. ERI's internal politics were therefore indicative of its broader campaigns for justice within environmental governance in the South as an EGG. Although the specific goals of ERI to halt the Yadana project and bring protection for human rights and the environment to Burma have not been entirely fulfilled, it considers that its achievements are a significant step along the path to achieving these and broader goals of democracy and human rights around the world. ERI's organisational philosophy and practices and its progress towards its justice goals also provide

some indication of links between practicing equity and justice within an organisation and the achievement of justice in the wider sphere. The quest for equity between its Northern and Southern activists appears intimately related to its success in both achieving its organisational aims and improving environmental security for the marginalised communities of Burma. This linkage, which could be employed by other transnational NGOs with a focus on human rights and the environment, suggests that promoting justice within an organisation can make a substantial contribution to achieving broader organisational goals and ameliorating the effects of marginalisation on communities in the South.

A notable feature of the transnational campaigns in this thesis was the formation of transnational networks and particularly coalitions where pooled transnational resources and expertise provided more coordinated campaigns against the transnational energy projects. While networks are based on loose connections, coalitions are generally more formalised with permanent members. The existence of transnational coalitions is an area that has been understudied in many works on environmental activism. Nevertheless, transnational coalitions in environment movements in the South have been growing rapidly and have been expedited by the increasing availability of inexpensive communications technologies. These transnational coalitions are largely comprised of Southern activists and organizations, but they also receive assistance from Northern environmental activists and organisations with a focus on justice and strong connections to the South. Although, like ERI and KCG, the immediate goals of the coalitions in this thesis to halt their respective projects have not been achieved, they have been effective in publicising issues of environmental justice and human rights in relation to the projects. As in environment movements in the North (Doherty 2002, 202; Doyle 2000, 33), women played strong roles in both these groups and coalitions and due to their role as carers, issues such as health, family and community were highlighted in the campaigns.
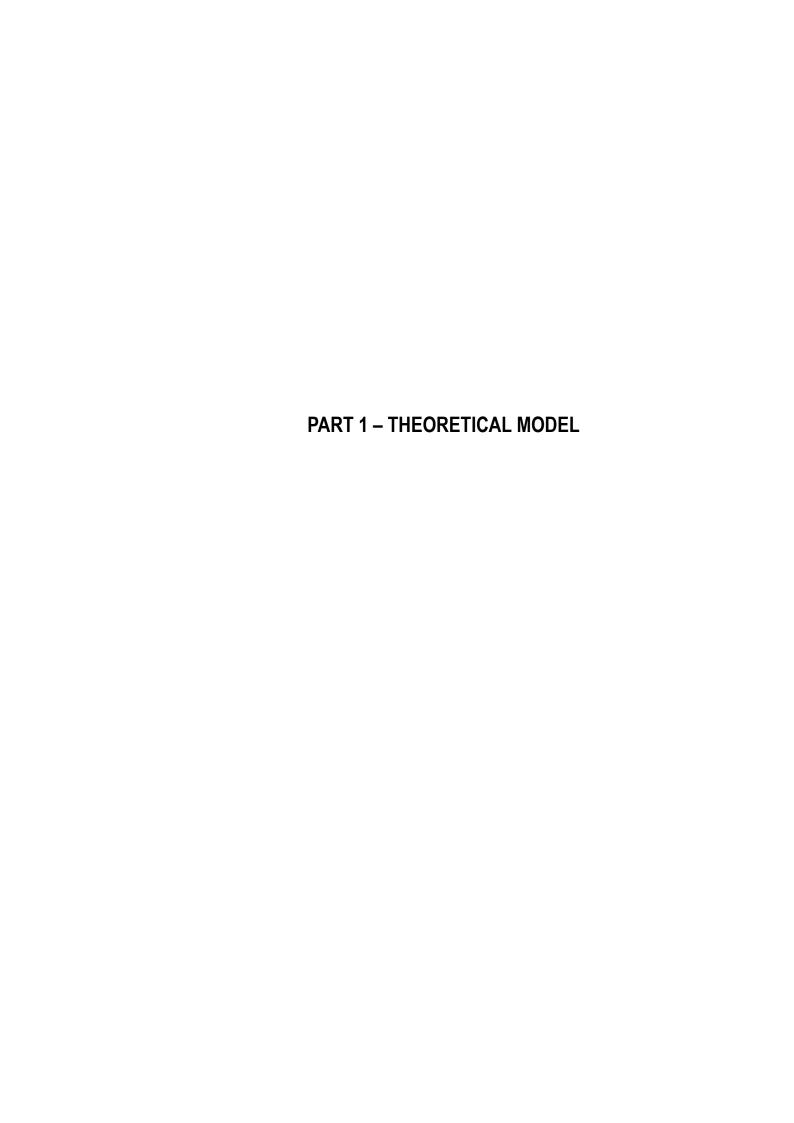
In addressing the sixth and research question, this thesis has found that EGGs which have a focus on environmental security in the South are likely to oppose large scale energy projects in the South. These projects are likely to favour large business interests over those of the general population and particularly those of marginalised ethnic minority or indigenous communities.

Far from providing environmental security to these communities, these projects appear to accentuate their marginalisation, furthering their insecurity, while delivering wealth to business and political elites in both North and South. In both Thailand and Burma large business interests are powerful and extremely influential in the formation of public policy and there is a strong symbiotic relationship between these business interests and political elites, although the mechanisms through which this power operates varies with the nature of the regime. The convergence of interests between business and political elites in both countries has resulted in the dominant development philosophies closing down debate on development issues and undermining attempts at genuine public participation in development processes.

In addition to business interests in Thailand and Burma, Northern TNCs can play a central role in perpetuating authoritarian governance, even if the home country of the TNC is democratic. TNCs have, at the very least, been complicit in maintaining the Burmese military in power and therefore the persistence of authoritarian governance in Burma. As a result of this complicity some TNCs have been prosecuted in their home countries – achieving important precedents and resulting in out of court settlements – demonstrating the importance of propagating democratic governance. The involvement of TNCs in perpetuating this authoritarian governance, particularly in Burma, has provided a central rationale for the transnationalisation of the environmental campaigns against the projects, with activists focusing much of their attention on pressuring TNCs in their home countries rather than focusing on authoritarian regimes themselves.

The findings from these six research questions demonstrate that the local and transnational campaigns against these projects were influenced by severe and ongoing environmental insecurity in local communities as a result of transnational energy projects in Thailand and Burma pursued by local and transnational business interests under authoritarian regimes. The campaigns certainly experienced some success but were unable to have the projects permanently abandoned. Nevertheless, engaging in the activism was itself a transformative process and the creation of new and complex networks and coalitions between activists suggests a growing sophistication in the campaigns for human rights and justice in the South.

These findings are discussed in greater detail in Part 3 while the next chapter analyses the theoretical model employed throughout the thesis.

PART 1 – THEORETICAL MODEL

Chapter 2 – Environmental Activism

In Part 1 of this thesis I establish the theoretical framework that underpins the case study analysis undertaken in Part 2. In this chapter I therefore address the issues that arise within the current literature on environment movements, in particular the work by Tim Doyle and Brian Doherty, which stimulated the research questions outlined in the Introduction. This thesis draws much of its theoretical framework from the approach adopted by Doyle and Doherty. Their individual or co-authored writings on transnational environmentalism (Doherty and Doyle 2008), environmental activism in the global South (Doherty 2006; Doyle 2005; Doyle and Risely 2008), and environmental activism in general (Doherty 1999; 2002; Doyle 2000; Doyle and McEachern 2008) have significantly influenced the analytical and methodological approach adopted here. Despite their considerable contributions to the field, however, their model of environmental governance severely limits the constructive role that emancipatory environment groups and movements can play (Doyle and Doherty 2006). Their division of environmental organisations into either emancipatory groups (EGs) or part of the environmental governance state (EGS) ignores the important role played by emancipatory environmental actors in the environmental governance of, for example, transnational energy projects.

Emancipatory environmental actors examined in this thesis range from the Kanchanaburi Conservation Group (KCG), a small local group engaged in forest protests in Thailand to stop construction of the Yadana pipeline, to EarthRights International (ERI), a transnational North-South NGO with Special Consultative Status to the UN Human Rights Council engaged in both local and global activities, including fieldwork in the forested conflict zones of Burma and the representation of Burmese villagers in US courtrooms. There are also coalitions such as Salween Watch and the Shwe Gas Movement, which gather and disseminate information in Burma at the local village level while petitioning governments and transnational corporations in international fora. Despite the diversity of these actors and the multiplicity of their activities their campaigns all contribute to an enhanced environmental governance, informed by emancipatory ideals, of the energy projects they oppose.

In contrast, under Doyle and Doherty's model environmental governance is limited to a neoliberal institutionalist framework (Doyle and Doherty 2006, 883), which ignores the role of emancipatory groups who engage in environmental governance. This compartmentalisation underplays the transformative potential of emancipatory actors who can engage in a politics of resistance under an expanded definition of environmental governance (Elliott 2004, 124). Although there are formal institutionalised processes of environmental governance, such as the World Commission of Dams (Khagram and Ali 2008), the broad possibilities emerging for more informal manifestations of environmental governance are illustrated by a recent edited collection by Kutting and Lipschutz (2009). Although the editors acknowledge that 'environmental governance in its current discourse is about environmental management and not about attaining local ecological democracy globally' (Kutting and Lipschutz 2009, 6), the volume also provides new and alternative conceptions of environmental governance. An example is a chapter on the global ecovillage movement (Litfin 2009), which shifts environmental governance away from state-based and neoliberal forms towards interactive and localised, but at the same time globalised, interpretations. As the editors acknowledge their goal is 'not to offer definitive "solutions" … but, rather, to suggest "processes" that might point agents toward knowledge-base strategies that foster effective forms of social power' (Kutting and Lipschutz 2009, 9). Environmental governance in a globalised world is clearly, therefore, not simply involvement in transnational funding bodies, or even transnational institutions, it is also engaging in local and transnational processes of societal transformation through an acknowledgement of the intimate connection between ecological and social concerns. All EGs, including those within this thesis, have a significant role to play in this process – whether informal local groups or transnational NGOs – but by effectively labelling systems of governance as neoliberal the Doyle and Doherty model precludes this possibility. In this thesis I therefore argue that the model needs revision with the dualism modified to comprise 'emancipatory governance groups' (EGGs) and the EGS to better reflect the diverse possibilities available within formal and informal contributions to environmental governance.

In this chapter I therefore provide an analysis of what I consider to be the conceptual foundations for EGGs, establishing a theoretical framework for the case study analysis overall

and the major findings which follow. In particular, the case study material builds on the critique of Doyle and Doherty's model outlined above, resulting in a more nuanced and optimistic perspective on the nature of environmental governance. It should be acknowledged, however, that environment movements as social movements are not simply comprised of informal groups and NGOs; individuals, networks and coalitions are also central components. As a result, after a brief outline of my theoretical approach to environmental politics as a whole, this chapter begins with an analysis of the composition of environmental movements and the importance of social movement theory to emancipatory environmental politics.

I then argue that the conceptual foundations of EGGs are rooted in the four core concepts, values or pillars of green politics; namely democracy, sustainability, justice and nonviolence (Carter 2007, 47-48). It is important to note that these core ideals are primarily adopted by EGGs, as organisations within the EGS often focus on wilderness, or post-materialist, concerns that exclude humans, often at the expense of justice or democracy (Doyle and Doherty 2006, 888). These core concepts of green politics can therefore be considered defining features of EGGs. Despite adoption of these, or similar, values by EGGs in both the North and the South many of the issues raised by the research questions reflect potential differences in approach or emphasis relating to these values due to differing political, cultural and environmental settings and these are explored in the remainder of the chapter. In addition the potential for EGGs in the South to undertake a two-track strategy, similar to that outlined by Duffy above, suggests that EGGs in the South may adopt different approaches to their campaigns at local and transnational levels, depending on the context they are in and the role they are playing. This potential provides the theoretical underpinning for the structural divisions between local and transnational activism in the case study chapters in Part 2.

The analysis in this chapter provides some tentative propositions regarding the research questions of this dissertation. With regards the first research question this chapter suggests that local environmental activism under authoritarian regimes is likely to be highly constrained but that this may result in higher levels of activism at a transnational level. This suggests the

possibility of an indirect relationship between the severity of authoritarianism and the extent of activism at the local level but a direct relationship at the transnational level.

In addressing the second research question this chapter suggests that environmental activists and movements which have a focus on environmental security in the South are likely to oppose large scale energy projects in the South. These projects are likely to favour large business interests over those of the general population and particularly those of local marginalised communities. Far from providing environmental security to these communities, these projects appear to heighten their insecurity while delivering wealth to business and political elites in both North and South. It also appears that this environmental insecurity, which is more prevalent in the South, leads environment movements to focus on social justice and human rights. This outcome suggests that, in answering the third research question, participants in environmental activism in the South are generally social movement activists who challenge existing social structures. These activists are, therefore, often part of emancipatory governance groups (EGGs) which play a constructive role in promoting a localised and emancipatory approach to environmental governance.

In response to the fourth research question, local activism in the South appears to be influenced by local cultural or religious traditions although there appears to be significant transnational cross-fertilisation of philosophies and repertoires of action, even if they are adapted for local conditions. The adoption of transnational and universalised concepts such as human rights in transnational campaigns suggests that local influences may be more applicable at local levels but that EGGs are also capable of adopting the campaign tactics most appropriate at local and transnational levels.

With regards the fifth research question environment groups and movements in the South can be introspective and radical within the particular political and cultural milieu in which they operate regardless of their formalisation. These EGGs are likely to self-consciously consider their organisational structure and their place within the global governance system to provide a more sensitive and interactive contribution to environmental governance. In addition,

transnational networks and coalitions are likely to be formed across the South to enhance campaigns and overcome limited resources with women tending to play a central role.

Due to the of prevalence in the South of both authoritarian regimes and large business interests, in the form of international financial institutions (IFIs) and transnational corporations (TNCs), the findings in response to the sixth research question suggest environmental activism in the South is more focused on issues of justice and democracy. Through conditional loans and foreign direct investment large business interests have been central to the propagation of neoliberal economic globalisation – 'globalisation from above' – in the societies of the South. An analysis of the power deployed by transnational capital and authoritarian regimes can assist in explaining why major development projects that appear to be inappropriate for local development needs continue to be pursued despite ongoing opposition by local and activist communities. In Part 2 of this thesis a more detailed analysis of the four case study projects will provide more comprehensive answers to these research questions.

Environmental Politics

The importance of environment movements as social movements to environmental politics is very much dependent on the interpretation of environmental politics itself. Some analyses of environmental politics limit themselves to state-based and intergovernmental agreements on the regulation of the environmental so the definition employed is likely to influence the resulting areas of study. According to Dryzek and Schlosberg, environmental politics is

> how humanity organizes itself to relate to the nature that sustains it [and only impinges on] other areas of political concern such as those related to poverty, education, race, the economy, international relations, and human rights inasmuch as what happens in these areas affects our environment (and vice versa) (1998, 1).

Doyle and McEachern (2008) take a more expansive view, however, including political issues that go beyond human-environment interactions. They consider humanity as a part of nature, with a recognition that our relationships with the non-human world are socially as well as biophysically constructed, resulting in an integrative non-anthropogenic rubric whereby

environmental politics is dominated by 'issues of social democracy (participatory and representative), nonviolence, social equity and justice as well as ecology' [my emphasis] (Doyle and McEachern 2008, 22). In this dissertation I broadly follow this interpretation of environmental politics.

Academic attention to certain areas of environmental politics is relatively recent with Princen and Finger noting in the mid-1990s that while there had been significant attention given over to 'documenting environmental conditions and prescribing remedies to save the planet' (Princen and Finger 1994, x), very little had been written on the activities of environment movements. While much more attention has been centred on environment movements since that time, a large proportion of the literature in environmental politics still examines ecological issues and regulatory regimes and focuses particularly on the countries and issues of the North (see Howes 2005; Kutting 2000; Paehlke and Torgerson 2005). In this dissertation, however, I follow Doyle and McEachern in focusing on the role and impact of environmental groups, NGOs and networks of activists in the environment movement as a non-institutional, informal sector of society (Doyle and McEachern 2008, 84).

While the environment movement is incredibly diverse, my interest and focus is on environment groups that are predominantly human-centred rather than wilderness-centred and based in, or focused on, the two core case study countries of Burma and Thailand. These countries are part of the less affluent South rather than the affluent North; the majority rather than the minority worlds (Bello 2004b). This area is still rarely focused upon in the literature with even the 2007 edition of Neil Carter's otherwise thorough The Politics of the Environment almost completely ignoring environmental politics in the South (Carter 2007). A focus on the less affluent world inevitably leads to dualistic categorisations between affluent and less affluent states, but these categorisations can be problematic as interests in particular countries are far from homogenous. As Chaturvedi notes, throughout countries of the South 'one can find dominant 'local' elites supporting and sustaining global capitalism' (Chaturvedi 1998, 704). There is, therefore, a North (affluent class) in what is generally termed the South (poor states) and vice versa so the terms 'global North' and 'global South' are sometimes used to distinguish between the affluent

and the poor on a global basis (Doherty and Doyle 2006, 706). While using these dualisms indiscriminately is problematic (Eckl and Weber 2007), they are employed here, as elsewhere, as a useful shorthand to distinguish between states, regions, or communities that differ markedly in affluence.

While this thesis adopts much of the environmental politics framework developed by Doyle in this chapter I also argue that Doyle's definition of introspective and emancipatory groups is too limited and should include formal groups with radical agendas, where this radicalism questions the existing order but can be highly dependent on the specific political and cultural milieu in which the groups operate. A key example here is the NGO case study in this thesis, EarthRights International (ERI), which appears conservative in some respects – having confidence in the 'power of law' and not trying to 'break down the capitalist system'[31] – yet introspective and emancipatory in much of their organisation and activities. By focusing on radical groups and actors this thesis enhances its critical perspective which calls into question existing 'institutions and social and power relations' (Cox 1981, 129), aiming 'to empower a marginalised and oppressed constituency' (Eschle and Maiguashca 2006, 120). As with critical theory it therefore retains a 'shared commitment to human emancipation and a common concern to analyse the causes of, and prescribe solutions to, domination, exploitation, and injustice' (el-Ojeili and Hayden 2006, 10). It is clear that, while Doyle and Doherty argue in their model that EGs 'celebrate more non-instituional forms of organisation' (Doyle and Doherty 2006, 883), it is clear that formalised groups such as ERI can also be considered emancipatory governance groups (EGGs).

Environment Movements as Social Movements

This dissertation examines the philosophies, strategies, tactics and structures of the environment movements opposing four transnational energy projects in the South. These movements are primarily based on fundamental struggles for justice for marginalised

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[31] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

communities rather than minor policy changes within an existing order. Central to the analysis of these environment movements, therefore, is the distinction between social movement actors, who advocate significant societal transformation, and less radical actors who do not 'engage in ideological conflict with their opponents' (Doherty 2002, 14). This distinction follows from an established division in the environmental literature of the North between radical greens and reformist environmentalists (Dobson 2007, 5; Doherty and de Geus 1996, 2). In other words we could argue that reformist environmentalists are part of what Gramsci traditionally viewed as civil society, which supports or forms part of the state, while radical greens are creating a civil society in opposition to the state (Cox 1993; Gramsci 1971, 263; Harvey 2005, 78). Although this distinction between green and environment movements is well established in the North, in the South almost all environmental activists challenge existing power relations and are radical within their own political milieu. Even nominally environmental or ecological disputes often broaden over time to include radical social and political concerns. Quite often, however, these concerns are central to campaigns from their inception (Doherty 2002, 216; Doyle 2005; Haynes 1999).

An initial question to address in analysing these environment movements is to determine their composition. Doyle has generally adopted an emic approach for environment movements where they consist of everyone who considers themselves to be an environmentalist (Doyle 2000, xix; 2005, 6; Harris 1979, 32). This perspective can be seen as borrowing from Melucci's constructivist approach to social movements (Melucci 1989; 1996), which Eschle has also used to argue that 'we know that movements exist when activists claim that they are part of one and participate in efforts to define 'their' movement in particular ways' (Eschle 2005, 20). The emic approach is democratic and inclusive but for analytical purposes I make the distinction between radical elements, who are social movement actors, and parts of the movement that 'function in a formalised, structured fashion, openly endorsing the existing status quo' (Doyle 2000, 8). As discussed above, however, most environment movements in the South are social movements so I therefore tend to follow Torgerson in using the terms green and environmental interchangeably (Torgerson 1999, 2), although I sometimes employ the term green to emphasise movements with a broader social justice agenda.

To clarify what distinguishes actors who belong to a social movement from those who don't, della Porta and Diani from the New Social Movement (NSM) school propose a well established definition of what constitutes a social movement (della Porta and Diani 2006). This European approach minimises the emphasis on goal orientation of movements, not unlike Doyle's 'myth of the common goal' (Doyle 2000, 7), and concentrates on identity-forming networks, while acknowledging that these identities are fluid and heterogeneous (Melucci 1989; 1996). The dominant concepts in NSM formation in the North have been the post-materialist and post-industrialist theses, although as Martinez-Alier points out, 'post-materialist',

> is a terrible misnomer [when applied to countries of the North] whose economic prosperity depends on their use per capita of a very large amount of energy and materials, and on the availability of free sinks and reservoirs for their carbon dioxide (Martinez-Alier 2002, 4).

While these theories have been applied extensively to the North, more homogenous, class-based theories are sometimes more appropriate for the South. Despite these differences the NSM-influenced perspective has been successfully applied to case studies in India and the Philippines and I therefore employ it throughout this thesis (Doyle 2005, 3).

In assessing whether activists and groups are part of a social movement, della Porta and Diani use three key characteristics (della Porta and Diani 2006, 20-23). First, they must be involved in conflictual relations with clearly identified opponents. In essence activists must challenge some feature of the dominant social or political structures or values of their society. From International Relations (IR) theory we could adapt Robert Cox's distinction to distinguish between reformist actors, who sustain the existing order and are not part of a social movement, trying to solve environmental problems, and radical actors who challenge the prevailing order in society and are constitutive of a social movement, taking a critical approach (Cox 1981, 128-30). Movements that 'fail to recognise their own location within global hegemony … may end up reproducing global hegemony rather than challenging it' (Ford 2003, 124), and therefore do not qualify as social movements under this definition.

Second, activists must be linked by dense informal networks, suggesting that there is no single organisation that defines the movement. These networks are the central component of social movements and, according to Keck and Sikkink, they are characterised by several defining features:

> the centrality of values or principled ideas, the belief that individuals can make a differernce, the creative use of information, and the employment by nongovernmental actors of sophisticated political strategies in targeting their campaigns (Keck and Sikkink 1998, 2)

These features contribute to the third characteristic of social movements, which is that they must share a distinctive collective identity, based on ideas and practices which may be developed through collective action.

Another characteristic of social movements, which is a key element of their repertoire (Tilly 2004, 3), is engaging in broadly defined public protest. While della Porta and Diani do not list protest as a core characteristic in their introduction to social movements, they do acknowledge that social movements tend to invent 'disruptive forms of action' (della Porta and Diani 2006, 29). Protest is given more prominence in della Porta's more radical writings where her sentiments concur with Melucci on the importance of protest in challenging power, arguing that social movements are antagonistic and that their use of protest distinguishes them from other political actors (della Porta et al. 2006, 19-20; Melucci 1996, 35). Doherty and Doyle take this emphasis further in their analysis from an environmental perspective, arguing that some form of public protest activity in part of the network is a fourth key characteristic of social movements (Doherty 2002, 7; Doherty and Doyle 2006, 702-03). The ability of social movements to freely engage in public protest is a key indicator on the nature of political regimes and the resultant implications for environmental politics. In Thailand street protests are a common occurrence but in Burma these protests are rare due to more traditional authoritarian governance. Although street protests occasionally occur, public dissent and activism is more likely to be communicated through alternative media. Whether through transnational publications, online activism, public parody or even nonviolent support for insurgent groups facing repression, social movement activity by Burma's activists is therefore still possible.

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While the movements in this dissertation confirm that social justice and radical political reform are of central significance in the environment movement as a social movement, some authors argue that the environment itself should be more central than challenging political norms (Dryzek and Schlosberg 1998; Rootes 2006, 779). In the global North a focus solely on ecological issues may result in social injustices but in the South this approach can result in life threatening situations for marginalised populations. It should also be acknowledged, however, that while most activists involved in the project case studies in this thesis link some form of political reform to resolution of the dispute, in countries such as Burma campaigning for a Western-style liberal democracy, or even telling jokes about the military regime, is considered a radical form of insurrection and punishable by hard labour and long prison sentences.[32] Activists in these campaigns may therefore be radical in the context of their current political situation but quite mainstream within a broader Northern political context. This caveat in no way diminishes their claim to membership of a social movement, but once again it demonstrates the wide gulf between the situations often faced by Northern and Southern environmental activists.

The Structure and Composition of Environment Movements

Addressing the research questions of this dissertation requires an analysis of the structure of both the environment movements against the transnational energy projects and their constituent parts. Environmental activism takes place in the South under living conditions and governance structures that may shift campaign goals towards social justice and human rights and the structure of both the movement and its components may help or hinder the achievement of these goals. In Part 2 of this thesis I therefore undertake a multilevel (Dwivedi 2001) analysis of the environmental campaigns opposing the various energy projects, which comprise individuals, informal groups, formalised NGOs, coalitions and informal networks, and a multiscalar (Kaiser and Nikiforova 2006) approach that considers both local and transnational scales of activism. The multilevel constituent parts of environment movements are therefore introduced here with

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[32] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author*. 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma.

the definition of emancipatory governance groups (EGGs) including groupings of individuals including informal groups, NGOs or formalised coalitions within the movement.

The most formalised and visible component of environment movements are generally NGOs that are usually formed by a constitution and 'involved in many different spheres of politics, from the local community level, through the politics of the nation-state, to international politics' (Doyle and McEachern 2008, 123). While they are important actors within the movement NGOs are often mistaken for representing the whole movement. In Newell's contribution to Edwards and Gaventa's *Global Citizen Action* he begins by stating that the chapter will examine the 'environment movement' but for the rest of the chapter he focuses entirely on environmental NGOs (Newell 2001). The central EGG of this thesis, EarthRights International (ERI), is indeed a transnational NGO but other, more informal, movement components are also examined. While protest is a central component of social movements, studies have found that there is actually no relationship between the formalisation or institutionalisation of movement actors into NGOs and the levels of protest (Doherty 2002, 148-49). If formalised NGOs maintain a collective identity compatible with the four core green ideals of democracy, sustainability, justice and nonviolence (Carter 2007, 47-48), they retain a strong claim to being green social movement organisations. While ERI is formalised with a budget that has increased to over a million dollars since its inception, it maintains a strong commitment to these core green commitments and is involved in transnational emancipatory protests that critically challenges established power structures (Cox 1981).

Informal groups are less formalised than NGOs and can have a broad range of characteristics with Doyle proposing two categories, introspective and non-introspective. The former are generally conscious of their political form, their ideology or their structure while the latter are not (Doyle 2000, 34). While Doyle uses this categorisation only for groups, I argue that it can be applied to other more formalised EGGs as well. The case study of ERI demonstrates that these three issues can be equally important in more formalised organisations, effectively creating introspective formalised EGGs. Non-introspective environment groups would not usually be considered part of a social movement as they are unlikely to adopt radical or critical

perspectives that challenge dominant social or political structures of their society. Nevertheless, these groups may change or transform over time as members are radicalised by their activism and the intransigence of the system in which they may operate. This radicalising and transformation effect means that even Not-In-My-Back-Yard (NIMBY) local environment groups, often considered a conservative element in the movement, may become social movement actors (Doherty 2002, 185; Wall 1999, 25), nurturing 'valid and valuable forms of gender and political emancipation' (Ford 2003, 128). Activists in the Kanchanaburi Conservation Group (KCG), which began as a NIMBY group opposing the Yadana Pipeline, were radicalised in this way to later become social movement actors addressing more structural political issues in Thailand.[33]

Nevertheless, once formed by a particular issue, groups tend to survive while informal networks tend to disintegrate once their issue-oriented goals are achieved (Doyle and Kellow 1995, 106-10). Despite the sometimes temporary nature of networks, however, they are generally considered the defining feature of NSMs (della Porta et al. 2006, 20). The transnational effects of these movements and mobilisations have been noted since the 1980s (Melucci 1989, 88), with Castells contending that the 'alternative networks' of social movements are becoming increasingly powerful and provide one of the few genuine avenues for challenging dominant power structures (Castells 2000, 22-23). Part of their potence is the ability of networks to be simultaneously local and transnational, with Routledge arguing that

> when local-based struggles develop, or become part of, geographically flexible networks, they become embedded in different places at a variety of spatial scales. These different geographic scales (global, regional, national, local) are mutually constitutive parts, becoming links of various lengths in the network (Routledge 2003, 336).

This multiscalar analysis has also been applied to coalitions, although they have been relatively overlooked by authors such as Doyle and Doherty (eg. Doherty 2002; Doyle and McEachern 2008). Multiscalar coalitions form because a campaign

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[33] Phinan Chotirosseranee (1998, 5 October). *Interview with author*. Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.

in various countries and at various levels of politics, is one that is difficult for most individual NGOs to accomplish, because of the time required to coordinate such a campaign (Yanacopulos 2005b, 106).

Coalitions are central to the campaigns in this thesis, particularly at the transnational level. Smith and Bandy suggest that transnational coalitions are particularly difficult to achieve because of the diversity of languages, political experiences and national cultures (Smith and Bandy 2005, 7), but in the case studies in this dissertation these difficulties have been largely overcome and this diversity can actually be seen by activists as a strength.[34] Yanacopulos argues that coalitions have more permanent links than single issue networks and are able to harness expertise through pooling resources (Yanacopulos 2005b, 102). This pooling of resources is difficult if using only the internet, so that face to face meetings are highly valued (Gillan et al. 2008, 101-02). Once the difficulties of cooperation are overcome, however, coalitions often result in 'permanent staff members, a more permanent membership base, a headquarters or secretariat, and are organizations in and of themselves' (Yanacopulos 2005b, 95).

Later in her definition, however, Yanacopulos argues that coalitions 'have broader strategic aims than single-issue thematically focused networks' (Yanacopulos 2005b, 95). While the coalitions in this dissertation may have broader strategic interests the focus is, nonetheless, on bringing the relevant energy project to a halt. Salween Watch, Karen Rivers Watch, the Burma Rivers Network and the Shwe Gas Movement are all actually coalitions – despite their names – even though they also link into a global network of activists. The individual members of the coalitions certainly have broader political aims related to Burma – primarily movement towards democratisation – but this does not detract from the limited rationale or stated aims of each coalition. Indeed when broader issues, such as democratisation in Burma, create common positions, coalitions from different campaigns with different short-term aims, such as Salween Watch and the Shwe Gas Movement, may form 'discourse coalitions' as their messages may reinforce each other (Hajer 1995, 65).

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[34] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

These organisations have excelled in employing the recent improvements to communication technologies, such as the internet, mobile telephones and instantaneous media, which have been essential in the information-sharing role of networks and coalitions and assisted in the development of transnational environment movements (Yanacopulos 2005b, 102). Indeed Castells argues that environmental movements in general have been at the cutting edge of employing new communications technologies for use as mobilizing and organizing tools (Castells 2003, 187). These technologies have assisted transnational activists in creating what Torgerson suggests is an emerging green public sphere, a space of dialogue and debate with multiple concurrent transnational spaces (Torgerson 1999, 19-20). More importantly, for this thesis, one of Torgerson's key green public spheres in his recent analysis deals with a postcolonial environmentalism that not only examines elite domination but also the way groups in the South interact with other groups and cultures in the local-global nexus (Torgerson 2006, 717). The green public sphere created by the campaigns in this thesis therefore promotes environmental protection in both Burma and Thailand, but there is an even greater focus on human rights. These are the shared principled ideas or values that formed the networks within this shere to begin with (Keck and Sikkink 1998, 30), which maintain a strong connection to the four core concepts of green politics.

The Four Core Pillars of Green Politics and Emancipatory Governance Groups

The four core concepts, values or pillars of green politics are drawn from the 1983 political program of *Die Grunen*, the German Greens, and are sustainability, democracy, justice and nonviolence (Carter 2007, 47-48). These four pillars have been embedded within the emancipatory environment movements and ecopolitical writings of the North, but they have also been employed in the South. Nevertheless there is often a different emphasis on, or interpretation of, the concepts between activists in the North and the South simply because of the stark differences in their daily existences. Due to precarious living conditions in the South, environmental struggles are often, by their very nature, 'struggles for democracy and against the unequal distribution of power' (Doherty 2007, 80). Appeals to human rights in both local and

transnational settings are often employed as avenues to achieve these goals. Indeed, despite broader concerns over sustainability and environmental degradation, activists often focus specifically on human rights in fora such as courts of law because legal precedents in this area are more concrete.[35] A 1994 United Nations report entitled *Human Rights and the Environment* by Fatma Zohra Ksentini communicated the links between human rights and broader green concerns to a global audience with the first guiding principle being that '[h]uman rights, an ecologically sound environment, sustainable development and peace are interdependent and indivisible' (Ksentini 1994, 74).

Although local cultural and political influences are important, particularly for the local campaigns in this thesis, many of the arguments at a transnational level are based on universalised transnational interpretations of green concepts, including human rights, adopted from international politics, philosophy and law. This section therefore examines the philosophical underpinnings of the predominantly Northern writings on these concepts as they relate to emancipatory movements and explores the sometimes differing perspectives from the South.

Sustainability

Although ecological considerations drive wilderness or conservation groups within the EGS they are not necessarily the most central concern for emancipatory environment movements. There is little doubt that the concept of developing an ecologically sustainable society is important for EGGs but it could be considered as the only green pillar with a direct ecological component and even then it is associated in recent ecopolitical writings with the more social and political attributes of the other pillars: 'sustainability, like democracy, is largely about social learning, involving decentralized, exploratory, and variable approaches to its pursuit' (Dryzek 2005b, 158). While sustainability retains a central place in the pantheon of green philosophies, the term sustainable development has, in many environmental circles, lost much of its credibility. It is now largely seen, in Gramscian terms, as a historic bloc of the transnational capitalist class

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[35] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

(Sklair 2001, 207), a means by which business can neutralise environmental critiques and as a way for the North to exploit the South (Beder 1996; Doyle 1998, 782; Howes 2005, 109). With rising environmental awareness throughout the 1980s, business rapidly came to understand that adopting sustainable development was an effective response to environmental criticism, 'not in the sense that it changed how business conducted itself so as to do less harm, but because it provided a rhetoric to protect the continuation of business as usual' (Doyle and McEachern 2008, 206). Nevertheless, though sustainable development is currently accommodated within the capitalist economic system there are still those who wish to stretch it as far as possible within these confines (Dryzek 1999, 270), with an ERI co-founder arguing that 'I don't think ERI is trying to break down the capitalist system, just make it more just and fair'.[36]

Although in recent years much government funding and research activity in the North has focused on sustainability in general, and climate change in particular, environment movements in the South have always tended to focus much more on pressing concerns such as poverty and short term water and food security. When issues of sustainability arise in the South they are far more likely to be linked to immediate livelihood issues, such as the sustainability of fish catches following the building of dams, rather than the possibility of a two degree rise in temperatures in the next hundred years. There is no doubt that concern over climate change is increasing in the South, particularly as this is where impacts are likely to be most severe and least likely to be mitigated, but in many parts of the South, such as Burma and Thailand, sustainability is seen as something which would naturally follow from a more urgent focus on justice with more democratic access to political power for society's marginalised people.

Democracy

As with sustainability, there is often a different focus on the most important aspects of democracy between environmental activists and academics in the North and those in the South. Northern environmentalists operate in largely liberal democratic societies where the discussion

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[36] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

is on greening and extending democracy (Dryzek 2006). While these writings are an important contribution to academic debate and philosophy on this topic the reality is that many Southern activists, and for this thesis particularly those in Burma, face a daily struggle for survival where even basic democratic principles and human rights are ignored. Nevertheless, Southern activists often draw on these Northern theories and it is therefore necessary to examine the approach of green political writing to this concept, which, as an emancipatory project, addresses issues of power in society, including the relationship between individuals and the state and associated governing structures.

While ecological authoritarianism appeared dominant in early environmental writings in the 1960s and 1970s, in recent years this authoritarian stream has largely fallen by the wayside with the debate now about how best to approach and deepen democracy (Dryzek et al. 2003, 6; Hay 2002, 303; Paehlke 2005, 25). Green political thought and action is now inseparable from democracy and this connection is an important methodological and epistemological approach, both for environment movements and for this thesis. Indeed '[d]emocracy defines both the goal of the movements and [their] constant activity' (Hardt and Negri 2004, 87). As a definitional starting point, pursuing democracy attempts to maximise respect for human rights and public participation in the governance of political spheres that derives from a

> level of civil and political liberties – freedom of thought and expression, freedom of the press, freedom of assembly and demonstration, freedom to form and join organizations, freedom from terror and unjustified imprisonment – secured through political equality under a rule of law, sufficient to ensure that citizens can develop and advocate their views and interests and contest policies and offices vigorously and autonomously (Diamond et al. 1988, 6-7).

Democracy is therefore conceptualized as lying at one end of a spectrum with the other end being a system of rule where the people are totally excluded from the decision-making process and any control over it (Beetham 1992, 40). In this dissertation, therefore, the central political regime types discussed include the traditional authoritarianism of military-ruled Burma, where people are totally excluded from the decision-making process, and the competitive authoritarianism of Thailand under Thaksin, where the framework of democratic institutions was present but was, in practice, undermined.

Regardless of specific democratic attributes, there is a broad consensus that the possibilities for environmental justice and an overarching ecological rationality governing societies are greatly improved by strengthening democratic forces and increased community involvement in decision making (Beck 1999, 152; Dryzek 1999; Giddens 1998; Mason 1999; Mitchell 2006). Environment movements can contribute to the process of democratisation simply by their formation, as participation and networking in the creation of social movements generate crucial sites for democratisation (Tilly 2004, 141). While accepting that conventional liberal democratic channels of public participation are better than the opportunities under authoritarian regimes, many environmentalists are nevertheless critical of the 'reactive and piecemeal environmental measures emanating from the liberal democratic parliamentary process' (Eckersley 1996, 216). Part of this response relates to the central role of business in the political process. As a result, many greens argue for more participatory organisational structures such as 'meshworks', networks which are decentralised and heterogeneous with a commitment to the locale/local (Escobar 2004, 353-55). Local participation in budgeting processes has also proved effective in implementing distributive justice in places such as Porto Alegre in Brazil (Gret and Sintomer 2005, 49). Decentralisation is also considered a key goal, from both ecological and democratic perspectives (Carter 2007, 58; Doherty and de Geus 1996, 3), with a 'close link between local economic self-reliance and sustainability' (Douthwaite 1996, 58). Echoes of this approach towards decentralisation can be found in the Thai movement towards localism, which combines traditional Thai approaches to self-sufficiency with global environment movements towards decentralisation (Connors 2005a, 267).

In relation to public participation Environmental Impact Assessment (EIA), which usually formalises some measure of public participation as part of the planning process (Harvey 1998), is central to environmental politics due to its anchorage in an ecological rationality (Bartlett 2005, 48; Dryzek 1987; Howes 2005, 96-100). The undertaking of these assessment studies, the veracity of the results, and the dependency of decision-making on these results, are important elements in determining whether justice and sustainability could be achieved in the case studies examined in this thesis. Nevertheless, a problem inherent in many of the world's EIA systems, and particularly in countries of the South such as Thailand, is that it is often the

project's proponent, who has a vested interest in the outcome, who undertakes the study with the result that impacts are often underestimated (Fahn 2003, 204). Another advantage of EIAs for governments and business is not that it necessarily makes the decision more rational but that it appears more rational, undermining the credibility of public opposition to a project (Carter 2007, 303). While always imperfect in practice, the evidence from projects in Burma, where EIAs are rarely undertaken, suggests it is difficult to dispute the conclusion that 'it is better to have some kind of EIA system than nothing' (Howes 2005, 108).

Political Regimes

As democracy is such a central concept in understanding environmental politics and activism it is important to investigate the relationship of activism to the political regime under which it operates. The extent to which basic human rights such as freedom of speech and freedom of association (Diamond et al. 1988, 6-7) are permitted or curtailed determines the openness of environmental protest and dissent and its most efficacious forms. In addition, the type of political regime may determine how much transnational influences are able to traverse the borders of states and influence domestic environmental policy and debate. Historically, ecopolitical writings have provided limited in-depth analysis on the impact of political regimes on activism, with few exceptions (Doyle and McEachern 2008, 22-30; Doyle and Simpson 2006). Part of the reason for this appears, once again, to be the focus primarily on the North, where largely democratic states exist (Carter 2007). In this thesis, however, the typology of political regimes plays an extremely important role in determining both the nature of the activism and its spatial and geographic scope. Burma and Thailand have very different political regimes which result in a diversity of political responses and resistances. This section therefore focuses primarily on developing theoretical models for the political regimes present in these countries while in the next chapter I provide a more detailed assessment on these specific countries based on sites of competition and authoritarianism.

The dominant political regimes in Thailand during the case study campaigns are quite difficult to categorise, with greater political freedoms than in Burma but also limitations due to authoritarian

tendencies. It could therefore be considered one of a growing number of hybrid regimes 'that are neither clearly democratic nor conventionally authoritarian' (Diamond 2002, 25). Some of these regimes reflect the 'new forms of authoritarianism' that Huntington cautioned in the early 1990s could emerge that suited 'wealthy, information-dominated, technology-based societies' (Huntington 1991, 316). Due to the increasing prevalence of these 'new' regimes, a useful typology for exploring environmental politics is to group regimes, reflecting basic civil and political rights, as liberal democracies, traditional authoritarian regimes and hybrid regimes (or amalgam regimes), where certain sub-categories may also exist.

Some of the specific terms used to describe hybrid regimes, such as 'transitional democracies', can be misleading, however, suggesting unidirectionality, while others gloss over important differences. It can be tempting to lump all regimes with authoritarian tendencies in the same group but there are certain qualitative differences that make activism under unequivocally non-democratic countries, such as Burma, a very different proposition to activism under more liberal regimes that also have authoritarian tendencies, such as Thailand. In recent years models of semi-authoritarianism (Ottaway 2003), limited multiparty regimes (Hadenius and Teorell 2007, 147), competitive authoritarianism (Levitsky and Way 2002), and a proliferation of other hybrid regimes (Brownlee 2007, 25-26; Diamond 2002), have been proposed to analyse regimes that fall neither squarely into the authoritarian nor liberal democratic camps.

These categorisations are, however, problematic. These models tend to overlook the dominant role of capital in the establishment of many of these regimes which has been documented by Rodan in the cases of Singapore and Malaysia (Rodan 2004). This issue is part of a broader problem which Jayasuriya and Rodan identify in these models that overlooks the causes of the formation of hybrid regimes in favour of 'descriptions of institutional performance' (Jayasuriya and Rodan 2007, 774). Another critique by Sim argues that Diamond's uncritical use of Freedom House's numerical rankings of authoritarianism can result in 'ideologically driven' categorisations that preference economic freedoms (Sim 2006, 146). Likewise, Hadenius and Teorel argue that the 'degree of competitiveness' which is used to determine Diamond's

categories is problematic and understates qualitative differences between authoritarian regimes (Hadenius and Teorell 2007, 144).

In further analysis that downplays the existence of ideological preferences, Ottaway argues that her semi-authoritarian regimes pose a 'considerable challenge to US policy makers' (2003, 5), suggesting that they are universally unwelcome to US administrations. In reality, while there may be antipathy for regimes that espouse leftist principles, such as Venezuela, which Ottaway and Levitsky and Way use as an example, authoritarian leaning governments that adhere to neoliberal economic theories and joined the 'War on Terror' were greeted with open arms by the Bush administration (Rodan 2009; Rodan and Hewison 2006). Thailand under Thaksin posed no threat to the US and provided plenty of support for the Bush doctrine and world view, resulting in 'unprecedented goodwill' from the Bush administration (Kavi Chongkittavorn 2005).

Regardless of the usefulness of these various categories, however, protest movements under all these hybrid regimes face constraints in the form of censorship and intimidation which limits their ability to effect change. Despite these hurdles, the political openings that do occur provide opportunities to participate in politics that are generally not present under traditional authoritarian regimes, although outcomes are highly dependent on the employment of appropriate strategies and tactics (Lyall 2006, 411).

Despite the shortcomings of these models, the criteria suggested by Levitsky and Way for classifying regimes as competitive authoritarian is a useful starting point in the analysis of environmental politics under the various regimes in this dissertation. I address the concerns over these models expressed by Jayasuriya and Rodan and others, both in this chapter and the next, by examining the dominant role of capital in the formation and maintenance of these regimes to avoid preferencing economic over political freedoms. Levitsky and Way define competitive authoritarian regimes as those in which

> formal democratic institutions are widely viewed as the principal means of obtaining and exercising political authority. Incumbents violate those rules so often and to such an extent, however, that the regime fails to meet conventional minimum standards for democracy (2002, 52).

One of the most important aspects of competitive authoritarianism, therefore, is that despite facing authoritarian obstacles, opposition forces may periodically 'challenge, weaken, and occasionally even defeat autocratic incumbents' through formal democratic institutions (2002, 54). Indeed, this is the main point of difference to full-blown traditional authoritarian regimes. Levitsky and Way argue that there are four important areas of democratic contestation where this competitiveness reveals itself: the electoral arena; the legislature; the judiciary; and the media (2002, 54-58).

First, under competitive authoritarian regimes elections are regularly held, seriously contested and often bitterly fought. Although the electoral process is generally free of massive fraud, it may also be characterised by

> large-scale abuses of state power, biased media coverage, (often violent) harassment of opposition candidates and activists, and an overall lack of transparency (Levitsky and Way 2002, 55).

Second, legislatures in competitive authoritarian regimes are relatively weak, but they can occasionally become focal points for opposition. Third, within authoritarian regimes, governments routinely attempt to subordinate the judiciary, either blatantly or through more subtle techniques such as bribery, extortion, and other mechanisms of co-option. The combination, however, of formal judicial independence and incomplete control by the executive allows 'maverick' or strongly independent judges to make decisions that can contain the scope of authoritarian control (Levitsky and Way 2002, 56).

Finally, media outlets under competitive authoritarianism are often not only legal but can be quite influential and journalists, though often threatened or attacked, may emerge as important opposition figures. Nevertheless, executives in competitive authoritarian regimes often actively seek to suppress the independent media, using relatively subtle mechanisms of repression such as

bribery, the selective allocation of state advertising, the manipulation of debts and taxes owed
by media outlets … and restrictive press laws that facilitate the prosecution of independent
and opposition journalists (Levitsky and Way 2002, 57-58).

As useful as these four criteria are, a major omission in the Levitsky and Way model is the independence and accountability of various uniformed security and law enforcement agencies, including the military and police. It is extremely difficult for even an independent judiciary to achieve just outcomes if law enforcement agencies are corrupt and free to manipulate and manufacture evidence without adequate institutional oversight and review. In many hybrid regimes complicity by law enforcement agencies is crucial in a state's ability to undermine democratic participation through compromised court proceedings which may extend, in the worst cases, to extrajudicial killings of activists by the security services. On the other hand, security services that demonstrate respect for democratic principles and rule by law without a culture of impunity can play a role in constraining governments that attempt to subvert democratic and legal processes. Levitsky and Way do not mention security services in their model but they are a critical criterion in defining competitive authoritarian regimes, either as a tool of the state to suppress dissent but also, and especially in conjunction with an independent media and judicial system, as a site of competition.

In the following chapter I therefore argue that under the prime ministership of Chuan Leekpai Thailand had elements of a more liberal democratic regime, but during the tenure of Thaksin Shinawatra Thailand, using these five criteria, became governed by a competitive authoritarian regime. It should also be noted, however, that under Thaksin, Thailand also qualified as a dominant-party regime, a subset of Hadenius and Teorel's limited multiparty regimes in which the dominant party achieves two-thirds of the vote (Hadenius and Teorell 2007, 148). In discussing opportunities for democratic change Hadenius and Teorel also argue that the demise of an authoritarian regime does not necessarily signify a more liberal replacement, as one authoritarian regime may simply give way to another, as is most often the case (Hadenius and Teorell 2007, 152). This prognosis appeared to have been borne out in Thailand, at least in the short term, as Thailand was ruled by a military dictatorship for fifteen months after Thaksin was deposed by a coup in September 2006 (Connors and Hewison 2008). Sites of democratic

competition have, however, returned to Thailand since the return of national elections in December 2007.

Under more traditional authoritarian regimes, activism is even more constrained than in those defined as competitive authoritarian. Under these politically closed regimes there is no competition in the areas of the five criteria discussed above. In the next chapter I argue that in Burma since 1988 under the military rule of General Than Shwe and the State Peace and Development Council (SPDC), there is no significant competition within these five criteria and Burma is therefore considered traditionally authoritarian. Burma would have been classified as a single-party authoritarian regime under the Burma Socialist Programme Party (BSPP) from 1962 to 1988, but I have followed Geddes' convention by using the subsequent period from 1988 to the present as the basis for classification, under which it has been ruled by a military regime (Geddes 1999, 122-23). Military regimes are states in which military officers are the major or predominant political actors by virtue of their actual or threatened use of force (Hadenius and Teorell 2007, 146). Geddes argues, however, that despite

> a consensus in the literature that most professional soldiers place a higher value on the survival and efficacy of the military itself than on anything else … in countries in which joining the military has become a standard path to personal enrichment acquisitive motives can be assumed to rank high in most officers preferences (Geddes 1999, 126)

As a result, of all authoritarian regimes Geddes argues that military regimes tend to be the most unstable and most susceptible to internal disintegration (Geddes 1999, 122). Hadenius and Teorell also found that military regimes are more short-lived than one-party regimes but that they outlast limited multiparty regimes, or competitive authoritarian regimes (Hadenius and Teorell 2007, 150). In this context the Burmese military regime has been extremely enduring, with the military effectively in power since 1962. As a regime it has been defined by Diamond as politically closed authoritarian (Diamond 2002, 31), with social and environmental activism strictly controlled, dissent not tolerated, and public participation in political processes extremely limited. Under authoritarianism, civic engagement does not necessarily represent a threat to the ruling class (Brownlee 2007, 217-18), and sometimes it may actually represent a consolidation of power (Doyle and Simpson 2006, 764; Jamal 2007). Nevertheless, evidence of increasing

activism from Burma's activist diaspora in conjunction with local activists, as demonstrated in September 2007, has the potential to unsettle the ruling junta, although international political and economic support may neutralise any challenge.

Within the campaigns against the transnational energy projects in this dissertation, activism is also undertaken in other countries, although this activity is generally confined to a single project. As a result their political regimes are not examined in detail. Nevertheless, elements of their political regimes still influence the level and type of activism associated with each project. In the one party state of China, activism is increasing but still constrained by an authoritarian regime (Mol and Carter 2006). In the liberal democracy of South Korea activism has flourished since the demise of its military dictatorship and there is a similarly vibrant political engagement in India's liberal democracy, despite authoritarian tendencies (Lee 1999; Williams and Mawdsley 2006). Applying the label liberal democratic does not, however, imply that the country is free of oppression and that everyone has equal access to the political process. There are very few such societies in existence and rights and freedoms, even within nominal liberal democracies, may ebb and flow (Hadiz 2006). The countries that are included in this category do, however, have institutions with democratic characteristics, usually in the form of a representative parliament elected by the people (Beetham 1992, 40).[37] Nevertheless, highly concentrated media ownership and powerful vested political interests can undermine these elements of democracy, even in countries of the North.[38] Indeed the tone and perspective of media reporting often serve as 'indicators of underlying power relationships' (Simpson 1998c, 328). Voting systems for these regimes also vary enormously with some being far more representative than others (The Economist 1998; Reilly 2004; Simpson 1998a). In essence, whatever political regime activists operate under, green democratic ideals are a long way from fruition but the access to even basic social and political human rights for the marginalised, particularly in the South, is precarious and it is for this reason that the fight for social and environmental justice has developed as a central green concern.

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[37] While democracies generally apply stricter environmental policies than authoritarian regimes Fredriksson and Wollscheid argue that presidential-congressional systems, as opposed to parliamentary systems, often set environmental policies not significantly different from autocratic regimes (Fredriksson and Wollscheid 2007).
[38] Brown, B. (1999, 3 February). *Interview with author*. Leader of the Australian Greens. Senate Parliamentary Office, Hobart, Australia.

Justice

Central to both green philosophy and politics, according to Dryzek, is the view of a natural relationship of equality across individuals and, therefore, 'hierarchy that both pre-dates and is reinforced by modernity is recognized and condemned' (Dryzek 2005b, 216). As a result, ideals of justice, and therefore equity, within environmental discourse, or what Torgerson defines as the green public sphere, now include

> green critiques of racism, patriarchy, sexism, heterosexism, homophobia and class exploitation. These critiques have drawn detailed attention to the various and complex ways in which the project of dominating nature is also a project of dominating human beings (Torgerson 2006, 716).

In this sense green activism can be largely seen as an emancipatory project with participating organisations being defined as EGGs and maintaining a strong social movement dimension. Conversely, organisations which lack this emphasis on social justice or maintain a pure wilderness focus can be categorised as part of the EGS. Due to often oppressive political environments and precarious living conditions environment movements in the South are far more likely to engage with issues of injustice and are therefore much more likely to form EGGs. It is certainly emancipation through a social commitment to justice that has driven the formation of non-hierarchical EGGs such as EarthRights International (ERI).[39]

Although the concept of human rights has been employed by environment movements in the pursuit of democracy and sustainability it is in the pursuit of global and environmental justice that this concept has been most evident. There have been various subsequent attempts to link human rights and the environment through hybrid rights-based approaches (Boyle and Anderson 1996; Eckersley 1996; Hancock 2003; 2005; Miller 2002). Some NGOs involved in the South have also focused on rights-based approaches with the ERI using this methodology in

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[39] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

Burma. Jed Greer and Tyler Giannini, a co-founder of ERI and now a Harvard law lecturer, have proposed that

> [e]arth rights are those rights that demonstrate the connection between human well-being and a sound environment, and include the right to a healthy environment, the right to speak out and act to protect the environment, and the right to participate in development decisions (Greer and Giannini 1999, 20).

Although adding some potentially useful analytical tools to environmental campaigns, the problem with all these rights-based approaches is that they are likely to exacerbate problems that already exist within the human rights regime (Woods 2006a, 588). A central contestation of human rights is their universality or applicability in various cultural or historical contexts. As Steans notes in her analysis on human rights and women:

> Critics of universal doctrines like human rights raise valid objections that cannot be dismissed easily. However, cultural relativism – in its various guises – is equally problematic. It is no easy task to distinguish between legitimate expressions of identity, community and culture and the (ab)use of 'culture' and 'tradition' to legitimise the exercise of power by authoritarian governments over their subjects, or indeed the arbitrary exercise of power by men over women (Steans 2007, 13).

Although this thesis adopts a stance based on the Vienna Declaration that there are universal aspects to human rights, despite diversity and discretion as to how these are interpreted in particular cultural contexts (DeLaet 2006, 10-11), these debates on universality are likely to be aggravated by the addition of environmental concerns. Even Giannini, a strong supporter of earth rights, acknowledged that in court cases defending earth rights there is a strong tendency for green advocates to focus specifically on the human rights aspects of the cases due to more compelling legal precedents.[40] Despite a variety of perspectives on what exactly comprises these rights, however, there is little doubt that their violation often results in greater insecurity for marginalised communities in the South where the interrelationships between environmental protection and human rights are most acute.

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[40] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

Environmental Justice

The explicit use of a rights-based approach is, however, only one, albeit important, strategy in the pursuit of global and environmental justice. Environmental justice is concerned first and foremost with 'the distribution of environmental risks and harms across individuals and social groups' (Dryzek 1999, 266). Justice advocates suggest there exists an unequal distribution of negative environmental effects flowing from areas of high social mobility and political power to the relatively disadvantaged at both a national and international level (Newell 2005; Walker and Bulkeley 2006). While some theories of environmental justice have focused on distributive justice (Dobson 1998), others have placed increasing emphasis on both the political recognition of diversity within communities and participation in the political processes that govern development projects (Anderson 1996, 9; 2003; 2004; 2007). These approaches attempt to empower marginalised communities and most activists in the case studies in this thesis argue that these are all essential elements in achieving just outcomes.

In the global South movements for environmental justice have emerged in response to carrying not only the environmental burden of the elites from their own country but that of the North's 'wasteful consumer-driven throw-away society' as well (Bollard 1999, 33). One of the most clearly espoused approaches that encompasses environmental justice is Laura Pulido's 'subaltern environmentalism':

> Subaltern environmental struggles are not strictly environmental. Instead, they are about challenging the various lines of domination that produce the environmental conflict or problem experienced by the oppressed group in the first place. Since they must confront multiple sources of domination that include economic marginalization, patriarchy, nationalism and racism, it is difficult to discern where the environmental part of the struggle begins and where it ends. Indeed, trying to do so may misrepresent the very nature of struggle, as it suggests that environmental encounters are not coloured by political economic structures (Pulido 1997, 193).

In the South, while identity politics plays a part, either radical democratic politics, incorporating legal-political rights, or socialist politics, incorporating the shared material interests of the working classes, have dominated environmental justice discourses (Faber 2005, 46). Indeed, in the South there is often little distinction between environmentalists and human rights or

environmental justice campaigners as most campaigns directly link environmental sustainability with justice (Williams and Mawdsley 2006). As Doyle states in his analysis of the Filipino environment movement, 'its green agenda is not centred on luxury and higher-order ideals … but rather … in the struggle to survive' (2005, 52). People are unlikely to consider 'post-materialist' concerns, such as wilderness preservation, when 'the environment' is what they live in and its health has a direct and instantaneous impact on their well-being. Conversely, as I demonstrate later in this thesis, Northern environmental organisations active in the South may well pursue Northern wilderness aims at the expense of Southern justice and are therefore part of an environmental governance state (EGS). As Doyle and I argue in our comparison of environment movements in Iran and Burma, 'the existence of a larger middle class in Iran, when compared with Burma, may also have contributed to the increasing visibility of … post-materialist banner issues' (Doyle and Simpson 2006, 761). In addition, more affluent areas can compartmentalise environmental problems away from much of the population or employ expensive technological solutions, although the poor or marginalised in affluent countries – the South in the North – face similar issues to those in Southern countries, both in terms of recognition and distribution (Doherty and Doyle 2006, 706).

An important focus within environmental justice movements is the rights of indigenous peoples. While some anthropologists see the category of indigenous peoples as problematic, they are nevertheless reluctant to deny it to 'local communities' who claim it (Dove 2006). It should be recognised, therefore, that the divisions between categories of indigenous peoples and ethnic minorities, as with so many other social or political labels, are somewhat fuzzy. Many of the marginalised ethnic minority communities of Burma who have suffered injustices due to the energy projects in this dissertation, could justifiably lay claim to indigenous status. Issues of indigenous rights become particularly significant when indigenous peoples are not recognised as this might entail greater protections or concessions of their rights and resources under international agreements (Hirsch 2002, 159). A particularly important, though non-binding, international agreement is the UN Declaration on the Rights of Indigenous Peoples, which was adopted after twenty two years of negotiations by the UN General Assembly in September 2007 with Article 3 providing that

> indigenous peoples have the right to self-determination. By virtue of that right they freely
> determine their political status and freely pursue the economic, social and cultural
> development (UNHRC 2006).

When the resources of these communities are exploited with little recompense, it undermines their ability to manage their own affairs, particularly when ooposed by governments. Nevertheless through fighting for recognition and resource re-distribution, indigenous peoples can have their own consciousness raised in much the same way that other activists are radicalised through their activism (Maddison and Scalmer 2006, 73). As two NGOs noted in a report prepared for the UN,

> protection of indigenous peoples' cultural integrity is closely linked to recognition of and
> respect for rights to lands, territories and resources and to protection and preservation of their
> physical environment (Forest Peoples Programme and Tebtebba Foundation 2006, 61).

The importance of justice to activists in the South was emphasised by two of the co-founders of ERI who argued that although they were part of both human rights and environment movements they considered the justice movement moniker to be more inclusive and appropriate.[41] Doherty and Doyle elucidate the importance of this perspective when discussing my case study on activism by ethnic minorities in Burma:

> groups from the Karen people were driven by the brutality of the Burmese army to define the
> harm they experienced in ways that combined damage to the environment with the violence
> meted out to their people. This led to ties with a variety of international networks of
> indigenous peoples, human rights and environmental groups … these links with other groups
> are too complex to define simply as either environmental or human rights (Doherty and Doyle
> 2006, 704-05).

Environmental Security

A useful concept for examining justice issues which blend the social and the environmental is Jon Barnett's approach to environmental security, which draws on green theory and critical

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[41] Giannini, T. (2007, 14 February). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Redford, K. (2007, 10 February). *Email to author*. Co-Founder/Director EarthRights International (ERI).

theories of IR. His definition of environmental security considers the way in which 'environmental degradation threatens the security of people' (Barnett 2001, 12). He also focuses on the inequitable distribution of degradation resulting from unequal social structures, arguing that 'human environmental insecurity is more socially created than naturally determined' (Barnett 2007, 197). This approach resonates strongly with theories of environmental justice and sustainability and addresses concerns raised over more realist approaches to environmental security.[42] Environmental justice theorist, Andrew Dobson, argues that 'social justice is functional for environmental sustainability, and that environmental sustainability is – at the very least – a necessary condition for social justice' (1998, 4). As Litfin concludes, 'environmental insecurity turns out to be a consequence of social structures rather than ecological degradation per se' (Litfin 1999, 364). From this perspective, and the perspective of this thesis, environmental security focuses more on the impacts on human security rather than exclusively 'securing the environment' which Barnett terms 'ecological security', and even less on the traditional approach which in concerned with threats to national security from environmental degradation (Barnett 2001, 12; Buzan 1991, 132; Dupont 2001, 13; Goh 2006, 229; Hough 2008, 156-63).

The concept of environmental security is also closely intertwined with both the two main schools of human security. The narrow school considers human security to be threatened by political violence from the state or any other organised political actor while the broad school considers security as concerned with the protection of people from critical life-threatening dangers regardless of whether these derive from anthropogenic activities or natural events (Kerr 2007, 95). In Burma in particular the destruction of crops or the forest environments of ethnic minorities by the Burmese military is commonly employed to spread human and environmental insecurity within these communities.

Recent writings on human security have been concerned with 'social disruptions' as the principal source of insecurity (Najam 2003, 14). In this sense, dislocation caused by major development projects such as dams or gas pipelines may cause insecurity, but when this is

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[42] For example, Litfin has argued that the influential work by Homer-Dixon understates the social, political, and economic causes of environmental damage (Homer-Dixon 1999; Litfin 1999).

linked to civil conflict, as in Burma, the impacts are compounded. As an additional dilemma, there is now a well-established link between the exploitation of abundant resources – such as natural gas – and the propensity for civil strife, indicating resource exploitation may be linked to both environmental and human insecurity (Auty 2005; Ross 2003). Civil conflict may also be exacerbated by inequity through the denial of people's access to their traditional environments through dispossession (Barnett and Adger 2007, 647). Within the field of environmental security, therefore, Lonergan argues that,

> environmental degradation and resource depletion as causes of conflict may be overstated [but] it is undeniable that increasing inequities in society are likely the major source of … non-conventional threats to individual security (Lonergan 2000, 73).

These inequities are experienced both within and between states and often play a central role in the definition of associated threats or insecurity. As Chaturvedi argues, 'knowledge about environmental degradation is neither scientifically neutral nor politically innocent [in this] increasingly interdependent but highly asymmetrical world' (Chaturvedi 1998, 703). He further posits that previously 'colonial' environmental concerns are now assigned the 'global' adjective, even though they may be the parochial interests of powerful elites. A concept of environmental security which is more inclusive of the interests of majority world inhabitants requires an understanding of the environment

> as a diverse nature which is inclusive of people; a nature which has the potential to provide secure access to all citizens … to basic nutrition; adequate access to healthy environments; appropriate shelter; and, a security to practice a diverse range of livelihoods which are both culturally and ecologically determined (Doyle 2004a, 159).

This approach to environmental security is at its most salient in the global South where environmental struggles may impact on the immediacy of survival itself. In campaigns against the Narmada Dams Indian protesters threatened to drown themselves in the river unless the government took action to intervene (Williams and Mawdsley 2006, 667). If these activists did not act on behalf of the environment and its people there would be large numbers of IDPs from the region who would lose essential elements of their environmental security such as adequate

shelter, water and food sources. It becomes apparent, therefore, that campaigns for environmental security are strongly linked to broader struggles for environmental justice.

The Global Justice Movement

These campaigns for environmental justice are also part of a much broader global justice movement (GJM). In the popular media this movement has sometimes been termed the anti-globalisation movement, but the GJM is a more accurate term as many activists within the movement are not opposed to globalisation per se and may actually welcome an intensification of cultural exchanges or the development of supranational governmental structures (Curran 2006, 52; della Porta et al. 2006, 9; Eschle 2005, 27; Rootes 2005, 692). Movement activists are, however, interested in 'transforming the terms on which [globalisation] takes place', which usually encompasses challenging neoliberalism and global capitalism (Epstein 2001).

In the 1980s Melucci argued that nation states were losing their authority from 'above', due to global political and economic interdependence, and from 'below', due to rapidly expanding transnational 'civil societies' (Melucci 1989, 87). Activists in the GJM generally oppose the neoliberal project of 'globalisation from above' but they are enthusiastic about a 'globalisation from below' (Brecher et al. 2000; Cox 1999, 13; della Porta et al. 2006; Falk 2000, 49). Neoliberal economic globalisation is seen by activists in the GJM as further marginalising vulnerable communities across the world and entrenching power within transnational capital. This approach contrasts with conservation groups within the EGS, such as the Wildlife Conservation Society, which generally have a more more amenable relationship to business. As I note elsewhere,

> the influence of business must always be taken into account by the environment movement when developing a strategy for winning environmental disputes … [This analysis] can aid in a project by allowing us to explore how and why environments continue to suffer in the face of continued acceptance of political practices which are, at their root, antithetical to environmental protection and social justice (Simpson 1998b, 33).

Vandana Shiva argues that this entrenching of business interests 'is not a natural, evolutionary or inevitable phenomenon … [i]t is a political process which has been forced on the weak by the powerful' (Shiva 1999, 47). The 'negative essence' of neoliberal globalisation that GJM activists oppose is the global economic restructuring that imposes on governments

> the discipline of global capital in a manner that promotes economistic policy making in national arenas of decision, subjugating the outlook of governments, political parties, leaders and elites and often accentuating distress to vulnerable and disadvantaged regions and peoples (Falk 2000, 46).

There have been numerous financial crises linked to neoliberal policies across the South with the Asian financial crisis of 1997-8, which was triggered by Thailand's floating of the baht, being of particular relevance for this thesis. In countries such as South Korea at this time, neoliberal policies were being accelerated and deepened by international financial institutions as the financial crisis approached, despite significant warning signs (Woods 2006b, 59-61). The IMF played a central role in Thailand, South Korea and across the region in pursuing a neoliberal agenda that Harvey contends is, in practice, 'a political project to re-establish the conditions for capital accumulation and to restore the power of economic elites' (Harvey 2005, 19). It is not surprising, therefore, that while neoliberalism is opposed by activists it is often supported by links between capitalist elites in the North and South (Chaturvedi 1998, 704; Schoonmaker 2007). The main components of this neoliberal approach are

> a range of economic, social and related political policies that emphasise the market, fiscal discipline, trade, investment and financial liberalisation, deregulation, decentralisation, privatisation and a reduced role for the state (Robison and Hewison 2005, 185).

These policies have not, however, transferred seamlessly from the textbook to the real world. In the more affluent countries of the North neoliberal policies have been promulgated since the 1980s causing the post-war industrial welfare state to be supplanted by what Phil Cerny terms the competition state. Middle income countries of the South such as Thailand also qualify for this model in which 'liberalisation, deregulation and privatisation have not reduced the role of state intervention; rather they have simply shifted the means of intervention from

decommodifying bureaucracies to marketising ones' (Cerny 2000, 129).[43] Throughout

Southeast Asia there have been various approaches to political economy that have contested

these reforms over time (Rodan et al. 2006). Of particular note, Thailand experienced

particularly deep financial problems during the Asian financial crisis compared with other

countries that either, like Singapore, Taiwan and China, had not freed up their capital markets or

those that, like Malaysia, ignored the IMF's advice and imposed capital controls (Harvey 2005,

97). Others have been transformed since the crisis with Jayasuriya arguing South Korea has

converted from an interventionist developmental state to a regulatory state (Jayasuriya 2005,

384-85; Pirie 2005).

It should also be noted that neoliberal economic reforms have not necessarily been

accompanied by liberal political reforms as neoliberal theorists are often deeply suspicious of

democracy (Harvey 2005, 66, 79; Robison and Hewison 2005, 186). Indeed, an edited

collection by Hadiz demonstrates that the US-led process of neoliberal globalisation in Asia has

been accompanied by distinctly more illiberal and even authoritarian forms of politics (Hadiz

2006). This support for 'violently oppressive regimes' undermines US government claims that

its policies promote democracy and human rights (Harvey 2003, 213-14). The neoliberal

agenda is therefore pursued across the globe but it is in the South, where local elites support

and sustain global capitalism (Chaturvedi 1998, 704), that these policies can be most

destructive.

While activists wthin the GJM might be opposed to domestic interventions in Thailand from

international financial institutions (IFIs), such as the IMF, they have been readily accepting of

some forms of global governance – including international pressure on Burma from global

institutions such as the ILO and the United Nations Security Council (ILO 2006; UNSC 2007) –

which is also, according to Melucci, a 'globalisation from above'. Nevertheless it is clear that in

these cases activists expect that much of this governance will be initiated by local communities,

and particularly EGGs.

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[43] The interventions into the market by the state in the UK and the US to effectively nationalise Northern Rock,
Fannie Mae, Freddie Mac and AIG during the global financial crisis in 2008 suggests that the period of
unconstrained neoliberalism may be, at least temporarily, coming to an end.

The GJM includes organisations that have the environment as their focus but only if it is immersed within a wider agenda for social justice at both local and transnational levels. These organisations include ERI and Friends of the Earth (FoE), which joined the campaign against the TTM Pipeline. In recent years, however, even wilderness-oriented NGOs, such as WWF, have in some part increased their focus on social justice issues. The result, according to Rootes (2006, 779), is that 'the environment' has been sidelined within the GJM with, for instance, climate change being a 'bolt-on' to an agenda focused upon 'debt relief, trade and aid, and a useful stick with which to beat the Bush administration' (Rootes 2005, 693). Rather than seeing these emphases as simply a result of a focus on the South, Carter argues that it is more likely due to the important role in the GJM of 'left wing activists [who] retain lingering suspicions of environmentalism' (Carter 2007, 164). These perspectives are characteristic of attempts to make clear distinctions between 'the environment' and everyday existence in the South, when no such clear distinction exists. As several authors have noted, people in the South regard Northern priorities such as climate change as receiving excessive attention with even other pressing atmospheric issues, such as air pollution and its impacts on health, being of more immediate concern (Doyle and Doherty 2006, 890; Doyle and Risely 2008; O'Neill 2009, 52). For analyses of environmental issues in the global South, therefore, the global justice perspective is a welcome relief from the formerly post-materialist dominated agendas of some Northern environmentalists (Doyle 2005, 75-76).

One of the most significant early successes of North-South cooperation in the GJM was the campaign to prevent adoption of the OECD-proposed Multilateral Agreement on Investment (MAI) in the late 1990s, which was designed to liberalise global investment regimes (Goodman 2002, 224-25). The event which finally sidelined the proposal was the WTO protest in Seattle in November 1999, but this had been preceded by the J18 'Carnival Against Capitalism' protests held earlier that year to mark the opening of the G8 leaders' summit in Cologne (Doherty 2002, 172-3; Goodman 2002, 219; J18 1999; McDonald 2006, 70). Bleiker argues that these transnational protests arose out of a crisis of legitimacy for these global governance institutions but could also be seen as a 'crucial element in the establishment of a global democratic ethos'

(Bleiker 2005, 196). The 10,000 strong protest in London was organised to coincide with global protests in diverse countries of both the North and South.[44] Cities across the world experienced demonstrations with protesters using, for the first time on a large scale, both an anarchic cellular organising structure and internet-based organisational techniques (Dodson 1999; Doherty 2002, 172).

As well as facilitating the development of the movement as a whole, the communications technologies of globalisation have revolutionised the GJM's tactics with the internet and email increasingly relied upon to coordinate transnational actions (Curran 2006, 75; Doherty 2002, 172; Eschle 2005, 21; Klein 2001; Reitan 2007, 80). Despite participation in these transnational protest events, however, most organisations' activities remain strongly entrenched at the local level (della Porta et al. 2006, 234-35; Doherty 2002, 56). This is particularly true in the South. As the case studies in this thesis demonstrate, activists in the South are now proficient in electronic activism with websites such as MySpace and YouTube being used as campaign tools in Burma to document the SPDC's oppression and opulence (Aye Mi San 2007b; Hintha 2006). Indeed, limited political openings in Burma, as under the authoritarian regime in Iran, may have actually stimulated these less risky forms of activism (Kelly and Etling 2008). It should be noted, however, that despite this increased use of real time technologies and the sense of 'time-space compression' (Harvey 1989) in the North and urban areas in the South, much of the world's population

> continues to live a predominantly agrarian existence that is connected to wider global processes only in intangible and attenuated ways [that are] predominantly political-economic and invariably negative (Beeson and Bellamy 2003, 344).

Activists at J18 articulated another significant element of protests within the GJM, that any protest against global capitalism must be undertaken through 'celebratory' means, using art, music (primarily drums) and dance to communicate their message:

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[44] The J18 protests had a particular salience for me as I interrupted my usual working day in London at NatWest Global Financial Management, a British investment bank which had been the focus of some of the protests, to undertake research on the event.

> Thousands of demonstrators congregated in and around Liverpool Street station, where large numbers of revellers with whistles, drums and improvised instruments initially brought a festive atmosphere to the City (The Guardian 1999).

These carnivalesque visual rhetorics were common in early modern times but have experienced a revival in recent neo-Situationist environmental and anti-global capitalism protests (Curran 2006, 192; Szerszynski 2007, 346). Maintaining a festive atmosphere was important to the character of the protest, as was a sense of humour and a sense of the absurd, which Torgerson and Doyle both see as essential to green political activism (Doyle 2000, 39-44; Torgerson 1999, 93-94).[45] In the rather more repressive, and culturally conservative, countries that this thesis examines, there are understandable limitations to the extent of absurd or humorous protest but there are examples. The Moustache Brothers in Burma use irony as both rhetorical form and philosophical content (Szerszynski 2007, 348). Their sense of the absurd applied to their traditional a-nyeint comedy and performance, which includes improvisation and biting satire of the military regime, resulted in torture and six years incarceration and hard labour (Amnesty International 2001; Aung San Suu Kyi 1997, 39).[46]

Nonviolence

As the case of The Moustache Brothers above suggests, the consequences for nonviolent forms of dissent can be far more extreme in the South than in the North. Nevertheless, the fourth pillar of green politics, nonviolence, is well established within environment movements of the South. It was, afterall, in the South where the most famous advocate of nonviolence, Mahatma Gandhi, used the concept as a powerful and effective form of civil disobedience against imperial Britain. As discussed above, protest plays a central role in all environment movements as social movements and these are generally undertaken with a commitment to nonviolence (Carter 2007, 54; Doherty 2002, 7; Doyle and McEachern 2008, 98). Violence against inanimate objects as part of militant direct action has sometimes been considered a useful way for

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[45] Both Torgerson and Doyle document one of the key exemplars of this type of absurd activism in Australia, the introspective group, EcoAnarchoAbsurdistAdelaideCell?! (EAAAC?!), for which I undertook a brief ethnographic study (Simpson 1994).

[46] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author*. 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma

movements to attract attention in the North, particularly from the media which would otherwise ignore protests or actions (Doherty 2002, 178; Foreman 1991, 113). Nevertheless, even this activity is limited with nonviolence as a protest tactic, strategy and philosophy having thoroughly permeated environment movements in both the North and South.

Despite its near universal appeal there can be very different consequences to nonviolent protest for activists in the North and the South with Northern activists rarely facing life-threatening situations, although there are exceptions (Davies 2008; Lewis 2009). Southern activists, on the other hand, can face brutal repression by security forces or assassinations that go uninvestigated. Despite the risks, nonviolent protest remains dominant with Sulak Sivaraksa, a prominent Engaged Buddhist from Thailand, arguing that the rationale for nonviolent approaches has both philosophical and practical foundations.[47] A study by Stephan and Chenoweth supports this position, suggesting that nonviolent resistance has been almost twice as effective as violent campaigns in nonstate conflict over the last century (Stephan and Chenoweth 2008). Nevertheless, the Burmese uprisings of 1988 and 2007 can be seen as significant failures of nonviolent resistance, largely due to the inability of activists to compel loyalty shifts among the security forces. Debates over the effectiveness of nonviolence in all situations therefore remain with even a famous contemporary advocate of nonviolence from the South, the Dalai Lama, arguing that the political conditions must be ripe for nonviolence to be successful.[48]

Despite the prevalence of nonviolent approaches amongst activists the existence of severe repression and authoritarian governance in Burma bestows a certain amount of legitimacy on ethnic insurgents engaged in civil conflict against the Burmese military. Insurgent groups, such as the KNU, are often seen by ethnic minorities as their protectors against human rights abuses by the military. As a result, despite the claims by EGGs such as ERI that they have no involvement with armed groups, support for marginalised ethnic minorities in Burma often

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[47] Sulak Sivaraksa (1998, 25 January). *Interview with author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.
[48] Tenzin Gyatso (1997, 18 July). *Interview with author (including Secretary Tenzin Geyche Tethong)*. His Holiness the Dalai Lama, Personal Residence: Thekchen Choeling. McLeod Ganj, Dharamsala, India.

translates into at least indirect support for armed insurgent groups. Other organisations, such as the Karen-centred KESAN, are quite open about their relationship with the KNU due to its perceived role in promoting security for the Karen people.[49] Similarly, while the exiled Burma Lawyers' Council (BLC) produces reports and runs seminars on improving basic human rights, democratic rights and the rule of law in Burma, individuals within the organisation are also linked with the KNU.[50]

While the philosophical emphasis is on nonviolence and basic human rights, these individuals feel little option but to support their ethnic brethren engaged in a battle for their survival. The political reality in these areas therefore raise issues that activists in the North, who are generally not faced with daily existential concerns, simply do not consider, which can cause conflicts over strategies and tactics between groups in the North and South (Doherty 2006, 867-68). Some Northern activists who work closely with people in the South do, however, recognise their privileged position with one commenting that 'living as a Westerner with a 'cushy' background [I] can't comment on armed struggle'.[51]

The differences between nonviolent approaches to protest in the North and South can be demonstrated through comparative studies on the Franklin and Narmada Dam disputes, in Australia and India respectively. In the former the personal risks and costs associated with the campaign pale in comparison with those faced by campaigners in the Narmada Bachao Andolan (NBA), who faced the destruction of their homes and threatened to drown themselves in the rising waters through jal samarpan if construction was not halted (Doyle 2004b; 2005, 133). Franklin Dam activists faced arrest and fines as the price to be paid for manufacturing vulnerability during the protest (Doherty 1999), while Williams and Mawdsley argue that 'the full

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[49] Alex Shwe (2009, 8 January). *Interview with author*. Activist with Karen Environmental and Social Action Network (KESAN) (aka Ko Shwe). Chiang Mai, Thailand.

[50] While I was on the Thai-Burmese border interviewing executive board members of the Burma Lawyers' Council (BLC) one of them took a phone call from the KNU. Although a peace agreement was being signed that very day in Rangoon by the KNU's General Bo Mya the KNU was coming under heavy artillery fire during a Burmese military offensive and was engaged in military conflict. Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.

[51] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

force of authoritarian state power' was periodically unleashed on the Narmada protestors (Williams and Mawdsley 2006, 667). For activists in the South there is often no need to manufacture vulnerability; the vulnerability is ever present. Despite the repression of protesters, the employment of Gandhian-influenced nonviolent tactics, such as satyagrahas, by the Narmada activists is a common approach throughout the South and is promoted by global justice campaigners such as Vandana Shiva.[52] While these sorts of approaches from the South have been employed by activists in the North, approaches from the North have also been adopted in the South with the forest occupation in Thailand during the Yadana Pipeline echoing the Franklin and Wet Tropics forest occupations in Australia (Cohen 1997). Even when this transnational cross-fertilisation of philosophies and repertoires of action occur, however, they are often adapted for local conditions (della Porta and Mosca 2007; Doherty and Doyle 2006, 701).

North-South Differences and Conflict

While there have been significant successes in cooperation between movements in the North and South, there is also the potential for conflict. Organisations that traverse the North and South can experience stark differences in foci between Northern and Southern activists due to their vastly different political and cultural environments. There is enormous diversity within the environment movement, even within a single country (Hutton and Connors 1999), so it is not surprising that even greater diversity will appear amongst countries with extremely diverse political, economic, cultural and environmental systems which may sometimes cause tensions within the movement and within or between groups.

Within the environment movement in the South the frames of postcolonialism and structuralism, rather than those of post-materialism found in the US and Australia and post-industrialism in Europe, usually dominate (Doherty and Doyle 2006, 707). Struggles for environmental justice in the South are often fought in the context of a 'postcolonial state, [that] like its colonial precursor

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[52] Shiva, V. (2004, December). *Interview with author*. Indian environmental activist. Bija Vidyapeeth and Navdanya, Dehra Dun, India.

… has been consistently willing to sacrifice both the environment and the poor to a longer-term vision of commercial growth and industrial modernity' (Williams and Mawdsley 2006, 662). As a result environmentalism 'often has its base in the livelihood struggles of the rural poor rather than the aesthetics of emerging middle classes' (Hirsch 1997, 4).

Although environmental campaigns in the South are often conflicts over who should use and benefit from natural resources the struggles are also more complex and played out over issues of 'interests, knowledge, values and meanings in local as well as national and global arenas' (Dwivedi 2001, 238). Despite a multiplicity of issues that are contested, Hirsch notes in his analysis of Southeast Asia that

> [w]ithin the framework of environmentalism, focused on struggle over control of resources and social or spatial inequities in development, the politics of environment have crystallised most clearly around large-scale resource projects, particularly those that involve appropriation of the local resource base by interests of state, capital, and dominant social groups in the name of national development (Hirsch 1998, 55).

This accords with research by Kalland and Persoon that the dominant environment movements in Asia – predominantly the South – are movements that 'oppose something' (Kalland and Persoon 1997, 12). The locus of these struggles is evident within this thesis where the central goal of each campaign is to halt a transnational energy project, at least until issues of injustice and inequity are addressed.

Women have played important roles in the informal sector of environment movements in the North (Doherty 2002, 201; Doyle 2000, 33), but women have also become central players in struggles throughout the South (Desai 2002, 32-33; Doyle and Simpson 2006, 762; Mies and Shiva 1993; Shiva 1989). In the South men are more likely to work on cash crops while women carry the major burden of supporting the household and doing subsistence agricultural work. Cultural norms and increasing privatisation of common property resources may increase the difficulty for women to provide for their households so that they join or form EMOs in order to gain a voice (Miller 1995, 42). Despite the involvement of women in both the North and South conflicts still arise over differing priorities and perspectives which correspond to conflicts that

occurred in the women's movement. In the 1970s and 1980s many white middle class Northern feminists argued that gender oppression and sisterhood was global and universal, while Southern feminists argued from a postcolonial perspective that much of their oppression related to race, ethnicity, nationality and class (Desai 2002, 28-29). Being at the periphery of an unequal global economy together with the visceral nature of life in the South left many women with a starkly different view compared to those in the North.

An illuminating example of North-South tensions within the environment movement appears in the study by Doherty of a split that occurred in Friends of the Earth International (FoEI) when FoE Ecuador, Accion Eologica (AE), resigned from the FoEI in 2002 (Doherty 2006). FoEI, the international federation of FoE groups, is a genuinely grassroots organisation compared with the two other largest environment NGOs, WWF and Greenpeace, with individual groups from both the South and the North having significant autonomy and independence in their activities (Carter 2007, 150; Wapner 1996, 122). It is also the most non-hierarchical and introspective of these organisations, adopting a critique of neoliberalism with a focus on social and environmental justice that included taking part in the campaign against the TTM Pipeline in this thesis (Doherty 2006, 862; Rootes 2006, 769, 773). Nevertheless, Accion Eologica claimed that the Northern groups within FoEI had failed to understand the different contexts faced by groups in the South, including political violence and human rights abuses. AE also argued that FoEI's participation in the World Summit on Sustainable Development (WSSD) in South Africa in 2002 had given priority to Northern agendas. This conflict was little different to the first Earth Summit (UNCED) in Rio a decade earlier where Northern agendas included climate change, population and the ozone hole while the South's agendas were poverty, hunger and desertification (Calvert and Calvert 1999, 189; Chatterjee and Finger 1994). In responses that may be hard to grasp fully by Northern groups, some Southern FoE groups,

> stressed the centuries of looting of their national resources by colonial powers, and now by corporations, whether national or transnational, and aligned their struggles with those of indigenous peoples against a global model of development (Doherty 2006, 869).

Northern imperialism is therefore seen as a precursor to current exploitation and power imbalances (Doyle and McEachern 2008, 117), an assumption which may take Northern

activists some time to normalise. In 2002 AE argued that Northern groups were supporting a reformist position within a system that required resistance from outside. AE saw corporations as 'beyond accountability and argued that seeking to encourage reforms and regulation simply reinforces existing structures' (Doherty 2006, 868). These Southern perspectives due to precarious political and economic environments can sometimes result in desperate tactics by those in the South that are confronting for Northern activists. One such action was that undertaken by Burma exile and journalist Soe Myint who in 1990 used a soap container to hijack a plane from Thailand to Burma and redirected it to Calcutta (Kolkata) to hold a press conference about oppression in Burma. These tactics would be unacceptable in Northern countries but due to the political conditions in Burma an Indian court finally acquitted him of all charges in 2003 (Doyle and Simpson 2006, 764; Fink 2001, 1-2).[53]

Conclusion

This chapter has provided the theoretical and philosophical foundations of environmental activism and politics used in the analysis of the case study campaigns in Part 2. The emphasis for this dissertation within environmental politics is upon environmental activism and the social movement characteristics of environment movements in the South. Social movements challenge existing power relations in society, are linked by networks, share a collective identity and engage in protest (della Porta and Diani 2006, 20-23; Doherty and Doyle 2006, 702-03). These are characteristics that apply to most environment movements in the South which frequently face very different social, political and environmental issues to the North. In particular widespread poverty, environmental insecurity and authoritarian governance prioritise human rights and social justice as campaign themes far more than in environment movements of the North. In this way environmental protection and human rights are linked through concepts such as earth rights, the protection of which is seen as central to the achievement of organisational goals and just outcomes for environmental actors in the South.

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[53] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

Environmental movement actors in the South who qualify as social movement actors are usually, by their very nature, emancipatory and in their attempts to promote earth rights and justice throughout the South they engage in a process of governance. This chapter has therefore argued that the model by Doyle and Doherty (2006) which identifies environmental groups as either emancipatory groups (EGs) or part of the environmental governance state (EGS) indicates that environmental governance is limited to a neoliberal top-down approach. In contesting this assumption I have argued that environmental groups can play a positive and emancipatory role by engaging in a process of environmental governance in the South which is informed by more localised, interactive and bottom-up modalities. I have therefore argued this more inclusive approach to governance would result in replacing the EGs of the model with the concept of emancipatory governance groups (EGGs).

Environmental movements and EGGs from both the North and the South value the four core green pillars of nonviolence, sustainability, democracy and social justice in both their philosophy and practice. Notwithstanding these similarities, conflicts often emerge both within and between organisations that traverse the North and South as a result of the different cultural and political environments facing activists in the South, even within those introspective organisations which are self-consciously part of the global justice movement (GJM) (Doherty 2006; Rootes 2006). Although traditionally many movements in the North have focused on ecology while those in the South have focused on justice, some Northern academics argue that the environment is increasingly being sidelined in the justice campaigns of the North (Rootes 2005). While Northern justice campaigns may be adopting some of the foci of traditional Southern campaigns, ecological issues still feature heavily in the justice campaigns in the South due to the immediacy of the impacts of environmental insecurity. The approach to environmental security considered here is one in which environmental degradation threatens the security of people and where unjust social structures create inequitable distributions of depredations (Barnett 2001). In this sense the pursuit of energy security by states in the South through large-scale transnational energy projects, with little regard for the environmental or human consequences, can create or intensify situations of insecurity for marginalised peoples in the vicinity of these projects.

The ability of activists and communities to effectively oppose inappropriate development projects or policies is, however, heavily dependent upon the political regime under which they operate. Traditional authoritarian regimes generally limit even basic freedoms of speech while liberal democracies allow more expressions of dissent in a multiplicity of forms. Increasingly, however, various types of hybrid regimes are appearing that have the appearance and some of the institutions of liberal democracies, yet are quite authoritarian in other respects. Although transnational capital appears to be playing an increasing role in all political economies, it is these hybrid regimes where its role is becoming most significant. In this thesis the hybrid competitive authoritarian regime that existed in Thailand under Thaksin Shinawatra exemplifies this growing prominence of capital, but while the oppressive military regime in Burma is more traditionally authoritarian, it is now being sustained by transnational capital in the form of foreign direct investment in its oil and gas industry.

Central to the effectiveness of environmental activism in this thesis and, indeed, central to the necessity of this activism, is therefore the privileged position of transnational business interests within the global economy and development decision making. These business interests include decision makers at the highest level in multilateral development banks, transnational corporations, and governments, in both the North and the South. Despite a retreat from the rhetoric of the 1980s and 1990s, these interests have successfully entrenched neoliberal economic globalisation as the 'common sense' – in Gramscian terms – approach to development in the South. This neoliberal ideology accommodates, and sometimes encourages, authoritarian regimes that can signifiantly impact on the ability of activists to voice dissent.

This chapter has posited that in the environmental politics of the South activists promote environmental security through a focus on social justice and human rights while the interests of transnational capital generally frustrate these efforts. Authoritarian regimes that are sustained by transnational capital continue to promote large scale development projects in the name of national energy security at the expense of the human and environmental security of local or maginalised communities. In Part 2 of this thesis I therefore examine the case studies of local

and transnational campaigns against transnational energy projects, based in Thailand and Burma, to test the veracity of these propositions.

PART 2 – THE CASE STUDIES

Chapter 3 – Environmental Politics in Thailand and Burma

This chapter provides an analysis of environmental politics in the two core countries of this dissertation, Thailand and Burma, which play host to the four energy projects examined. Environmental politics in Thailand and Burma, as in all countries, is highly influenced by domestic systems of governance, although transnational actors also play a role. The overriding factor that determines domestic political openings for environmental activism is the extent to which the principles of democracy and justice, two core green pillars, are applied and respected within society. The degree to which basic human rights – such as freedom of speech and freedom of association – are permitted or curtailed determines the openness of environmental protest and the forms in which it is most efficacious. In addition to these civil rights there are now widely recognised human rights related to a healthy environment that may be variously valued or ignored by the regime in power (Ksentini 1994). Inevitably, the degree of democracy and justice in a society reflects the nature of the country's political regime.

In both Thailand and Burma environmental activists face restrictions and repression, although the extent of repression and the degree of openness vary significantly with political spaces in Thailand far more open than those of Burma. The different political regimes and their impact on the precariousness of the livelihoods of the population may also influence the issues focused upon by environment movements and therefore may provide answers to the first and second research questions. The different political regimes also determine how transnational influences are able to traverse the borders of each country, impacting upon policy agendas and shaping political debate and dissent. With the predominant culture of both Thailand and Burma being Buddhist the practice of Engaged Buddhism, either from lay activists or activist monks within the sangha, features prominently in both Thailand and Burma despite an underlying diversity of belief systems. Islam also plays an influential religious and cultural role in some communities, particularly in southern Thailand, so the influence of these two major religions on the strategies and tactics of activists may provide answers to the fourth research question.

This chapter also addresses aspects of the sixth research question by examining the role that business plays in either helping or hindering authoritarian governance in each country while the activists responses are exmined in the next three chapters. Business interests in both countries are powerful and extremely influential in the formation of public policy, but the mechanisms through which this power operates vary once again with the nature of the regime. In Thailand large business interests gained unprecedented political power through the electoral success of Thai billionaire Thaksin Shinawatra and his Thai Rak Thai (TRT) party. In Burma the military dominates the economy as it dominates the political sphere, and privatisations since the early 1990s have only served to widen the economic gulf between those with political access to the military elites and the rest of the population.

In both Thailand and Burma communities face pressures on their environmental security that are often exacerbated through large scale energy projects. Analysing the impacts on this insecurity will assist in addressing aspects of the second research question but, as in the political sphere, environmental security in Burma is far more tenuous. Burma often inhabits the lowest ranks in measures of human development, corruption and democracy and the suffering caused by natural disasters is only exacerbated by the brutality and neglect of the military regime. Thailand is wealthier and, in general, more democratic than Burma, but marginalised communities still experience environmental insecurity and human rights abuses.

In both countries elites within business and government have pursued transnational energy projects that, while enriching these elites, have caused human and environmental insecurity for local or marginalised communities. The repression faced by environmental activists who campaign against these projects is also often a direct result of a symbiotic convergence of interests between large business interests and the most powerful political class. It has been, therefore, largely personal, economic and political linkages and reciprocity between elites in government and business that have facilitated both the causes of insecurity and the resultant attempts to silence voices of dissent. The attempts to close down political debate on these energy projects are representative of wider disjunctures in society between the interests of large capital and those more focused on democracy, justice and sustainability. The importance of this

analysis on Thailand and Burma is that in the South more generally we find a greater tendency for the existence of authoritarian regimes that provide less transparency in dealings between business and government and more precarious environmental security for marginalised communities. The case study countries examined here therefore provide important lessons on the implications of the nature of political regimes and business power for environmental politics in the South and provide the context for analysis of the specific environmental campaigns against the cross-border energy projects in the following three chapters.

Political Regimes and Environmental Politics in Thailand

The ability of social and environmental activists to voice dissent in Thailand has largely been determined by the contemporaneous political regime. Thailand's modern political era began in 1932 following its transformation to a constitutional monarchy, but for many of the subsequent years the military has played a significant role in Thai politics with a military officer occupying the prime ministership for all but eight years over the period 1938-88 (Pasuk Phongpaichit and Baker 2004, 176). Militaristic authoritarian rule generally constrained public dissent and criticism of the government. During the 1970s, however, workers and the rural majority acquired a political voice for the first time and popular protests resulted in the bloody crackdown of October 1976 (Connors and Hewison 2008, 1-2), in which various authors have argued that the long-serving King Bhumibol was somewhat complicit (Handley 2006, 235-38; McCargo 2005, 504). Following a military coup in 1991 and a violent crackdown on unarmed protesters in May 1992, massive street demonstrations pushed the military from power. There followed a rapid expansion of social and environmental activism throughout the 1990s and 2000s in which there was a dramatic increase in NGO numbers and vitality and increased public debate by academics and intellectuals.

The energy projects involving Thailand examined in this thesis emerged as issues during this time of increased civil activism. The progress of these cross-border projects with Burma was also often dependent on the Thai government of the day. In the lead-up to the protests over the

Yadana Pipeline in 1997, General Chavalit Yongchaiyudh was prime minister. Chavalit had a long history of business interests in Burma, being the first high ranking foreign dignitary to visit Burma after the 1988 massacres to tie up logging deals, and the project proceeded apace (Chang Noi 2009, 23-25; Fahn 2003, 129).[54] When the government floated the Thai baht on 2 July 1997, its rapid devaluation triggered the Asian financial crisis and cost the Chavalit-led coalition government power in November of that year (Baker and Pasuk Phongpaichit 2005, 254).

Chuan Leekpai of the Democrat Party then became prime minister for a second time following an earlier stint between 1992 and 1995. Handley describes Chuan as, unlike the prime ministers that preceded and succeeded him, a 'modest and incorruptible lawyer-politician and lifetime advocate of stronger democratic institutions and the rule of law' (Handley 2006, 364). Handley argues that, as a result, Chuan was distrusted by the king and his court with McCargo also noting the low priority given to these democratic principles by the king and his 'network monarchy' (McCargo 2005, 501). In the same year that the Chuan II government came to power, a new Constitution was promulgated that attempted to increase public participation in government decision-making and established several independent bodies to oversee and regulate formal politics in Thailand (1997). It was a significant attempt to undermine the paternalistic attitude and 'money politics' of previous governments and allowed the public greater input into political discourse (Laird 2000). Nevertheless, many of the more progressive and popular proposals in the drafting process were diluted or removed in the final version by Thailand's elites (Hewison 2007, 931), while the requirement of a tertiary education to stand for parliament disqualified '99 percent of the agrarian population from holding national legislative office' (Pasuk Phongpaichit and Baker 2005, 61). Furthermore, Beeson and Bellamy argue that that many of the democratic changes since 1992, including the 1997 constitution, belied the underlying structural power of the military with Thailand's militarist and authoritarian 'strategic culture' remaining unchallenged (Beeson and Bellamy 2008, 126).

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[54] According to an activist, during Chavalit's twelve month reign cross-border attacks on Burmese refugee camps in Thailand were commonplace. Furthermore the attacks ceased as soon as Chuan Leekpai came to power, demonstrating Chavalit's complicity. Much later Chavalit also supported the Salween Dam Projects when he was deputy prime minister in Thaksin's cabinet. Green, S. (2005, 11 January). *Interview with author*. Pseudonym for activist, E-Desk/Images Asia. Lanna Cafe, Chiang Mai, Thailand.

Apart from improving democratic governance, one of the aims of the constitution was to improve the stability of government, the average lifespan of which was only ten months. Following the 1997 constitution the average lifespan of governments temporarily increased to over four years to the end of 2005 (Reilly 2007, 67-68). The main reason for this increase in longevity was the electoral success of Thaksin Shinawatra, a Thai billionaire, and his Thai Rak Thai (TRT) party who dominated Thai national politics after winning comprehensive election victories in 2001 and 2005 in the wake of the 1997 Asian financial crisis. Despite subsequent set-backs, including the TRT party being dissolved by the Constitutional Court in May 2007, the People's Power Party (PPP), which comprised many Thaksin supporters, came to power in December 2007 and adopted most of Thaksin's policy agenda until it too was dissolved in December 2008 and succeeded by the Pheu Thai Party. From the outset TRT was essentially a vehicle to make Thaksin prime minister, but it was also a vehicle for domestic capital to regain the edge over foreign companies by expelling the Chuan government – which domestic capital saw as implementing the IMF's neoliberal agenda that gave little or no benefit to local companies – by supporting a party controlled by local big business which would protect its interests (Connors 2004, 2; Hewison 2002, 244; 2004, 504; Pasuk Phongpaichit and Baker 2004, 8; 2008; Rodan and Hewison 2006, 114).

Following the initial victory, however, his government 'controlled the media, harassed civil society, and used state violence in ways that recalled Thailand's past military dictators (Pasuk Phongpaichit and Baker 2004, vii). Chaiwat Satha-Anand argues that in earlier periods military dictatorships had rapidly lost legitimacy when violence was unleashed on demonstrators, but Thaksin remained a popular democratically elected leader despite engaging in repression (Chaiwat Satha-Anand 2006a, 186-7). His strong mandates and 'high levels of responsiveness were offset by executive abuses, corrupt practices, limits on civil liberties and gross violations of human rights' (Case 2007, 622). Thaksin's approach to organised labour, in which his companies led by example, failed to protect basic rights and weakened trade unions as 'part of a wider process through which the government sought to subvert forms of representative politics by curbing the demands of civil society' (Brown 2007, 827). Like General Chavalit before him,

Thaksin's influence on downgrading the importance of human rights in the region was particularly significant due to his willingness to do business with the military regime in Burma, both in his capacity as prime minister and through his family owned company, Shin Corp, drawing criticism both from domestic sources and the US Congress (Kate 2005; Kavi Chongkittavorn 2005). Thaksin's efforts to appease the Burmese military junta also resulted in further widespread violations of human rights for migrant Burmese workers in Thailand (Amnesty International 2005).

From the launch of TRT in 1998, Thaksin used nationalism as a tool to spur on the Thai economy and stifle dissent. Even the choice of party name ('Thais Love Thais') indicated a counterpoint to the perceived neoliberal focus of the Democrats who were seen to have caved in too easily to demands by the IMF following the financial crisis (Pasuk Phongpaichit and Baker 2000, 143). Thaksin, after initially supporting the IMF package (Hewison 2002, 243), rejected it in the lead up to the 2001 election and promoted populist economic and political nationalism as the vehicle to unite the nation behind his party (Connors 2004, 3; Hewison 2004, 503). According to Pasuk and Baker the 'new nationalism' promoted by Thaksin and TRT was not based on an imagined ethnic identity; rather the interests of the people 'bundled together' in Thailand were paramount and 'economic sovereignty' was the key to their interests (2004, 79). In Connors' analysis of Thai identity and the Ministry of Culture he argues that 'Thai-ness is the central ideological resource of the ruling elite – an all-encompassing ideology that aims to create a nationally identifying citizenry that can be mobilized for productive purposes' (Connors 2005b, 524). Glassman, however, demonstrates that support for TRT's policies from wealthy elites was based largely on the twin policies of specific state interventions that would shore up their own industries with support for Thailand's export-oriented economic profile, resulting in little more than 'neo-mercantilist opportunism' (Glassman 2004, 199). Thaksin's nationalist rhetoric was, therefore, largely a cover for TRT's hidden agenda of self-enrichment and empowerment (McCargo and Ukrist Pathmanand 2005, 181). At no time was this more evident than when Thaksin sold his mobile and satellite concessions to the Singapore government investment arm, Temasek Holdings, which some in the armed forces argued constituted a risk to national security (Ukrist Pathmanand and Baker 2008, 122-23). Likewise the Thaksin reign saw an

unprecedented increase in foreign capital in industries in which the TRT hierarchy were not dominant (Pasuk Phongpaichit and Baker 2008, 12-13). Thaksin and TRT were, however, just the last in a long line of elite groups manipulating nationalism for their own ends with the nationalist tradition of the strong authoritarian state always providing a cloak for rapid capital accumulation by the political elite (Baker and Pasuk Phongpaichit 2005, 263-65).

Thaksin's nationalist rhetoric also suggested, however, that individual liberties, such as freedom of speech, should be surrendered in exchange for protection by an economically strong state in a social contract. This was not the first form of social contract in Thailand as many of Thailand's leaders since the late 1950s had established a developmental social contract whereby top-down paternalistic governance was offset by industrialisation and an expansion of the middle class (Hewison 2005, 323-26). In this case, however, it became a social contract to participate in the market economy. Jayasuriya argues that this consisted of a new kind of market citizenship that, in tandem with authoritarian policies, moved Thailand towards Poulantzas' 'authoritarian statism' (Jayasuriya 2006, 142-45). This increasing symbiosis between capital and authoritarian governance was epitomised in Thaksin's encouragement of 'loyal' sectors of the military to participate in lucrative economic activities (Beeson and Bellamy 2008, 124). Despite an overtly populist approach (Jayasuriya and Hewison 2004), the effect of Thaksin's more significant economic policies was to deepen capitalism and the reach of the market in Thailand, similar to the process proposed by Cerny in the formation of a 'competition state' (Cerny 2000). In exchange for acceptance of reforms, Thaksin needed to deliver benefits 'beyond the domestic capitalist class in order to deliver legitimacy for the government of the rich while local business was restructured' (Hewison 2005, 324). His response was to introduce the million baht village fund and 30 baht health schemes which were particularly popular in rural areas (Hewison 2004).

Thaksin's approach had implications for the energy sector, however, with neoliberal privatisations of state assets identified as the way to finance his promises to the poor. Thaksin's relation to neoliberalism was complex as economic nationalism (O'Brien and Williams 2007, 14-17) had been a cornerstone of the TRT election platform and his program was explicitly designed to protect domestic capital from the effects of the IMF package, yet he also had

policies of utility privatisation. So most Chuan privatisation plans had been shelved during the election campaign, especially in telecommunications in which Thaksin had a direct interest, but some were resurrected after the election (Brown and Hewison 2004, 9). The first privatisation the Thaksin government undertook was the sale of around 32 percent of the Petroleum Authority of Thailand (PTT), which was a partner in both the Yadana and TTM Pipeline Projects, in late 2001. PTT was Asia's third largest oil and gas firm after China-based Sinpec and Petrochina. The sale, however, seemed to have been 'managed' as large holdings were issued to government ministers' families and friends. The issue price was also undervalued as it quintupled over two years. Five other smaller privatisation projects followed the same pattern (Pasuk Phongpaichit and Baker 2004, 120-21). Privatisation seemed like a way to turn public assets into crony capital. As a result, a movement against privatisation in Thailand formed with over one hundred civic organisations, development groups and trade unions joining together to oppose both privatisation and the politics behind policy corruption (Connors 2004, 13).

Between 2004 and 2006 the government proposed twelve further privatisation projects with the first and biggest being the Electricity Generating Authority of Thailand (EGAT), which was the central customer of the Yadana and Salween projects. When the privatisation was announced in January 2004, the proposal was strongly opposed by the union, by former governors of the authority and by activist groups (Pasuk Phongpaichit and Baker 2004, 121, 233). By March the opposition to EGAT's privatisation had become so vociferous that the National Social and Economic Advisory Council called on the government to suspend its implementation (Connors 2004, 12). Nevertheless, in 2005 the government enacted two Royal Decrees which dissolved the EGAT state enterprise and created the charter of EGAT Plc. In March 2006, however, the Supreme Administrative Court revoked the two privatisation decrees arguing that the process was plagued by conflicts of interest (The Nation 2006). The government vowed to pursue the privatisation again, but following the coup in September of that year the privatisation of EGAT, as well as other proposed privatisations, stalled. While the neoliberal philosophies underpinning the privatisation process were not abandoned by the subsequent government, the ability of activists, in conjunction with independent judges to at least temporarily scupper the privatisation

process provides some evidence of the capacity of local environmental movements to occasionally influence important policy outcomes in Thailand.

Thaksin's growing power between 2001 and 2005 challenged not only environmental activists but also the power of the king and what McCargo defines as the 'network monarchy', replacing it with 'a network based on insider dealing and structural corruption' (McCargo 2005, 512). From a relatively low base, the monarchy's political role in Thailand had increased dramatically since a military coup in 1957, and by the 1990s King Bhumibol held unparalleled political power in Thailand (Ockey 2005, 13; Thak Chaloemtiarana 2007, 205; Wyatt 2004, 271). In response to the Thaksin challenge, monarchist elites joined forces with environmental and human rights activists in a broad coalition, called the People's Alliance for Democracy (PAD), demanding Thaksin's resignation (Pye and Schaffar 2008). On 19 September 2006, however, with a TRT victory looking likely in the forthcoming election, Thailand experienced its eighteenth coup since 1932 (Beeson and Bellamy 2008, 97). According to Hewison the coup, which was immediately endorsed by the king, was 'unquestionably about a struggle for economic and political control', with the 1997 constitution scrapped within a couple of hours (Hewison 2007, 931). Ironically, part of the support for the coup came from the perception by monarchists, the intelligentsia and Bangkok's middle class that Thaksin was a 'proxy of global capitalism' (Thongchai Winichakul 2008a, 588), precisely the perception that plagued the Chuan II government after its negotiations with the IMF had precipitated its downfall. According to Connors, however, despite the subversion of the democratic movement by monarchists the mass mobilisations were a 'genuine historical movement [and not to be] conflated with the illiberal military and palace networks that eventually ended Thaksin's rule' (Connors 2008, 143). Despite Thaksin remaining in self-imposed exile during military rule, the popularity of Thaksin and TRT in rural and poor areas remained high, as it had since 2001 (Funston 2009; Hewison 2008, 207).[55] After the TRT

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[55] The increasing domination of the main opposition group, the People's Alliance for Democracy (PAD), by conservative anti-democratic forces was epitomised in their suggestion of a 70 percent appointed parliament. As the International Crisis Group noted in a report, 'the PAD prefers the idea of an appointed parliament because it cannot accept that pro-Thaksin forces keep winning elections' (ICG 2008c, 5). Thai political commentator Chang Noi agreed, arguing that the movement's long-term aim was to 'undermine the central principles of electoral democracy' (Chang Noi 2009, 239). By the time the PAD helped to bring down another elected government in December 2008 by occupying Bangkok's airports the environmental and human rights activists who initially joined

was dissolved the PPP, comprised of many former members of TRT, again formed a government after the elections held in December 2007. It was only after the PPP was dissolved in December 2008 that the Democrat Party was able to form a government under Abhisit Vejjajiva after key Thaksin allies joined a Democrat coalition in exchange for ministries and the adoption of many of Thaksin's policies.

Assessing Competitive Authoritarianism

Despite ongoing campaigning in some projects, most of the activism over these energy projects traverses the two political epochs of the Chuan II government (1997-2001) under which the Yadana Pipeline was largely constructed and the TTM Pipeline Project was proposed, and the Thaksin ascendancy (2001-06), during which the TTM Pipeline was built and construction of some of the Salween Dam Projects commenced. As would be expected with development projects of this size and complexity, these projects were actually proposed much earlier and will continue operating for much longer than within these specific epochs but these eras represent the most significant in terms of environmental activism against the projects. In this dissertation I therefore concentrate on these two political epochs with a particular focus on the Thaksin regime which was the most significant in terms of synthesising a new coalition between large capital interests and political elites that undermined the aims of environmental activists. To evaluate the possibilities for activism under these regimes it is therefore useful to appraise both the existing competitive and authoritarian structures and the direction of their trajectories in this regard.

As indicated by Handley above, Chuan was in general more predisposed towards democratic institutions and the rule of law than most Thai prime ministers, although he maintained a more traditional disregard for public protests. Nevertheless the Chuan II regime under the 1997 Constitution was relatively liberal, for Thailand, with increasing democratisation as the new independent institutions of the Constitution were progressively created to provide checks and

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the PAD had long since abandoned it. Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.

balances within the state. The new institutions included an Election Commission, a National Human Rights Commission, a Constitutional Court, an Administrative Court and Parliamentary Ombudsmen (Laird 2000, 163-66). Unfortunately the creation of these new democratic institutions coincided with the financial crisis that persisted throughout Chuan's tenure, resulting in increasing rural protests that were met with a mixture of repression and selective concessions (Pasuk Phongpaichit and Baker 2000, 147). Protesters received less public sympathy because of the atmosphere of crisis, and the government took a hard line on acts of civil disobedience arguing that protests ruined the nation's image and scared away much needed tourists (Missingham 2003, 201-03). This approach to dissent was evidenced by restrictions on public participation during public hearings for the TTM Pipeline in 2000. Nevertheless, as a result of the new Constitution the movement during the Chuan II government was, despite structural impediments and lingering corrupt practices, unmistakably towards greater democratic accountability and greater competition in all political spheres.

Prior to his election Thaksin appeared to present a different style of politics to Chuan, cultivating the support of activists and NGOs and offering them a political legitimacy that had been denied by Chuan (Missingham 2003, 201-03). Following his acquittal on charges of asset concealment by the Constitutional Court after his election, however, Thaksin demonstrated little compunction about quashing public dissent through subverting the rule of law and democratic processes. He progressively undermined the new institutions of the 1997 Constitution with his approach being to 'penetrate them, politicise them and subordinate them to his own will and purpose' (McCargo and Ukrist Pathmanand 2005, 16). While some analysts argue that the quality of democracy under Thaksin was simply 'low' (Case 2007), I argue that Thailand, particularly under the corporate agenda of Thaksin and TRT and the corruption and compromise of its security services, fulfilled the five criteria for a hybrid competitive authoritarian regime discussed in the previous chapter, namely: the electoral arena; the legislature; the judiciary; the media; and the uniformed security services (Levitsky and Way 2002; Simpson 2006).[56] First, despite Thailand holding regular competitive elections, they are often characterised by corruption and a lack of

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[56] These five criteria were first used to argue that Thailand under Thaksin was competitive authoritarian in my 2006 conference paper and it has now been adopted by Doyle and McEachern in their analysis of environmental politics under hybrid regimes (Doyle and McEachern 2008, 25-29).

transparency. With the financial backing of Thaksin and other leading capitalists, TRT took these practices to new heights with rampant vote buying, the alleged hire of police and military officers to threaten voters, and the 'logrolling' of MPs from other parties into the TRT camp with cash inducements (Connors 2004, 6-7; Pasuk Phongpaichit and Baker 2004, 82-88). The fragility of elections as a democratic process and entrenchment of this culture in Thailand was emphasised by an ABAC Poll of Assumption University in October 2007 that showed nearly two out of three Thais were quite ready to accept gifts or money in exchange for their votes and over 80 percent would not report election corruption (*Bangkok Post* 2007a).

Second, the parliament under Thaksin was rendered almost obsolete. While the 1997 constitution had attempted to empower the prime minister, it did not mean to push the legislative arm of government into irrelevancy. Following the 2001 and 2005 elections, however, the House of Representatives was dominated by TRT and as Thaksin consolidated his power, he gradually built up an effective majority in the Senate, draining it of its supposed monitoring power (Pasuk Phongpaichit and Baker 2004, 174). Legislation required little debate but parliament was effectively boycotted by Thaksin and thereafter by the rest of his party. For the first two years House sessions were halted five times because they were inquorate (McCargo and Ukrist Pathmanand 2005, 106), but by 2004 this was occurring approximately once per week (Pasuk Phongpaichit and Baker 2004, 96).

Third, although elements of the judiciary were severely compromised, some judges and courts remained relatively independent. The decision by the Constitution Court to acquit Thaksin of concealing assets, just after his election in 2001 and despite overwhelming evidence to the contrary, raised questions about the court's independence and integrity (Connors 2007, 172; Pasuk Phongpaichit and Baker 2004, 3-7). On the other hand, throughout the Thaksin leadership the Administrative Court made several rulings that went against the government including the aforementioned nullifying of the EGAT privatisation decrees.

Fourth, much of the Thai media was cowed during Thaksin's tenure. Thaksin had control of television stations that were either owned by the government, his family companies or through

government or corporate advertising revenue (Freedman 2006, 53). In particular, in 2000 Shin Corp, Thaksin's family company, acquired Thailand's only independent television station, iTV, and in the lead up to the 2001 election over twenty one journalists were summarily sacked after complaining that Thaksin was interfering in election reporting. Following the election, contracts with critical production companies were revoked, entertainment was increased at the expense of current affairs, the iTV chairman resigned and there were regular reports of journalists being punished for being too critical of the government or Thaksin (McCargo and Ukrist Pathmanand 2005, 48; Pasuk Phongpaichit and Baker 2004, 219). While Thaksin effectively closed down the one possible critical outlet on the television, the print media in Thailand at the turn of the millennium was considered the most vibrant in the region, being 'an island of outspokenness in a tight-lipped ocean' (McCargo 2000, 1). In Thaksin's period in office, however, he managed to suppress a large section of the press with even the independent-minded Nation press group and Bangkok Post facing various forms of physical and legal intimidation, including attempted hostile take-overs. In addition, Thaksin and his business and TRT colleagues used both business and government advertising contracts to reward media that was pliant and punish those that were critical (Nelson 2005, 3; Pasuk Phongpaichit and Baker 2004, 153; 2005, 66). Following the military coup in September 2006, freedom in the media was curtailed further creating a more traditional military authoritarian regime. Following elections in December 2007, however, these restrictions were eased.

Fifth, the security services in Thailand are notorious for corruption and facilitating repressive regimes. Thaksin had attended the Armed Forces Academy Preparatory School and later entered the police force. He married into a prestigious police family and many in the Shinawatra clan had entered military service. He was therefore well placed to use the uniformed services to further his business dealings and underwrite his political ambitions; his first business venture was a government concession selling computers to the police force (McCargo and Ukrist Pathmanand 2005, 127). Despite the traditional role of the armed forces 'in protecting the country's economic interests and furthering its development', various governments such as Chuan's in the 1990s had attempted to challenge the centrality of the military in political and economic life (Chaiwat Satha-Anand 1999, 152). Under Thaksin, however, the military was fully

rehabilitated with its funding and prestige restored followed by the appointment of 35 of his former classmates to key military positions with his cousin rising from a lowly inactive post to commander of the entire army in less than two years (McCargo and Ukrist Pathmanand 2005, 147; Pasuk Phongpaichit and Baker 2004, 182). The police and military were granted immunity from prosecution in the south of the country and were complicit in human rights abuses both there and during the 'War on Drugs'. Despite some alliances with Thaksin, however, parts of the military remained within the network monarchy, which facilitated the coup in 2006. Despite the shortcomings of the Thaksin regime, solving the problems through a military coup demonstrated the ongoing anti-democratic culture within both the military and monarchy (Thongchai Winichakul 2008b; Ukrist Pathmanand 2008). In the lead-up to the resumption of elections former senator and human rights activist, Jon Ungphakorn, argued that

> [h]uman rights in Thailand will not improve with an elected government back in power as there are structural flaws embedded with authoritarianism [with] police and army officers … at the core of human rights problems (Achara Ashayagachat 2008).

While periods of military rule have closed down opportunities for dissent most completely, under Thaksin's competitive authoritarian regime environmental activists found it increasingly difficult to voice dissent and influence political discourse. Despite ongoing structural impediments to democratic change in Thailand's political culture, Thaksin's administration was significant in pursuing authoritarianism within a competitive system (Case 2009; Connors 2009). The next section investigates how environmental politics in Thailand was played out during this epoch and over the course of the case study projects.

Environmental Politics and Security

Many Thai communities have faced increased environmental insecurity since Thailand first adopted a Western-style industrial development model in the 1950s. Rapid industrialisation increased pressures on ecosystems, particularly since the start of the 'boom' decade in the mid-1980s when incentives by Thailand's Board of Investments increased the pollution intensity of industry at the same time that the economy shifted to export-oriented industrialisation (Fahn

2003, 4; Forsyth 1997, 183). By 1991 hazardous waste-generating industries accounted for 58 percent of Thailand's industrial GDP (Zarsky 2002, 42). The dramatic growth in the number of large dams and their adverse consequences on the environment was driven primarily by EGAT which drew on the World Bank-inspired National Economic Development Plan of 1961 (Bello et al. 1998, 206). Some authors question the existence of an 'environmental crisis' in Thailand (Forsyth and Walker 2008), but there is little doubt that communities at the margin experience environmental insecurity (Fahn 2003; Hirsch 1997). Despite these increasing pressures on ecosystems, Thailand's environment movement also experienced some success in this period with an official ban on logging in 1989 and the blocking of World Bank-backed Nam Choan Dam in Kanchanaburi Province in 1988 (Rigg 1991, 46). Unfortunately illegal logging still occurs and the ban has seen logging expand unchecked in Burma, Laos and Cambodia (Hirsch 2001, 241). These impacts have found parallels in the energy sector, particularly in the wake of the Nam Choan Dam cancellation, with EGAT focusing on cross-border energy projects to import electricity from its more authoritarian neighbours through projects such as the Yadana Pipeline and Salween Dams. These projects, nominally for the pursuit of national energy security, have had adverse impacts on the environmental security of local communities (Giannini et al. 2003; Hirsch 1998, 68; 2001, 241; KRW 2004a; Simpson 2007).

The main developmental focus of most recent Thai governments has been on ensuring sufficient electricity to ensure unrestricted domestic industrial development and acting as a regional hub of an ASEAN power grid (Chuenchom Sangarasri Greacen and Greacen 2004, 538). As prime minister Thaksin stated that his aim was for Thailand to become a regional energy-exporting hub facilitating the energy security of Asia as a whole (Moses 2003). About 70 percent of Thailand's electricity is generated using natural gas and approximately one third of that gas comes from Burma with most of that coming from the Yadana and Yetagun pipelines (Kate 2005). Approximately 9 percent of electricity generation capacity is derived from large-scale hydropower (Chuenchom Sangarasri Greacen and Greacen 2004, 518). Despite assertions about the necessity of these projects, the actual electricity needs of Southeast Asian countries are often overstated with Thailand's energy industry continually overestimating its projected electricity requirements. In 2004 the government's National Economic and Social

Advisory Council examined projections by EGAT over the previous decade. It found that in the utility's previous eleven forecasts, ten had overestimated demand, sometimes by as much as 40 percent. In addition Thailand's use of energy is quite inefficient, using three times more energy per dollar of GDP than Japan (Imhof 2005). Given that some of the projects in this thesis have been undertaken to supply the Thai energy sector, improved energy efficiency measures in conjunction with smaller scale decentralised renewable energy projects could have made these large-scale projects redundant.

Regardless of the need for these projects, Hirsch argues in his analysis of environmental politics in Southeast Asia that it is these large-scale resource projects that attract the most environmental activism, 'particularly those that involve appropriation of the local resource base by interests of state, capital, and dominant social groups in the name of national development' (Hirsch 1998, 55). Likewise Hamburg suggests that in Thailand women are most likely to be involved in natural resource disputes due to their reliance on natural resources for cooking and domestic tasks, and through land inheritance being passed down through daughters (Hamburg 2008, 108-09). Indeed, women in Thailand have found membership of organisations that address issues within women's domain as an empowering outlet within a society where there exist barriers to participation in formal politics (Iwanaga 2008, 7). These findings are supported by the evidence of the activism surrounding the transnational energy projects examined in the following three chapters.

The borders of Thailand are, unlike those of Burma, relatively open to the free exchange of information and communications and readily permeable by transnational activists and influences. There is, therefore, significant cross-fertilisation or 'contamination' (della Porta and Mosca 2007) of transnational activist techniques and philosophies and the activist community through the basing in Thailand of transnational NGOs such as ERI, and the conducting of training workshops such as those by ALTSEAN-Burma (ALTSEAN-Burma 2007b). While much of the activism in Thailand is associated with an environment movement readily comparable with those in the West, there are also peculiarities in the Thai movement. Buddhism plays a central role in the social and political life of most Thais and while this can sometimes have the effect of

marginalising religious minorities, such as Malay Muslims in the south of the country, it is often a source of inspiration for other activists. The concepts of Engaged Buddhism have developed across the Buddhist world over several decades but they have also been used in recent years by Thai activists trying to domesticate the discourses of human rights and democracy by finding parallels within Buddhism (Baker and Pasuk Phongpaichit 2005, 263-65). Islam itself has begun to play an important role in environmental activism in southern Thailand with activists using it as a symbol of resistance during the campaign against the TTM Pipeline. While its influence is increasing this campaign was the first time Islam was used in this way in Thailand and it is therefore addressed in the next chapter.

Engaged Buddhism through activism within the Thai sangha (monkhood) began in forest monasteries in response to rampant deforestation, with monks prepared to 'take an active role in ecosystem and environmental management while simultaneously maintaining the monastic tradition of the meditative recluse' (Taylor 1991, 111). The first case in which Buddhist monks took an environmentalist position involved the 1985 proposal to build a cable car up Doi Suthep mountain in Chiang Mai (Darlington 2003, 103). Other forest monks became active over similar development proposals that seemed to conflict with various Engaged Buddhist tenets including the ethos of protection of all living beings (Taylor 1993; 1997). One response to deforestation is the ordination of trees which has been carried out by environmentalist monks since the late 1980s (Darlington 2003, 96; Swearer 1999a, 220). These tactics were used extensively, in conjunction with the Kanchanburi Conservation Group and other environment groups, during the forest protests against the Yadana Gas Pipeline in the late 1990s.

Perhaps the most prominent environmental activist in Thailand is Sulak Sivaraksa, who Donald Swearer describes as 'the one person justifiably singled out as the progenitor of contemporary Thai Buddhist social activism' (Swearer 1999a, 219). Originally from the aristocracy, he was a trainee of Prince Dhani in the 1960s before turning against the ruling elites to became a social critic (Handley 2006, 185). He founded his first NGO, the Sathirakoses-Nagapradeepa Foundation (SNF), in 1968. He later founded several sister organisations including the Spirit in Education Movement (SEM) in 1995, which offered a 'spiritually based, ecologically sound,

holistic alternative to mainstream education' (Sathirakoses-Nagapradeepa Foundation 2008), including courses such as 'Voluntary Simplicity for the Middle Classes' (Simpson 1999, 508). In 1989 he co-founded the International Network of Engaged Buddhists (INEB) in Bangkok which dealt with 'alternative education and spiritual training, gender issues, human rights, ecology, alternative concepts of development, and activism' (Sathirakoses-Nagapradeepa Foundation 2008). His assistant in many of these projects from the early 1990s was Pipob Udomittipong who also participated in the Yadana protests and later worked with ERI and Salween Watch.

Sulak's outspoken criticism of the Thai government over several decades has resulted in repressive reprisals. He was arrested in 1984, but released after four months. In September 1991 the military government issued a warrant for his arrest on charges of lèse majesté and he was forced to live in exile for a year until the return of democracy. He was cleared of all charges in 1995 under international pressure (Handley 2006, 298, 339, 447; Sulak Sivaraksa 1998; Swearer 1999a, 220), but was later arrested over the Yadana protests.[57] Sulak saw himself as fortunate because his cases received international attention:

> Thai judges want to be recognised abroad as good, impartial and objective [but] in many
> other cases, you know, there's nobody interested – [the judges] just show their power,
> particularly to the poor, the oppressed.[58]

Sulak's criticism spread beyond the Thai governing elites arguing that in general complicity between authoritarian regimes and TNCs were central to undermining the social fabric of communities and the exploitation of people. He also regarded institutionalised Buddhism as complicit arguing that 'Buddhism, as practiced in most Asia countries today, serves mainly to legitimise dictatorial regimes and multinational corporations' (Sulak Sivaraksa 1992, 68).

Sulak's concern over economic globalisation resulted in his support for the 'localism' movement in Thailand. This movement gained prominence following the 1997 financial crisis and accrued significant momentum from King Bhumibol's 1997 birthday speech in which he suggested a

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[57] Sulak was also arrested for *lèse majesté* in November 2008 (*The Nation* 2008).
[58] Sulak Sivaraksa (1998, 25 January). *Interview with author.* Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.

return to a simplistic 'self-sufficient' economy (Handley 2006, 414; Hewison 2000, 285), despite the king's contradictory status as the world's richest royal with a 2008 net worth of $35 billion (Serafin 2008).[59] The localism movement combined traditional Thai approaches to self-sufficiency with global environment movements towards decentralisation, although some authors argued that this approach perpetuated the paternalistic relationship between the king and peasantry (Connors 2005a, 267). Nevertheless, this movement played an important role in the development of oppositional protests against both the projects examined in this thesis and other major projects in Thailand.

The governing elites' response to this opposition has often been, as discussed above, quite repressive with a lack of respect for human rights, resulting in increased insecurity. According to one activist, 'Thai bureaucracies see the environment as political', and it is therefore a common experience for activists to be under surveillance from the intelligence services during study tours or similarly innocuous activities.[60] Although there is endemic corruption within the military and particularly the police, the overarching attitude of governments to dissent does impact on the actions of the rank and file. Chuan was generally more inclined to enforce the rule of law during his tenure but Thaksin's rhetoric against various sectors of society provided cover for repressive crackdowns by the uniformed services.

Environmental activists were often targeted under the cover of these crackdowns. The most significant repression was during Thaksin's 'War on Drugs' with the government releasing a daily body count. Between February and May 2003 approximately 2,500 alleged drug traffickers were killed (Amnesty International 2004b; Subhatra Bhumiprabhas 2003). Police claimed traffickers were killing each other to protect their networks but local and foreign human rights groups accused the authorities of a secret campaign of summary execution of suspects, arguing that many innocent people were killed on the basis of hearsay or 'to settle local disputes and, at the same time, score political points with the government' (Human Rights Watch 2007c, 30).

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[59] Other calculations put the king's wealth through the Crown Property Bureau at over $27 billion in 2005 (Porphant Ouyyanont 2008, 184).

[60] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

UN Special Envoy for Human Rights, Hina Jilani, noted in her final report on her mission to Thailand that many Thai activists, including those opposing the TTM gas pipeline, had reported that they were afraid to highlight human rights violations for fear of retaliation by local authorities, 'including possibly being killed under cover of the anti-drugs campaign' (Jilani 2004, 18, 22). There were additional concerns for activists being targeted during Thaksin's heavy handed approach to the Muslim insurgency in the three southernmost provinces of Yala, Narathiwat and Pattani. These actions included declaring martial law and an emergency decree in July 2005 that granted police and military officers immunity from prosecution for their actions, despite evidence of involvement and complicity in abductions and assassinations (Chaiwat Satha-Anand 2006a; Funston 2006; Human Rights Watch 2007c; ICG 2005; 2007; McCargo 2007a; UNHRC 2006).

In Thaksin's bellicose nationalist rhetoric he opposed not only the IMF intervention in the country but also foreign journalists, UN agencies, foreign NGOs and foreign sponsors of Thai NGOs (Pasuk Phongpaichit and Baker 2004, 140-6). This approach provided a convenient cover for attacking any activists who opposed major development projects, with Thaksin suggesting that protests were organised simply to secure foreign funds (Supara Janchitfah 2004, 120). Despite hope in activist circles prior to his election that Thaksin would look favourably on community groups, he demonstrated, once his prime ministership was secure, that his initial sympathetic overtures to NGOs such as the Assembly of the Poor had been entirely strategic (Missingham 2003, 211; Pasuk Phongpaichit and Baker 2004, 144). In the years following his election he propounded his view of NGOs and social and environmental activists as annoying and unnecessary inhibitors of economic growth which could be suppressed by the uniformed services in the national economic interests. His stated goal was to '"change the police, make it a tool of the state, to help increase … national income"' (Pran cited in Pasuk Phongpaichit and Baker 2004, 103). He held a similar goal regarding the military, and this often resulted in the violent repression or intimidation of NGOs who opposed his economic agenda. Activists saw Thaksin as targeting two types of NGOs in particular, those which received foreign funding and those which worked on Burma issues, as this also clashed with his business interests in

Burma.[61] While Thai activists and NGOs were under pressure, the conditions of Burmese migrants working in Thailand, including many activists, were much worse with their precarious legal status accentuated by the prospect of arbitrary arrest and deportation (Amnesty International 2005). The crackdowns on activists were not surprising when considering Hina Jilani's report that cited several instances during her mission to Thailand when senior state officials did not concede public protest to be a legitimate political outlet (Jilani 2004).[62]

Apart from the overt harassment of activists and NGOs by the military and police, there was also an increasing threat of violence perpetrated by non-uniformed assassins. Between 2001 and 2005 at least twenty environmentalists, human rights activists and community leaders, including monks, were killed in separate incidents, most of whom were shot by gunmen (Amnesty International 2004b; Biel et al. 2006, 22). The issues addressed by the activists who were killed included opposing dams, quarries, plantations, rubbish dumps, illegal logging, waste treatment plants and protecting mangroves, forests and river catchments (AITPN 2005; Jilani 2004). While there was generally little evidence to directly link the governments to the assassinations, the pattern followed in most cases indicates some form of collusion between local authorities and capital interests. In almost every case the victim was opposing a development project on social or environmental grounds or attempting to protect a public environmental area from encroaching private activities. The lack of successful prosecutions in almost all cases suggested unwillingness on the government's behalf to pursue the perpetrators, and the granting of immunity from prosecution for police and military officers in the south only exacerbated the propensity for authoritarian responses. This climate of impunity, in addition to Thaksin's attacks on the legitimacy of NGOs and environmental activists, did nothing to discourage assassination attempts on those who spoke out against development projects. Although activists generally agree that large business interests dominate all Thai governments

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[61] Wandee Suntivutimetee (2005, 11 January). *Interview with author*. Editor, Salween News Network. Chiang Mai, Thailand.

[62] It should be noted, however, that while the scale of oppression in Thailand is of considerable concern, harassment of NGOs is also taking place in other countries that may not be normally classed as competitive authoritarian. In the US the FBI and local police have spied on and harassed environment and political groups through the FBI's Joint Terrorism Task Forces with agents and local police, in full SWAT gear, descending on groups such as 'Food Not Bombs' and the 'Derailer Bicycle Collective' (ACLU 2005; FBI 2005). Even the discourse in the US was similar to Thailand with the FBI's Deputy Assistant Director suggesting that eco-terrorists were the biggest terrorist threat to the US (Usborne 2005).

that come to power, some activists saw the potential for an improvement in the human rights situation following the ascension of the Democrat Party to government in December 2008.[63] Nevertheless, under any governments the opportunities for environmental activism in Thailand are considerably greater than those available to activists in Burma.

Political Regimes and Environmental Politics in Burma

In all societies, but particularly in countries of the South under authoritarian regimes, environmental issues are linked to issues of human rights. There are few countries in the world where the evidence for such links is more compelling than Burma. Unlike Thailand's hybrid political regime, Burma's military regime is unequivocally undemocratic and therefore the prospects for genuine public dialogue and dissent over environmental issues are particularly constrained. Public participation in both informal and formal politics is strictly limited as a result of authoritarian rule in which political parties are banned. Other indicators of authoritarianism include

> an estimated one soldier for every hundred citizens … human rights abuses are …
> commonplace … a pervasive surveillance apparatus penetrates into the most private spaces
> of Burmese peoples' lives, and the Press Scrutiny Board has to give approval to all literature
> (Philp and Mercer 2002, 1588).

Burma's history has been entwined with the issues of postcolonial state-building since it gained independence from Britain in January 1948 (Tin Maung Maung Than 2005a, 65). Due to British policies and administration throughout the colonial era, contact and cooperation between the diverse ethnic peoples of Burma actually declined while ethnic conflict was fostered (Naw 2001, 195; Walton 2008, 893). The historical struggles of ethnic minorities for recognition and democratic governance are of critical importance in understanding the current situation facing activists and therefore deserve further exploration.

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[63] Ka Hsaw Wa (2009, 9 January). *Interview with author*. Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand; Naing Htoo (2009, 9 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

Following the assassination of General Aung San on the eve of independence, the first years of the state were characterised by unstable but occasionally democratic governments punctuated by interventions by the Burmese military, or tatmadaw. The last significant attempt at democracy ended, however, following a military coup by General Ne Win on 2 March 1962 (Smith 1999, 196). He and his Burma Socialist Programme Party (BSPP) led the country into a 26-year era of isolation following his 'Burmese way to socialism', an admixture of Buddhist, Marxist and nationalist principles that ethnic minorities in the country interpreted as 'Burmanisation',[64] which saw Burma decline 'from a country once regarded as amongst the most fertile and mineral rich in Asia to one of the world's 10 poorest nations' (Smith 1999, 24).[65]

The BSPP remained in power until 1988. Student-led protests over shortages of essential goods and spiralling rice prices in March 1988 led to a brutal crackdown that left up to 100 civilians dead, and in the wake of the worsening security situation Ne Win resigned in July, prompting an escalation of protests across the country demanding a return to multi-party democracy.[66] On 3 August 1988 Brigadier-General Sein Lwin, Ne Win's chosen successor and the new leader of the 'Burmese Government', imposed martial law in the capital. This was followed by a call for a general strike and a mass demonstration on the auspicious date of 8-8-88 which resulted in a draconian and brutal crackdown (Cumming-Bruce 1988; Smith 1999, 2-5).[67] The old guard of the BSPP forced Sein Lwin to resign on 12 August and for the next few weeks the diverse pro-democracy movement – now known as '88 activists' – gained strength and confidence with increasingly popular demonstrations.

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[64] Burmanisation refers to the encroaching power of the Burman ethnic grouping that dominates the central lowlands of Burma and the ruling military junta and comprises two-thirds of the total population (Tin Maung Maung Than 2005a, 67).

[65] Many of Ne Win's actions were also determined by astrological predictions and in the 1980s he twice demonetised the Burmese currency, wiping out the savings of millions overnight, and reintroducing notes in awkward 45 and 90 kyat denominations – 9 being his lucky number (4+5=9) (Smith 2002).

[66] Ne Win remained in the background of politics although influential until early 2002 when his favourite daughter, Sandar Win, her husband and three sons were all arrested, accused of plotting a military coup. Ne Win was not publicly accused but was placed under house arrest until his death on 5 December 2002 (Smith 2002).

[67] In 1988 *The Guardian* newspaper used the term 'Burmese Government' but in response to the perceived decline in legitimacy of the regime, particularly after it ignored the 1990 election, it now refers to the SPDC as a 'military junta' (Aglionby 2004; Cumming-Bruce 1988).

Ne Win loyalists, however, under the increasing influence of his protégé Lt Gen (and later General) Than Shwe, ended the BSPP era on 18 September 1988 by seizing power to establish the State Law and Order Restoration Council (SLORC). There followed a country-wide crackdown on any form of protest with up to 1,000 people, including schoolgirls, monks and students, killed in Rangoon in the following three days alone. As a forerunner of the September 2007 protests monasteries, which had acted as sanctuaries for protesters, were subjected to collective reprisals and hundreds of monks were imprisoned for years with many dying in prison due to torture, illness, or lack of medical care (Schober 2007, 57). The death toll of the year's violence is generally accepted to exceed 10,000 – almost all unarmed civilians – although the final death toll will never be known as the troops routinely carried away and disposed of the bodies of the dead and wounded (Lintner 1990; Smith 1994; 1999, 15-16; Wellner 1994).

In the lead-up to the first multi-party national elections in three decades there was no relaxation of SLORC's martial law and many of the opposition's major leaders were kept under arrest (Smith 1999, 412). After assuming that a year long propaganda campaign had been effective, and underestimating the hatred towards the military that still existed, SLORC allowed a surprising degree of openness on election day, 27 May 1990. According to Bertil Lintner,

> after months of repression, severely restricted campaigning and harassment of candidates and political activists, during the election itself even foreign journalists were invited to cover the event and there were no reports of tampering with the voting registers (1999, 382).

The turnout was almost 73 percent and in the final result the National League for Democracy (NLD), led by Aung San Suu Kyi who was under house arrest, captured about 60 percent of the votes and 392 of the 485 seats (about 80 percent) contested. Most of the rest went to NLD allies from the various ethnic minorities while the military-backed National Unity Party (NUP) captured a mere 10 seats, 2 percent of the total (Lintner 1999, 382; Smith 1999, 414; Steinberg 2007, 115).

Despite their resounding rejection by the people of Burma, SLORC refused to acknowledge the results of the election and arrested many political opponents, including elected parliamentarians.

Aung San Suu Kyi has now been kept under house arrest for thirteen out of the last twenty years with attempts on her life by the military or its proxies during brief periods of relative freedom (Davis and Kumar 2003). A rapid expansion of the tatmadaw following the 1988 protests laid the foundations for the perpetuation of military rule to the present day (Maung Aung Myoe 2009; Selth 1996, 145). On 15 November 1997 SLORC reorganised itself, shifting some of its personnel and changing its name to the State Peace and Development Council (SPDC) following advice from a Washington based public relations company, although these changes were largely cosmetic (Silverstein 2001, 119; Tin Maung Maung Than 2005a, 78). At this time the SPDC also used the 'Asian values' debate to justify their autocratic rule, arguing that Western conceptions of democracy and human rights were foreign to Burma (Steinberg 2007, 117). Ne Win died in 2002 but General Than Shwe remained in firm control as chairman of the SPDC. In May 2008 a new Constitution was accepted by referendum, in the midst of Cyclone Nargis, and national and regional elections were scheduled to be held in 2010 (Constitution of the Republic of the Union of Myanmar 2008). Numerous provisions included in the Constitution, however, gave a central role to the military in the continued running of the country: it will directly appoint at least one of the two the vice-presidents who may in turn be appointed president (s.60); it will nominate one quarter of seats in the national parliament (s.74) and one third in regional parliaments (s.161); and constitutional amendments are only possible with the assent of military representatives (s.436). As Holiday and others have noted, considered together, 'it is clear that the main effect of these provisions will be to entrench tatmadaw power behind a façade of democracy' (Holliday 2008, 1047).

The new constitution ensures that the military will continue to play a central role in the politics of Burma but once democratic forces gather momentum the military may find it difficult to maintain its position of unchallenged primacy. Nevertheless, there is little likelihood of improvement in the near future in the current dire living conditions of most Burmese. In December 2006 an International Crisis Group briefing suggested that,

> despite official claims that the economy is growing by more than 10 per cent annually,
> independent surveys and observations show steadily deteriorating living standards for the
> large majority of the population, driven by high inflation, weakening health and education

systems and a generally depressed economic environment caused by decades of
government mismanagement (ICG 2006, 2).

The US State Department also noted little improvement in respect for human rights in its country
report on Burma released in February 2009:

> Government security forces allowed custodial deaths to occur and committed other
> extrajudicial killings, disappearances, rape, and torture. The government detained civic
> activists indefinitely and without charges. In addition regime-sponsored mass-member
> organizations engaged in harassment, abuse, and detention of human rights and
> prodemocracy activists. The government abused prisoners and detainees, held persons in
> harsh and life-threatening conditions, routinely used incommunicado detention, and
> imprisoned citizens arbitrarily for political motives. The army continued its attacks on ethnic
> minority villagers (US Department of State 2009).

As well as 'Asian values', the SPDC have used religion to legitimate their rule, continuing Ne
Win's portrayal of Burma's leaders as devout Buddhists. Despite being a dictatorship, the
military still sees political benefits in presenting itself as the country's patrons of Buddhism, even
if urban residents are sceptical of these gestures (Ardeth Maung Thawnghmung 2004, 22; Fink
2009, 230). While the early military government of the 1960s kept a calculated distance from
religious life, since the 1980s Buddhism has been increasingly invoked by the military as a
unifying national force to achieve its political aims (Matthews 1999, 38). Having appropriated
Buddhism, the military projects a vision through the state-run media of a united state, sangha
(monkhood) and laity as a way of disciplining the population (Philp and Mercer 2002, 1591). In
the absence of a constitution the military sponsored

> lavish Buddhist rituals to legitimate its power [and then] used the authority of Buddhism to
> instigate and sanction mass violence to be perpetrated against 'enemies of the Burmese
> nation' and religious and ethnic 'others' (Schober 2007, 56).

The Burmese military have long understood that building new monasteries and supporting pliant
monks is a shrewd investment.[68] In 1999 the military sponsored a major restoration of the

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[68] There is a similarity between the military's exploitation of Theravada Buddhism in Burma and the Chinese
Communist Party's relationship to Mahayana Buddhism in Tibet where monasteries, having being destroyed by the
CCP, are rebuilt as tourist attractions and stacked with spies. Tenzin Gyatso (1997, 18 July). *Interview with author
(including Secretary Tenzin Geyche Tethong)*. His Holiness the Dalai Lama, Personal Residence: Thekchen
Choeling. McLeod Ganj, Dharamsala, India. .

Shwedagon Pagoda in Rangoon, the most revered pagoda in the country (Fink 2001, 217).[69] This may gain some limited kudos with the Buddhist Burman and Shan peoples, but has led to a further deterioration of relations with predominantly Christian ethnicities such as the Karen, who catastrophically split with a Buddhist minority forming the SPDC-friendly Democratic Karen Buddhist Army (DKBA) and abandoning the Christian leadership of the KNU leading to the loss of the headquarters at Manerplaw in 1995 (Steinberg 2007, 124). The depiction of the ruling military as devoutly Buddhist was propagated in Thailand during Thaksin's tenure and revived when the PPP's Samak Sundaravej became prime minister. Following his first visit, Samak spoke glowingly of the pious military rulers: "'Myanmar is a Buddhist country. Myanmar's leaders meditate. They say the country lives in peace'" (AP 2008).

The reality in Burma is somewhat different. In April 2003, two months before the Depayin attack on Aung San Suu Kyi and the NLD, the UN Commission on Human Rights expressed its grave concern at the situation in Burma due to, amongst other issues,

> (e)xtrajudicial killings; reports of rape and other forms of sexual violence persistently carried out by members of the armed forces; continuing use of torture; renewed instances of political arrests and continuing detentions, including of prisoners whose sentences have expired; forced relocation; destruction of livelihoods and confiscations of land by the armed forces; forced labour, including child labour; trafficking in persons; denial of freedom of assembly, association, expression and movement; discrimination and persecution on the basis of religious or ethnic background; wide disrespect for the rule of law and lack of independence of the judiciary; unsatisfactory conditions of detention; systematic use of child soldiers; and violations of the rights to an adequate standard of living, such as food, and to medical care and to education (UNCHR 2003).

The systematic sexual assault of ethnic minorities by the military in relation to energy projects and military offensives has been documented in numerous reports (see Apple and Martin 2003; KWO 2007; SHRF and SWAN 2002), and has taken on new legal significance with a landmark unanimous resolution by the UN Security Council in June 2008 that 'rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide' (UNSC 2008). The actions of the SPDC has also led to Burma being

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[69] During a fieldtrip to Burma in 2003 I noted that, as with many other major religious sites in the country, the walls of the Shwedagon are now adorned with not only photos of devout SPDC leaders in military uniforms making offerings with pliant monks but illustrated frescos of the leaders in the form of parables of the Buddha at one with nature.

repeatedly sanctioned by the International Labour Organisation (ILO) for the utilisation of forced labour and by providing 'safe haven' to drug traffickers (Ardeth 2003, 39). Maupain argues that the ILO made some progress on forced labour in Burma between 2000 and the Depayin Massacre in 2003 (Maupain 2005, 97). Nevertheless, in 2004 the ILO expressed 'grave concern' over the continuing scale and scope of forced labour in Burma (ILO 2004), and in November 2006 its governing body, citing 'great frustration' with the country's authorities, moved towards taking rare legal action involving the International Court of Justice (ILO 2006).

Burma was designated by the UN as a 'Least Developed Country' in 1987 (Smith 1999, 24) and two decades later it still endured endemic rent-seeking and corruption with Transparency International ranking Burma as equal worst for corruption out of 179 countries (Transparency International 2007). Other authors have also emphasised the lack of transparency in areas of environmental governance (Smith 2007; Tun Myint 2007). So, while the UNDP ranked Burma last in public health expenditure in the world in 2006 (UNDP 2006), Than Shwe's youngest daughter was married in a wedding of extreme opulence that caused outrage both at home and abroad (The Irrawaddy 2006). Some estimates have suggested that total per capita expenditure on health in Burma is approximately $4 while the ruling military itself contributes approximately 9 cents (Vicary 2007, 4). Despite these limitations, Oehlers argues in his study of public health in Burma that, 'it is simply impossible to imagine any meaningful progress in health or any other socially important measure, given current political arrangements' (Oehlers 2005, 204).

Despite the elections to be held in 2010, the military is unlikely to ever voluntarily give up power as under a democratically elected government it may be forced to face the consequences of its harsh rule and it might also lose the large share of the national budget – up to 40 percent – that they have always enjoyed (Kyaw Yin Hlaing 2009; Selth 1998, 102-03; 2000, 62; Simpson 2007, 546; Smith 1999, 415). Apart from their income through the national budget, the higher echelons of the military in particular have also increased their wealth through increasing market opportunities with various dubious privatisations in the 1990s allowing the military to dominate Burma's economy, through both state and individual interests, with the 'iron glove of the military

[enveloping] the invisible hand of the private sector' (Steinberg 2005a, 61).[70] In Thailand separating the political regime from business politics is problematic, particularly under Thaksin, but in the case of Burma it is virtually impossible. The lack of transparency and depth of corruption in the country is symptomatic of the domination of both these areas by the military. The International Confederation of Free Trade Unions (now the ITUC) published a report in 2005 entitled Doing Business with Burma which discussed the role of the military in the economy and the egregious effects of foreign investment in Burma, underpinning their call for sanctions.

> In the end, whether a company is a formal state enterprise (whereby one can be sure that the money goes to the generals and their cronies that own the companies) or a Burmese private company that is owned by a general, someone high up in the hierarchy of the military [or] one of their business friends (whereby one can be sure that the money goes to the generals and their cronies that own the companies), is usually only a matter of formality. In practice, in Burma, there is often not much difference between a government owned company and most other large companies – both are set up for the benefit of the junta, be it directly or indirectly (ICFTU 2005, 5).

Given the almost complete grip of the Burmese junta on the formal economy in the country, 'it is clear that sanctions do affect the generals' income, the generals' families' income, as well as the generals' family's friends' income' (ICFTU 2005, 2). For the same reasons, the Federation of Trade Unions – Burma (FTUB) also opposes any foreign investment in Burma (FTUB 2005). Burma is thus in the unique position of being the only country in the world for which international trade unions are calling for disinvestment and sanctions. Despite his longevity in power General Than Shwe still relies very much on the distribution of the country's wealth to senior members of the military to maintain his rule:

> In countries in which joining the military has become a standard path to personal enrichment acquisitive motives can be assumed to rank high in most officers preferences (Geddes 1999, 126)

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[70] This wealth has not transferred to the lower echelons of the military, however, with desertion rates high due to mistreatment by superior officers, low pay, and poor living conditions (Human Rights Watch 2007d, 30).

In this context the energy projects in this thesis are considered of central importance by the SPDC in maintaining their grip on power, even after the 2010 elections, and they are therefore particularly unlikely to tolerate dissent on this issue.

Assessing Competitive Authoritarianism

While Thailand under Thaksin was clearly a competitive authoritarian regime, an effective methodology for categorising and analysing Burma in relation to the opportunities for political participation and dissent during the case study campaigns is to use the same typology and criteria for determining both its competitive and authoritarian characteristics, namely: the electoral arena; the legislature; the judiciary; the media; and the uniformed security services (Levitsky and Way 2002; Simpson 2006). With the adoption of Burma's new Constitution in 2008 there is the potential for greater competition in some of these areas although, as discussed above, the military will still play a central role in governance.

In addressing the first criterion, the electoral arena, while multi-party elections were held in 1990 the results, which gave the NLD and its allies a resounding triumph, were ignored by the military which cracked down on the opposition parties. Of the NLD's original 22-person Central Executive Committee, 18 were detained and 40 elected MPs were arrested, with two dying shortly after amidst allegations of torture (Smith 1999, 412-19). Since that time there have been no elections, competitive or otherwise. The elections scheduled for 2010 are clearly designed to consolidate the power of the Burmese military with, for example, members of religious orders ineligible to vote (s.392), meaning that the thousands of Buddhist monks who protested in September 2007 are excluded from the electoral process. The history of the military regime suggests that if its dominance is at all questioned it will quash electoral results and close down any competitive outlets. The elections may, nevertheless, enable other figures to 'enter the political arena and make their voices heard' (Holliday 2008, 1047).[71]

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[71] In addition there may be competition at the top of the military hierarchy if Than Shwe's health declines before the election with Maung Aye more likely to negotiate with the opposition (Win Min 2008, 1034-1036).

Second, since Ne Win took power in 1962 there have been limited opportunities for legislative activity. Until 1988 the BSPP was the only legal political party and after SLORC came to power in 1988 they annulled the 1974 Constitution and dissolved the legislature. Since 1988 the military has reserved all legislative and executive power for itself (Taylor 2005, 22-23). There has been, therefore, no legislative check on the executive. Following the 2010 elections there will be a national parliament (Pyidaungsu Hluttaw) with effectively a lower house (Pyithu Hluttaw) and an upper house (Amyotha Hluttaw), but under the constitutional provisions this is likely to be dominated by the military (Constitution of the Republic of the Union of Myanmar 2008, s.74).

Third, there is a similar lack of any judicial independence in Burma. In the BSPP era the judicial system included courts with judges from the military and BSPP (Fink 2001, 39-40), but since the coup in 1988 even these limited courts have been abandoned with the military holding all judicial power (Taylor 2005, 23). Although court cases do take place, there is little room for lawyers to manoeuvre with three defence lawyers representing dissidents of the September 2007 protests being imprisoned for between four and six months for complaining of unfair treatment (Saw Yan Naing 2008b).

Fourth, there are restricted media regulations in Burma which result in a severe lack of media freedom and freedom of speech (Lewis 2006, 51-52). There exists pervasive censorship of all editorial and advertising material which requires every publication in Burma to submit a draft of its final layout with photographs and captions for prior approval by the Press Scrutiny and Registration Board (Lawi Weng and Moe Myint Yan 2008). As a result of this time-consuming and often arbitrary process, the limited number of private newspapers and periodicals that exist in Burma can only publish weekly or monthly and are never critical of the ruling military (Philp and Mercer 2002). There have been numerous legislative attempts to stifle dissenting voices with a typical example being Order 5/96 from 1996 that allowed for twenty year jail terms for anyone airing views or issuing statements critical of the regime (Fink 2001, 159). The internet has also been targeted with the transfer of political news and comment and 'information harmful

to the government' banned and resulting in lengthy prison sentences (RSF 2000).[72] The military also conducts cyber attacks on the websites of exiled or critical media organisations, particularly around sensitive political anniversaries (Aung Zaw 2008; Min Lwin 2008; Zarni 2008). In 2007 Burma ranked 164 out of 169 countries in the Worldwide Press Freedom Index by Reporters Without Borders (RSF 2007), while the Committee to Protect Journalists (CPJ) ranked it the second most censored country in the world after North Korea (Committee to Protect Journalists 2007). On another measure the CPJ ranked Burma as the worst violator of internet freedom of speech rights in the world (Committee to Protect Journalists 2009), with Yahoo, Hotmail and Google all banned and increasingly difficult to access through proxies (Arkar Moe 2009).

Fifth, the military is the dominant social and political institution in Burma with the associated Military Intelligence Services (MIS) maintaining regular surveillance of its citizens. Regulations are changed at the whim of the military leadership and corruption within the military is rife but unpredictable, making everyday existence difficult (Steinberg 2005b, 93). Systematic and ad hoc human rights abuses are common, particularly in ethnic minority areas. With Burma's military interests having captured 'the executive, judiciary, administrative, legislative and economic branches of the state' (Ardeth Maung Thawnghmung 2004, 17), there is a resulting culture of impunity and a lack of rule of law. While military ruled Burma evidently has authoritarian characteristics there has also clearly been a lack of competition in the five criteria. The military has systematically closed down all the usual avenues for competition, resulting in a politically closed society lacking legitimate opportunities for voicing dissent. Burma therefore fails to qualify as competitive authoritarian or any other hybrid regime, but remains traditionally authoritarian.

Environmental Politics and Security

Burma, more than most other countries, justifies the links between human and environmental security discussed in the previous chapter (Barnett 2001; Doyle and Risely 2008). The

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[72] A young blogger who was a major source of information on the September 2007 protests was sentenced to over twenty years imprisonment for posting a cartoon of Than Shwe on his website (Saw Yan Naing 2008b).

rapacious exploitation of the country's environment and natural resources by the military has had dire implications for human and environmental security for the rest of the country's populations. In Burma's early decades during the period of 'the Burmese road to socialism', state authoritarianism and incompetence depleted ecosystems while running down the economy, and a precipitous fall in foreign aid following the crackdown in 1988 left the economy on the verge of collapse. As SLORC came to power in 1988 they offered attractive incentives for foreign investment through its Union of Myanmar Foreign Investment Law. This created a market economy that opened the door to joint ventures with foreign companies that were interested in exploiting Burma's natural resources and resulted in various transnational energy projects discussed in the thesis (Lintner 1990, 165; MacLean 2003, 16; McCarthy 2000, 235; Myat Thein 2004, 123). In the subsequent two decades the energy sector, including hydropower and oil and gas, was the primary recipient of FDI and accounted for more than 98 percent of all foreign investment in Burma for the 2006-7 fiscal year. By 2008 Myanmar Oil and Gas Enterprise (MOGE), Burma's state owned and sole oil and gas operator, had entered 21 long terms contracts with oil and gas TNCs from 13 countries (ITUC 2008, 17; The Myanmar Times 2008; Ye Lwin 2008).

Revenues from the energy sector continue to increase with natural gas being the major earner of foreign currency (James 2006, 112; Turnell 2008). In 2007 Burma's gas sales reached US$2.7 billion, 45 per cent of the country's total exports, which were primarily delivered to Thailand from the Yadana and Yetagun fields (DPA 2008). This income had grown substantially since the first royalties started flowing in 2001 and evidence suggested these revenues supported the expansion of the military and its ability to harass its opponents, while little was spent on health and education. In that year the Bangkok Post reported that the military regime was buying 10 MiG-29 jet fighters from Russia for US$130 million and that the money was coming from Thai gas sales. The $40 million down payment for the fighters was transferred in the same week that Burma received its initial share of royalties, approximately $100 million, from PTT (Bangkok Post 2001). A variety of sources, including activist and more conservative publications, argue that since gas revenues have started flowing the SPDC has been on an

accelerated arms-buying spree, upgrading navy and airforce weapons and increasing the size of its army (Aung Zaw 2005; IISS 2005; Shwe Gas Movement 2006, 35-36).

China's TNCs are playing an increasingly prominent role in the South through FDI in hydropower and oil and gas and Burma is an important ally in the region both for its domestic energy supplies and its geographic location, sharing a border with China that could offer a conduit for energy that bypasses the Straits of Malacca (Brewer 2008; Clarke and Dalliwall 2008; ERI 2008b). Russia is also increasing its presence both through the oil and gas industry and the supply of arms which are bought with the proceeds of energy sales. In January 2007 Russia and China jointly vetoed a UN Security Council resolution for the first time since 1972 to scuttle a US and UK-sponsored resolution calling on Burma's military regime to stop the persecution of minority and opposition groups (Reuters 2007b; Simpson 2008b, 224; Tisdall 2007).[73] India cannot compete in inducements with China's strategic advantage of having a Security Council veto. It is therefore not surprising that Burma has decided to sell the gas from the Shwe project to China rather than India, despite India offering a higher price for the gas (Alamgir 2008, 981; Clarke and Dalliwall 2008; Egreteau 2008, 953).[74]

McCarthy argues that, particularly since the SLORC/SPDC came to power in 1988, there has been a 'hard sell' of the country's natural resources with no evidence of this money being redistributed among Burmese people nor any evidence of long term planning guiding foreign investment projects being approved by Myanmar Investment Commission (MIC) (McCarthy 2000, 260-61). Other authors also demonstrate that, with green issues linked inextricably with human rights, development projects in Burma have not benefited the majority of the Burmese people, particularly those of ethnic minorities (Skidmore and Wilson 2007). Despite the daily restrictions on the general population, it is these ethnic minorities in Burma's mountainous border regions, including the Karen, Shan, Mon and Arakanese, who have been the particular targets of repression (Lintner 1999; Smith 1999; South 2008).

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[73] The second joint veto by China and Russia in recent history vetoed a resolution imposing sanctions on the leaders of Zimbabwe following Mugabe's uncontested re-election as president in July 2008 (*BBC News* 2008a).
[74] Under a June 2008 agreement PetroChina will buy gas at USD 4.279 per million British thermal units at the wellhead (which will move in step with international oil prices every three months). The price offered by PetroChina was lower than USD 4.41 per mmBtu price offered by GAIL to pipe the gas to India (*The Economic Times* 2008).

The multiplicity of individual security challenges facing the people of Burma means it is extremely difficult to differentiate between those that are linked to 'the environment' and those that aren't, as rampant logging and environmental destruction together with a total lack of environmental impact assessment (EIA) in the country are intrinsically linked to non-democratic governance and authoritarian military rule. The role of the state has been central to ethnic minorities' insecurity, both through assaults on their person and on their environment through the four cuts campaign that aims to restrict insurgents' access to food, funds, intelligence and recruits (Smith 1999).These peoples therefore face challenges to their human security, whether considered from a narrow (political violence by the state), or broad (freedom from want), perspective (Kerr 2007, 95). As discussed above, challenges to environmental security can also be linked to a lack of respect for earth rights (Greer and Giannini 1999, 20). It is these rights to act in defence of the environment and the right to a healthy environment that are, for ethnic minorities and marginalised communities living in Burma, also at risk.

As a result, environmental politics in Burma merges with the politics of survival, with active and sometimes militant opposition to the state. The historical legacies of colonial rule, constant marginalisation and military repression have resulted in widespread insurgent activities by ethnic minorities in Burma. Despite negotiating 17 ceasefires with various armed ethnic groups between 1989 and 1996 civil conflict still reigns in eastern Burma (Fink 2008, 447-48). It is only in recent years that the SPDC has significantly reduced the liberated area controlled by insurgent groups such as the Karen National Union (KNU) and its militant wing, the Karen National Liberation Army (KNLA), in this part of the country and ongoing offensives result in internally displaced peoples (IDPs) looking for refuge in Thailand (Saw Yan Naing 2009). Ethnic communities forced from their homes by the military are forced into environmentally destructive practices such as 'slash and burn' cultivation methods rather than their more sustainable and traditional rotational techniques, merely to feed themselves and their families (Giannini et al. 2003, 61). They may also harvest timber and non-timber products, such as bamboo and rattan, at unsustainable rates in a futile attempt to rescue some semblance of security in their peripatetic existence as they flee the tatmadaw and armed conflicts, with Human Rights Watch

finding an average of thirty 'displacement episodes' per person among the Karen they interviewed in Karen State (Human Rights Watch 2005).[75]

A stream of activism that has resulted from the tatmadaw offensives in eastern Burma, in the region of the Yadana Pipeline and Salween Dams, is that associated with women's groups who have spoken out over the systematic rape and sexual assault of women in ethnic minority communities.[76] In 2002 the Shan Human Rights Foundation (SHRF) and the Shan Women's Action Network (SWAN) published a report entitled Licence to Rape, documenting 173 incidents of rape and other forms of sexual violence by the tatmadaw within Shan State (SHRF and SWAN 2002).[77] This publication caused 'a storm' and other ethnic communities who had experienced similar repression began to compile similar documentation of their experience.[78]

In effect it empowered other women's groups to speak out and two more reports were published in successive years. In April 2003 ERI's Betsy Apple, who was serving as a consultant to Refugees International, co-authored another report, No Safe Place: Burma's Army and the Rape of Ethnic Women (Apple and Martin 2003), documenting 43 rapes of ethnic women by tatmadaw soldiers. Nine of these rapes resulted in death, twelve were gang rapes and fifteen of the perpetrators were officers of the tatmadaw who were known to the victims. These documented rapes occurred mostly along the Thai-Burmese border with several occurring in the Yadana Pipeline region. Anecdotal evidence of hundreds of further cases was also gathered during interviews (Apple and Martin 2003, 57 and 70).

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[75] The military's contribution to environmental insecurity was further demonstrated in the aftermath of Cyclone Nargis in early 2008 with an estimated death toll of over 133,000. Not only was the military's response to the cyclone woefully inadequate, various sources argued that extensive coastal mangrove destruction over previous years, which was partially caused by the military's shrimp and fish farms on confiscated land, had exacerbated the damage inflicted (*BBC News* 2008b; *Independent Bangladesh* 2005; Kinver 2008; Mirante 2008a; 2008b). Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.

[76] These campaigns helped contribute to an increasing global awareness of these issues and in June 2008 the UN Security Council voted unanimously to demand an immediate and complete halt to acts of sexual violence against civilians in conflict zones (UNSC 2008).

[77] Charm Tong, a founding member of SWAN and co-author of *Licence to Rape*, received the 2005 Reebok Human Rights Award and at age 17 addressed the UN Commission on Human Rights about the situation among ethnic Shan in Burma (Subhatra Bhumiprabhas 2005).

[78] Green, S. (2005, 11 January). *Interview with author*. Pseudonym for activist, E-Desk/Images Asia. Lanna Cafe, Chiang Mai, Thailand.

In April of the following year the longstanding Karen Women's Organization (KWO) released a report, Shattering Silences, documenting 125 cases of rape by the tatmadaw against Karen women in the Thai-Burmese border region near the Yadana Gas Pipeline (KWO 2004). In 2007 the organisation published a further report, State of Terror, which documented hundreds of cases of ongoing forced labour and sexual assault, often linked to the Yadana Pipeline:[79]

> This forced labour … continues to include the construction of roads and bridges, the clearing of landmines, often [costing] their lives, carrying of military supplies, ammunition and rations, and the guarding of military installations and equipment and the gas pipeline. Women and girls are at particular risk of being forcibly recruited since men and boys often flee from the villages and hide in the jungle in order to avoid arrest, torture or killing by the SPDC soldiers … in many cases women taken as porters are also raped [emphasis added] (KWO 2007, 13).

The evidence in these reports demonstrated that sexual violence was not simply a by-product of tatmadaw operations, such as clearing the corridor for the Yadana Pipeline, but was rather a systematic political strategy for marginalising and terrorising its political opponents.[80]

As a result of these multiple insecurities, Burmese activists often remove themselves from the SPDC's sphere of influence, either to the border liberated areas independent of SPDC control such as Ei Tu Hta IDP camp on the Salween River or, where possible, to less authoritarian neighbouring countries to facilitate their operations. These activists become the transnational agents who engage in the campaigns against the energy projects. These activists may be in the environmental movement but their concerns are related directly to human rights abuses and they experienced a parallel process to one described by O'Kane for women in the area:

> for those trapped in the unsettled and ambiguous Burma-Thailand borderland space, distinctions between public/private, politics/survival, mother/activist, freedom fighter/illegal alien collapsed and become inseparable experiences. The collapse and/or significant restructuring of how these binary categories of relations are lived in the transversal spaces resulted in transformations in [their] political awareness (O'Kane 2005, 15)

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[79] K'nyaw Paw (2007, 9 March). *Email to author*. Karen Women's Organization (KWO) and 2006 International Women's Development Agency (IWDA) Ambassador. Mae Sariang, Thailand.
[80] Despite a ceasefire between the SPDC and the KNU in early 2006 reports indicated that 'the really more violent abuses [of the tatmadaw], the killings, the summary executions, the rapes and things like that' were on the increase (Heppner interviewed in Martinkus 2006).

Hsiplopo, the Ei Tu Hta camp leader, epitomises this complexity. Having grown up in Rangoon he joined the KNU in 1973 and thereafter lived in the forest and the camps along the Thai-Burmese border. His multiple identities include KNU member, father, camp leader, and IDP and anti-dam activist. O'Kane's analysis echoes the arguments of Kaiser and Nikiforova that

> [b]orderlands are not marginalized spaces … but rather … central nodes of power where place and identity across a multiplicity of geographical scales are made and unmade (Kaiser and Nikiforova 2006, 940).

It is these displaced communities of these borderlands that have been most vocal against the transnational energy projects in Burma, in struggles that parallel the opposition against the Naramada and Tehri Dams of India, where Vandana Shiva notes local communities do not just struggle to preserve their homeland, they struggle against the destruction of entire civilisations and ways of life (Shiva 1989, 189). Despite the dangers these activists often re-enter Burma incognito to undertake research for NGOs such as ERI that are based outside Burma's borders.[81]

These activists create networks between displaced communities inside Burma and the exiles across the border (South 2004). Some of these networks were initiated by Dr Cynthia Maung, a Karen doctor who founded the Mae Tao Clinic (MTC) in the border town of Mae Sot after being driven into exile in Thailand after the 1988 protests (Cynthia Maung 2008). Mae Sot is now the busiest entry port for Burmese migrants and refugees and has become a crucial centre of operations for exiled NGOs (Smith and Piya Pangsapa 2008, 202). The MTC, which supports NGOs and their networks within Burma, is a characteristic example of Cleary's assertion that organisations in the South, and particularly those under authoritarian regimes, are more often service providers than simply lobby groups (Cleary 1997). Rather than petitioning governments, the MTC provides health services and education to refugees in Thailand and IDPs in Burma through Back Pack Health Worker Teams (BPHWT).[82] Although initiated to provide emergency

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[81] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand. Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[82] In 2005 there were 70 Back Pack Teams in eastern Burma comprising three to four health workers each that also provided food support for IDPs, carrying 5 kg bags of rice deep into Burma. Patrick (2005, 11 January). *Interview*

food relief and medical assistance, the program has also been supplemented by a longer term Community Development Program that focused on developing self reliance within the displaced communities by encouraging participatory decision making and community needs assessment.[83] The program started in Karen State, then moved on to Karenni, Mon, Shan, Kachin and now Chin and Arakan States, covering all the border states which host the energy projects of this dissertation. The underground movement that these efforts developed provides ready-made networks for other NGOs and groups to use to undertake research and activism over the projects.

The exodus from Burma to other countries to escape the authoritarian repression has resulted in what I argue is Burma's activist diaspora. The inclusive domain of the term 'diaspora' has, at times, been stretched to render it almost meaningless, with academic literature on, for example, liberal or queer diaspora leading Brubaker to argue that '[i]f everyone is diasporic, then no one is distinctively so' (Brubaker 2005, 3). Burma's expatriate activists, however, fulfil not only traditional aspects of the term based on dislocation or 'the dispersal of a people from [their] original homeland' (Butler 2001, 189), but also on what Sökefeld argues are 'imagined transnational communities' (Sökefeld 2006, 267). Sökefeld argues that these must be a 'transnationally dispersed collectivity that distinguishes itself by clear self-imaginations as community' (Ibid.) and his focus on social movement theory and forms of mobilisation dovetails with the concept of an activist diasporic community. This concept, deriving as it does from a largely progressive and democratic activist community, also avoids the pitfalls that Anthias considers afflicts some diasporic communities, such as a lack of trans-ethnic solidarity and gender awareness (Anthias 1998). It is true that there remains significant friction between some ethnic communities of Burma, even within exile communities, but this is largely absent in the environmental activist communities examined in this dissertation who have made significant attempts to develop multi-ethnic collaboration. Women also play central roles in these activist communities either through environmental or specifically women's groups. The networks within Burma's activist diaspora have facilitated linkages and communication with other transnational

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with author. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.
[83] Cynthia Maung (2004, 18 January). Interview with author. Founder of Mae Tao Clinic. Mae Sot, Thailand.

activists, based predominantly in Thailand, that have helped convey their campaigns on both cross-border energy projects and democratisation in Burma to a more spatially dispersed transnational audience.

Back in Burma itself, no public space exists where opposition can be legitimately and openly voiced or acted out without 'inviting severe retribution from the military regime' (Philp and Mercer, 1589). In September 2007 for the first time since 1988, widespread opposition to the regime overflowed onto the streets before being brutally suppressed by security forces and pro-military militias (AFP 2007b; *BBC News* 2007a; ICG 2008a; McCarthy 2008; Selth 2008; Skidmore and Wilson 2008). In August the SPDC had announced large increases in fuel prices which increased the cost of living and transport, further reducing already precarious human security for the peoples of Burma. Compressed natural gas, which is used by public buses, was reportedly increased by 500 percent (DPA 2007; Human Rights Watch 2007a). Burma exports vast amounts of natural gas to Thailand through the Yadana Pipeline, which could have otherwise been used to maintain lower gas prices. Initially the protests had been led by Buddhist monks who advised lay activists to avoid the protests believing, erroneously, that the military would be less likely to crack down on the revered sangha. The willingness of the Burmese regime to still use brute force against unarmed civilians was amply demonstrated by the close range assassination of a Japanese journalist by the military caught on video during the protests (Times Online 2007). The Burmese state media announced that nine people had been killed in the crackdown, but foreign ambassadors and observers suggested the death toll could have been 'many multiples of that' with hundreds of monks also detained and ransacked monasteries littered with 'pools of blood' (*BBC News* 2007b). The torture of arrested opponents is not uncommon in Burma (AAPPB 2005), so it is unlikely that the military refrained on this occasion.

In response to this crackdown and ongoing human rights abuses, nine Nobel laureates, led by the Dalai Lama and Archbishop Desmond Tutu who both have experience of activism against authoritarian regimes, urged the UN Security Council and individual governments to impose an arms embargo on the Burmese military junta in early 2008 (Jha 2008). While the EU and US do

maintain an arms embargo, Burma's burgeoning bilateral trade relationships with China, Russia and India have meant that they have generally refused to participate.

In addition to rare street protests, a prominent example of creative and nonviolent attempts to voice dissent in Burma is that of The Moustache Brothers, an a-nyeint comedy troupe who use comedy and satire to oppose the military regime and promote democratic change. Their popularity and closeness to Aung San Suu Kyi has led to several stints in jail since 1990 with Par Par Lay being arrested again at home during the monk-led protests of September 2007 (Amnesty International 2001; Aung San Suu Kyi 1997, 40-41; Mizzima News 2007).[84] Likewise, the comedian and film director, Zarganar, has been arrested numerous times since 1988 for criticising the government, most recently during the September 2007 protests and again for speaking to the international media about the human and environmental insecurity of Burma's homeless after Cyclone Nargis in April 2008 (Mizzima News 2007; Reuters 2008). In both cases it was international campaigns from groups such as Amnesty International and Human Rights Watch that were networked with exiled activist groups that eventually secured the prisoners' release. Indeed, unlike some Burmese activists who preferred anonymity, the Moustache Brothers indicated that it was actually their international prominence that kept them safe.[85]

Although open dissent in Burma is not tolerated, there are some limited avenues for social organisation. Steinberg contends that the SPDC

> has attempted to divide the opposition, both ethnic and political, and … eliminated all vestiges
> of civil society in Burma … independent NGOs do not exist beyond village temple societies
> (Steinberg 1998, 275).

He considers Burma, like neighbouring Laos, to be a country 'devoid of civil society' (Stuart-Fox 2004, 20). There are, however, limited outlets. Some NGOs are permitted, but only those that engage in non-threatening, community-development activities such as those undertaken by

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[84] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author*. 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma.
[85] Ibid.

Metta Development Foundation which trains farmers in the absence of education by the state (MDF 2006). This type of social mobilisation is unlikely to represent a threat to the ruling class (Brownlee 2007, 217-18), and anything more challenging to the political status quo is not permitted and is often brutally crushed. There has been an attempt by the regime to stimulate social engagement on the state's terms through its sponsored NGO, the Union Solidarity and Development Association (USDA), but this has now been widely discredited and membership is often fictional (Fink 2001, 95; Steinberg 1998, 276). There is also evidence that the USDA itself played a key role in the Depayin massacre and other attacks on opponents of the regime (Ad Hoc Commission on the Depayin Massacre 2003; Aung Htoo 2003). The absence of both media freedom and the opportunity for public protest in Burma limits outlets for dissent but, despite steep penalties, attempts to block access to internet sites are not always effective (RSF 2000).[86] Barriers to the free flow of information into Burma and a stifled media mean that Burma's borders are more than mere speed bumps for the transnational sharing of activist strategies, tactics and philosophies.

Certain globalising technologies have, however, been recently adopted by activists which the regime has had difficulty containing. During the 2007 protests, for example, Arakan Oil Watch (AOW), which campaigns against the Shwe Pipeline, used its list-serve to email out a link to a MySpace video of the violent arrest of activist Suu Suu Nway, which was viewed over 14,000 times in a week (Aye Mi San 2007b). The same site showed a video of 88 activist Min Ko Naing making a democracy speech to a large crowd of people before his rearrest (Aye Mi San 2007a). In another exemplar of the twenty first century globalisation of information-sharing the Wikipedia site for the protests was set up on 21 September, only three days after the protests started (Wikipedia 2008). At the height of the protests on 29 September, however, the military took the extraordinary step of shutting down all international links to the internet and temporarily

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[86] One important website, *Mizzima.com*, is primarily a news service that focuses more broadly on Burma but regularly discusses links between human rights and environmental issues. As with many websites that promote debate the SPDC has blocked access to the site in Burma although during my fieldwork there it was possible to access the site through a proxy. Soe Myint (2004, 24 December). *Interview with author.* Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

suspending most mobile phone services in the country (Ball 2008, 78; Chowdhury 2008, 13).[87] Despite heavy-handed attempts at control, these technologies still exhibit a particular salience in their ability to expedite communication linkages both within and between the activist diaspora and local activist networks in Burma in the campaigns discussed in the following three chapters.

Conclusion

Through an analysis of environmental politics in Thailand and Burma this chapter has demonstrated the intrinsic correlation between the democratic credentials of a political regime and the ability of local environmental activists to publicly voice dissent and pursue their campaigns, although repression at home may have inverse impacts on transnational activism through the appearance of an activist diaspora. It has also demonstrated the close linkages between large business interests and authoritarian governance in both competitive authoritarian regimes and more traditional authoritarian military regimes. It has also noted the importance of both political regimes and large business interests in placing pressures on environmental security for marginalised communities related to both general development policies and cross-border energy projects. There are six broad conclusions to be drawn from this analysis.

First, while political regimes in Thailand are more liberal than the authoritarian regime of Burma, there exist powerful anti-democratic forces in both countries. The Chuan II government in Thailand opposed public protests but accepted some democratic limitations imposed through the 1997 Constitution, whereas the Thaksin government easily qualified as a competitive authoritarian regime which aimed to subvert these democratic institutions. Elements within the 'network monarchy' (McCargo 2005), which opposed Thaksin and engineered the 2006 coup, also demonstrated their lack of regard for democratic governance. The military retains its central position of power within Thailand's 'strategic culture' despite some democratic advances (Beeson and Bellamy 2008, 126). In Burma the military has been in power, in various guises,

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[87] The military was able to shut down these international links because since 1999 it has controlled the only two Internet Service Providers (ISPs) in the country. The only other occasion in which similar action has been taken was in Nepal in February 2005 when the King declared martial law.

since a coup by General Ne Win in 1962. Since the SLORC/SPDC coup of 1988 the country has been under martial law and with rising revenues from gas sales to lavish on the military and the support of China and Russia in the UN Security Council, the current authoritarian leadership is unlikely to relinquish political power anytime soon.

Second, despite some success in opposing major development projects in Thailand, environmentalists in both Thailand and Burma face a variety of difficulties in their campaigns to highlight concerns over development practices. The strictures faced by Thai activists are generally much less severe than those in Burma although activist assassinations have occurred and police repression is not uncommon. In response to a few successful campaigns, however, Thai governments and businesses have attempted to export the negative externalities of energy production by pursuing energy projects in neighbouring authoritarian states, particularly Burma. In Burma itself dissent is not tolerated and the response from the military to occasional public opposition is extremely repressive. There is no evidence that local social and environmental activists have had a direct impact on the policies of the regime and activists have therefore removed themselves from the military's sphere of influence, resulting in an activist diaspora that has facilitated transnational activism on environmental and human rights issues in Burma.

Third, while there is some transnational transfer of environmental strategies, tactics and philosophies into both Thailand and Burma, the more restricted media space and communication technologies of Burma means that the country's borders are not, unlike Thailand's, mere speed bumps to the free transfer of information. While recent innovations in communication and media technologies allowed unprecedented outside knowledge of the Burmese protests in September 2007, the open exchange of information is still strictly limited. Burmese activists have communicated their messages to the international community primarily through the conduit of the activist diaspora while Burma's porous and fuzzy borderlands, particularly along the Thai border, sometimes allow activists direct access to ethnic minority communities, although usually at great personal risk.

Fourth, while in both countries environment movements demonstrate characteristics of transnational activist philosophy and techniques, both also have strong local cultural influences, particularly those related to Engaged Buddhism. Environmentalist monks in Thailand have been using tactics such as tree ordinations since the 1980s and protesting monks played a leading role in both the 1988 and 2007 democratic uprisings in Burma. While demonstrating the central role of Buddhism in both countries, it should also be acknowledged that the dominance of Buddhist culture has resulted in the marginalisation of some religious minorities which has, for example, resulted in some activists in the south of Thailand emphasising their Muslim identity.

Fifth, in both Thailand and Burma there is a strong symbiotic relationship between large business interests and political elites. In Thailand this relationship reached its apogee with the election of Thaksin and Thai Rak Thai (TRT), Thailand's most significant consolidation of large capital in a single party. While some aspects of Thaksin's privatisation agenda were successfully challenged by activists, the broad neoliberal philosophy which supported large business interests linked to TRT and the subsequent People's Power Party (PPP) remained dominant and consolidated the links between capital and politics. In military-run Burma large business interests are intimately intertwined with the upper echelons of the military, with privatisations since the early 1990s only entrenching the country's wealth in the hands of the military and its supporters. The convergence of interests between large business interests and political elites has resulted in the dominant development philosophies in both countries closing down debate on development issues and undermining attempts at genuine public participation in development processes. As a result the four energy project case studies in this dissertation have been eagerly supported by both large business interests and the dominant political actors.

Sixth, as a result of this convergence of interests, elites within both business and government in Thailand and Burma have pursued development practices and energy projects that increase human and environmental insecurity for marginalised communities, particularly in the vicinity of energy projects. In Thailand, with a more open political system and environmental laws in place, there are generally less serious environmental and human rights issues related to development proposals. Nevertheless, projects are pursued and undertaken without regard for

legal requirements and opportunities for redress are limited and often dependent on the nature of the contemporaneous political leadership. In Burma environmental destruction relating to energy and development projects is rampant with environmental impact assessments (EIA) rarely undertaken. Also accompanying these projects are egregious human rights abuses with forced labour and systematic sexual assault common.

While these conclusions are drawn from the analysis of environmental politics in Thailand and Burma, they also provide important lessons for environmental politics within the South in general. Political regimes in the South tend to exhibit propensities for various degrees of authoritarianism, with often opaque relationships between large business interests and government and widespread environmental insecurity. This persistence of authoritarian governance can occur despite the existence of the formal institutions of democracy. The following three chapters, which examine the campaigns against the four case study energy projects in more detail, provide greater insights into the dynamics of local and transnational environmental activism in the South and its relationship with political regimes, business power and environmental security.

Chapter 4 – Local Activism

Environmental activism can take on a diversity of forms and in the era of globalisation transnational activism is becoming increasingly significant for environmental movements throughout the South. Nevertheless, although local activism often arises from local grievances, it may also provide activists with their first exposure to environmental campaigns and often plays a central role in determining campaign outcomes. As discussed in Chapter 1, defining local activism in the case study campaigns can be difficult due to the fuzzy nature of border areas and their associated populations in the region examined (see Chaturvedi 2003; Christiansen et al. 2000). In general, however, this chapter defines activists as involved in local activism when they operate primarily in their home country for a domestic audience and that country is also the physical location of the project, usually the energy supplier country. Otherwise it is considered transnational activism and is examined in the succeeding chapters.

A principal consideration for this chapter, therefore, is the significance of local conditions in encouraging the extent and various types of local activism within the broader transnational environmental disputes. This chapter therefore addresses certain aspects of all the research questions as it considers whether local living conditions, local cultural or religious influences, local business interests and authoritarian governance impact on the involvement of local people in activism and their resultant organisational structures and campaign philosophies, strategies and tactics. This analysis will also provide some insight into the effectiveness of local activism in achieving the goals set out by environmental activists.

The campaign case studies analysed in this dissertation largely follow the model of most other environmental campaigns in Asia which are tied to a specific resource use conflict or case of environmental degradation (Kalland and Persoon 1997, 7), but there are also links with broader social movements and philosophies. Some of these movements resonate with local cultural or religious influences and represent a form of identity politics. Within the region examined, Buddhism heavily influences many activists and is manifest in the activist philosophies and practices of Engaged Buddhism, including nonviolence. Buddhism can be used both

strategically as a cultural symbol and tactically during street protests, although often the state, including the monarch in the case of Thailand, competes for a hegemonic Buddhist legitimacy. In the Yadana campaign this struggle for legitimacy also led activists to use the symbol of the monarchy itself to validate their protests. While Buddhism is frequently employed, Muslim villagers in the south of Thailand fighting the Thai-Malaysian Pipeline (TTM) have increasingly framed opposition through their Islamic identity, while the animist beliefs of the Karen have played a role in campaigns against the Salween Dams. In these cases activists and communities, while strategically employing the symbols of their religion, also see the radical essence of their beliefs as a bulwark against the authoritarian tendencies of governments and complicit business interests. Despite the global reach and essential transnationalism of Islam and Buddhism, communities have used these religions throughout the campaigns as a local symbol of differentiation.

To answer the research questions this chapter deals primarily with two types of activism. In the first form of activism dissent is registered through protest actions, which are a central feature of any social movement (della Porta et al. 2006, 28-29; Doherty 2002, 7; Doherty and Doyle 2006, 702-03). The likelihood of protest in an environmental campaign can, however, vary greatly depending on the cultural norms and political regime involved, especially in the South. These factors play a pivotal role in the appearance or otherwise of public opposition with very little local opposition being voiced under the authoritarian regime in Burma while protest is a common occurrence under the relatively competitive political system in Thailand.

The second type of activism is engagement with the state and business through public participation in state-sanctioned fora, although, as will be demonstrated throughout this chapter, the two forms of activism have sometimes converged due to the dubious participation regimes offered by the state. State-sanctioned fora in this context include consultative processes whereby participation from the public is sought in development decisions, primarily through processes linked to environmental impact assessment (EIA). Within the environmental movement there is broad consensus that the possibilities for environmental justice and an overarching ecological rationality governing our societies are greatly improved by strengthening

democratic forces and increased community involvement in decision making (Beck 1999, 152; Dryzek 1999; Giddens 1998; Mason 1999; Mitchell 2006). Despite some advances in the public participation of policy development, truly effective participatory governance remains, however, elusive (Reddel and Woolcock 2004). In theory, EIA could be a step on society's path towards ecological rationality (Bartlett 2005; Dryzek 1987), but it could also be employed as a strategic state response to neutralise protests and other forms of activism and dissent. The measure of a particular EIA process on the continuum between these two poles is its transparency and the ability of the public to participate freely and influence the state's decisions. As shall be demonstrated, however, for the few occurrences of EIA processes in these case studies the gap between theory and practice is significant.

As this chapter primarily examines local activism, it focuses on some campaigns more than others. Local activism, as defined above, is extremely limited under the traditional authoritarian regime of Burma and so the campaigns that have experienced local activism in Thailand, such as the Yadana and TTM campaigns, constitute the majority of the analysis here while the others are examined in more detail under transnational activism in Chapter 6. As Lewis notes, although the Yadana and TTM campaigns have not been particularly successful, at least Thais have voiced their opposition; in Burma this sort of activism is 'impossible' (Lewis 2006, 54-55). Most of the local activism discussed in this chapter is therefore undertaken in Thailand by Thais where the target of the activism is often the Thai government, Thai media or Thai corporations, although there are, of course, complex linkages between these local campaigns and those directed at the international community.

Yadana Gas Pipeline Project

The key local informal group in the campaign against the Yadana Pipeline in Thailand was the Kanchanaburi Conservation Group (KCG), which was initially formed to oppose the Nam Choan Dam project in Kanchanaburi Province in the 1980s (Fahn 2003, 88; Supara Janchitfah 1998).[88]

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[88] The KCG was also known as the Kanchanaburi Environment Group (KEG).

The Nam Choan dispute politicised people in the area who became concerned about the local environmental consequences of the dam. Phinan Chotirosseranee (also Bhinand Jotiroseranee), a shop-owning woman in Kanchanaburi township, was a central voice in opposition to the dam and co-founded the KCG to direct the local campaign. Once the dam was cancelled in 1989, however, the group lay relatively dormant until the Yadana campaign emerged in the mid-1990s. Phinan was co-president of the KCG, with the group considering it important to have an equal gender representation in the leadership, but despite a nominal hierarchy it was largely consensus-based with the presidential roles being essentially those of spokespeople.[89] Leadership roles for women and a concern for both gender equality and a lack of hierarchy are characteristic of environment groups in the North (Desai 2002, 32-33; Doyle 2000, 33), but the organisational structure and composition of the KCG suggests that these issues can also be of central concern to environment movements in the South.

Despite its dormancy between the Nam Choan and Yadana disputes, the KCG ultimately endured, supporting the proposition that once formed by a particular issue environment groups tend to survive while informal networks tend to disintegrate once issue-oriented goals are achieved (Doyle and Kellow 1995, 110). While the KCG was initially a Not-In-My-Back-Yard (NIMBY) group – with the group being selfish in its parochial outlook in the early stages of the Yadana campaign[90] – Phinan eventually broadened her interests beyond those of Kanchanaburi Province to take on national concerns, later co-authoring a report with Sulak Sivaraksa for the UN Human Rights Committee (Pibhop Dhongchai et al. 2005). As Doherty notes, radicalising transformation through activism means that even NIMBY local environment groups, such as the KCG, may eventually become social movement actors (Doherty 2002, 185).

Phinan had, however, demonstrated a growing interest in broader social concerns in the early 1990s by founding the Kanchanaburi Women's Group, which also participated in the Yadana campaign.[91] This group introduced what could be termed women's issues into the campaign

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[89] Phinan Chotirosseranee (1998, 5 October). *Interview with author*. Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.
[90] Ibid.
[91] Ibid.

and provided symbols of femininity in league with the forest against the brute masculinity of the mechanised excavators, evoking images of the women of the Chipko movement in India; a movement which Shiva argued had been 'fuelled by the ecological insights and political and moral strengths of women' (Shiva 1989, 67). These inferences of feminine essentialism within environment movements have found parallels in women's movements of the South (Blondet 2002), although Porter argues that bringing women's issues or concerns into these campaigns does not necessarily indicate a feminine essentialism, but simply that, 'as prime caretakers, women tend to prioritize education, health, nutrition, childcare, and human welfare needs' (Porter 2003, 249). Nevertheless, it is not uncommon for there to exist parallels or linkages between environment and women's groups and campaigns as they are often both emancipatory in nature.

The proposed Yadana Pipeline route passed through Huay Kayeng (Huai Khayeng) Forest Reserve, just south of Nat-E-Taung, which is now part of Thong Pha Phum National Park (see Map 5-1) (Giannini et al. 2003, 142). The area was classified as a 1A Watershed Forest, the highest conservation rating in Thailand. Initially, it was the proposed destruction of such pristine environments and possible impacts on water resources that caused the KCG and other community members to protest against the Yadana Pipeline (Fahn 2003, 199). Doherty notes that although direct action is generally a last resort for local environment groups, they are often willing to undertake protest action if it is likely to be effective and not alienate other locals (Doherty 2002, 184-85). In this case, despite a demonstration in favour of the pipeline, which activists accused of being staged by the Petroleum Authority of Thailand (PTT) (Nantiya Tangwisutijit 1998), most of the local population supported the stand of the protesters. This support reflected the KCG's standing in the community through its transparent activities and its youth training projects which had the support of the United Nations Development Programme (UNDP) small grant program (Supara Janchitfah 1998). In addition a concert was held to promote awareness of their campaign which increased local knowledge and involvement.[92]

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[92] Ibid.

NOTE:
This map is included on page 142
of the print copy of the thesis held in
the University of Adelaide Library.

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Map 4-1 – The Yadana and Yetagun Gas Pipelines passing through Nat-E-Taung

Source: (Giannini et al. 2003, 12)

Despite the existence of the KCG, the localised response to the pipeline proposal in the immediate vicinity of Kanchanaburi was rather slow to emerge. In Bangkok the EGG TERRA had expressed concern about the project's impact on Thailand's western forest complex in early 1995 (Fahn 2003, 199). In July 1996 EarthRights International (ERI), which had formed partly in response to the project,[93] and the Southeast Asian Information Network (SAIN) published the seminal report on the project *Total Denial* which set the standard in reporting for many activist groups in the region (ERI and SAIN 1996). Although the report considered the environmental

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[93] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

issues in both Thailand and Burma at length, most of the report was devoted to the human rights abuses of ethnic minorities relating to the pipeline area on the Burmese side of the border and the complicity of the TNCs – PTT, EGAT, Unocal and Total – in the abuses. This focus highlighted a difference between the local Kanchanaburi groups, which focused primarily on local environmental issues, at least initially, and broader justice-related groups based elsewhere in Thailand and beyond.

Total Denial was followed by a class action filed by ERI and other NGOs in the US courts against Unocal in October 1996. It was during this time that local activists and groups in Kanchanaburi such as KCG started seriously questioning the project. Despite international concern, and even national media attention, the NIMBY Kanchanburi groups were initially unconcerned because they had been assured by local politicians that the pipeline was passing through Ratchaburi to the south rather than Kanchanaburi (Fahn 2003, 203). By 1996, once it was established beyond doubt that the project was to pass through Kanchanburi, the local groups had mobilised and eventually 88 organisations consisting of 'NGOs, environmentalists, conservationists, human right groups and local affected people' joined in the protest (Ogunlana et al. 2001, 208). The muted initial reaction suggests, however, that it can sometimes take NIMBY environment groups two major campaigns – in this case both the Nam Choan and the Yadana – to be transformed from parochial groups to the radicalised social movement actors that Doherty envisages (Doherty 2002, 185).

Public hearings for major development projects in Thailand were introduced as a way of including public input in 1996, but there were no laws or regulations at that time for mandatory public participation within the EIA process. As a result an initial EIA for the Yadana project was prepared for PTT but only a limited technical hearing and a questionnaire survey were conducted, with local issues not adequately considered (Ogunlana et al. 2001, 209). The Office of Environmental Policy and Planning (OEPP) rejected both this EIA in January 1996 and another in February 1997 as being unsatisfactory. Despite this rejection the National Environment Board (NEB) approved the project in March 1997 (ERI and SAIN 1996, 76; Fahn

2003, 200-01; Giannini et al. 2003, 149-50).[94] The EIAs were not made publicly available, but despite being leaked to activists they were written in highly technical English which made them inaccessible for most of the Thai-speaking local communities in Kanchanburi Province.[95]

Throughout 1997 the activists attempted to influence PTT and the government over the project and its proposed route, but met with little success. By the end of the year it was apparent to the local Kanchanaburi activists that without a more formal and influential participatory process, their input was being ignored so they decided to undertake direct action.[96] This response accords with Doherty's study of environmental activism in the North which suggests that disputes only become confrontational when political opportunities are restricted or authorities act unfairly (Doherty 2002, 191). In December the activists started visiting the sites in Huay Kayeng Forest Reserve where trees were starting to be cleared and poachers and encroachers were following. Phinan and other activists visited the site periodically between 7 and 21 December when the KCG and approximately 50 activists camped in the forest, adopting the strategy of satyagraha, in an attempt to bring the laying of the pipeline to a halt (Fahn 2003, 199-202; Ogunlana et al. 2001, 212).[97] These protest camps continued into February of the new year with Sulak Sivaraksa attending the early protests before flying to the UK to teach a course on Buddhist Economics at Schumacher College.[98]

During the forest protest numerous tactics and strategies were used, although the overarching principle of the campaign was one of nonviolence. Practising nonviolence at the site was not necessarily solely derived from Buddhism but Phinan emphasised the Buddhist heritage in their chosen forms of activism.[99] Similarly, Sulak noted the importance of individuals training themselves to be nonviolent and employing this philosophy in actions such as the forest

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[94] In Thailand an approved EIA prior to government assent for major projects was made mandatory in 1992 but this directive was ignored in this case (Simpson 1999, 507).
[95] Phinan Chotirosseranee (1998, 5 October). *Interview with author*. Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.
[96] Ibid.
[97] Ibid.
[98] Sulak Sivaraksa (1998, 25 January). *Interview with author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.
[99] Phinan Chotirosseranee (1998, 5 October). *Interview with author*. Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.

protests: 'from a Buddhist perspective, from the Gandhi perspective; each individual must train himself/herself to be a nonviolent person'.[100]

Both these activists, and many others who have adopted a nonviolent approach through Buddhism, also recognise a philosophical debt to Gandhi due to his pursuit of truth through nonviolence or ahimsa (Bond 2003, 128; Cabezon 1996, 305; Sulak Sivaraksa 1988, 94). Nonetheless, this activism results in tactics that are also reminiscent of forest protests in Australia or road protests in the UK (Doyle 2005). In one instance activists linked arms and placed their bodies in the path of excavators. While this may not demonstrate the technical innovations to engender manufactured vulnerability in affluent countries of the North (Doherty 1999), in a remote forest of Thailand it does, nonetheless, represent a similar philosophy. Thailand has a past littered with the broken bodies of dissenters and activists, so that even this sort of nonviolent activism can be potentially dangerous (Baker and Pasuk Phongpaichit 2005; Handley 2006; Thak Chaloemtiarana 2007; Wyatt 2004). While in contemporary Thailand this tactic may achieve at least a pause in proceedings, especially when there are media present, in Burma it would be unlikely to be attempted, particularly in remote areas, because the excavators would be unlikely to halt.[101] The willingness of the Burmese military regime to crush brutally any political opposition, even in the presence of the international media, is well documented (Smith 1999; Times Online 2007). As a result, despite an overarching philosophy of nonviolence, some environment groups based in Thailand are loosely networked to insurgent ethnic organisations in Burma engaged in a battle for their survival. While some NGOs are explicit in their rejection of association with any armed group,[102] even the Dalai Lama, a nonviolence advocate and Buddhist leader, has noted that at times authoritarian governance renders nonviolence ineffective.[103] Consequently some groups are less reluctant to repudiate these

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[100] Sulak Sivaraksa (1998, 25 January). *Interview with author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.
[101] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.
[102] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[103] Tenzin Gyatso (1997, 18 July). *Interview with author (including Secretary Tenzin Geyche Tethong)*. His Holiness the Dalai Lama, Personal Residence: Thekchen Choeling. McLeod Ganj, Dharamsala, India.

linkages in private as they see the justice of their fight as incontrovertible.[104] This is also consistent with the inside-out approach adopted by the Bangkok-based Peace Way Foundation which, although aiming to 'eliminate violence', acknowledges the 'history of oppression' and 'struggles for justice' of Burma's peoples (Burma Issues 2004). In general, however, most groups publicly adopt a stance of nonviolence as the driving philosophy, tactic and strategy employed.

Another activist from the KCG at the Yadana protests, Pipob Udomittipong, later worked with ERI and Salween Watch. He also worked with Sulak as coordinator of the Buddhist-inspired Spirit in Education Movement (SEM) and on the working and executive committees of the International Network of Engaged Buddhists (INEB). At the forest protest site in February 1998 Pipob argued that the two main reasons that activists opposed the pipeline were the attendant environmental destruction and the human rights abuses (Aung Hla 1998). Pipob later acknowledged that he sees the issues of environmental protection and human rights as intertwined with spiritual development which, in the Thai context, translates into Buddhist practice.[105] As with Sulak, in the Thai context he sees a personal practice of Engaged Buddhism as central to the achievement of nonviolent action.

Apart from supplying the philosophical bedrock for the broad strategy of nonviolence, there were also other, more tangible, examples of Buddhist influence on the campaign. The history of activist Thai monks taking up environmental causes is now well established. Since the opposition of Phra Phothirangsi to the construction of a cable car up Doi Suthep mountain there have been many examples of monks being involved in environmental disputes. Phra Phothirangsi emphasised the link between Buddhism and preserving trees, arguing that it was impossible to separate Buddhism from the forest (Darlington 2003, 103). In the same vein the first tree ordination in modern times was carried out in northern Thailand in 1986 and the participation of local villagers signified their acceptance of the ritual and thereby their obligation

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[104] Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.
[105] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translater for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.

to protect the trees (Darlington 1998; Taylor 1993, 11). Since then tree ordinations have been regularly carried out by environmentalist monks to save forested areas (Darlington 2003, 96; Swearer 1999a, 220). During the Yadana campaign Phinan and the KCG enlisted the support of Thai environmentalist monks who conducted five tree ordination ceremonies during the protest (Bangkok Post 1997).[106]

Bringing in the sangha to support a protest is an important statement in Thailand but it does not always achieve the desired effect. While Buddhist monks are revered throughout the country, forest monks have also been seen by the urban centres of power, like the forest itself, as 'untamed' and 'uncivilised' (Taylor 1991, 107). This view endures despite what revered monk P.A. Payutto (Dhammapitaka) argued were the long-held dual monastic traditions in Thailand of town and forest (Swearer 1999b, 465-66). Criticising dissenting monks, while rare in general, has therefore occurred throughout Thailand's authoritarian history (Handley 2006). Nevertheless, the symbolic act by monks of wrapping a tree with saffron robes in an ordination ceremony adds a level of gravitas that would be otherwise missing from public protests in Thailand.

Another peculiarly Thai tactic, but one that has its roots in Gandhian approaches, was erecting a poster of Thailand's queen on the pipeline route. Queen Sirikit has been Thailand's queen since King Bhumibol ascended the throne in 1946 and is now considered highly popular and revered despite her previous role in supporting the rightist repression of the 1970s (Handley 2006, 238). More significantly the KCG had been in direct opposition to the king and his government in the 1980s over the Nam Choan Dam, which Bhumibol promoted as part of his extensive dam building plans for Thailand. Indeed Handley argues that 'environmentalists considered the king somewhat mad about dams' (Handley 2006, 366). Nevertheless, the choice of the queen, rather than the king as head of state, provided a potent symbol that again linked the feminine to the forest. As Phinan later related, as a strategic move in attempting to block the excavators it was temporarily successful although after negotiations it was removed: 'we thought that neither

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[106] Phinan Chotirosseranee (1998, 5 October). *Interview with author.* Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.

the excavator operators nor their managers would want to be seen crashing through a poster of the queen'.[107]

In the areas that had already been cleared, the activists demonstrated that although the EIA suggested only small trees would be removed for the project, in reality the construction destroyed 'large tracts of pristine ecologically vulnerable forests' (Bangkok Post 1998). Phinan organised KCG activists to link arms around the stumps of cut down trees, some requiring up to six protesters to surround a stump (Simpson 1999, 507).[108]

While the Thai government was largely hostile to the protesters, the Huay Kayeng forest protest had a certain amount of sympathy from Thailand's English language newspapers, the Bangkok Post and the Nation, which have generally taken a sympathetic approach to environmental campaigns due to the close relationship of some activists with journalists, although their circulation is limited to expatriates and educated Thais (Lewis 2006, 93).[109] There was also support from academics and students around the country with a nonviolent protest in front of Government House staged by 16 chapters of the Confederation of Students for Conservation on 1 February 1998 (AHRC 1998). While these protests were generally tolerated, the government also worked to undermine them. Study groups had been organised by activists to visit Karen communities on the Thai side of the border to hear the stories of oppression by the Burmese military, but the Thai intelligence services obtained photos of the field trip indicating that they had possibly infiltrated the group.[110]

Ultimately, however, the forest protest and its supporters met with some short term success. The KCG and most other activists had agreed to leave the forest site if a public inquiry was set up and on 12 February 1998 Prime Minister Chuan Leekpai put the project on hold and appointed a Central Advisory Committee to undertake public hearings to resolve the conflict

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[107] Ibid.

[108] Ibid.

[109] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translater for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand; Supara Janchitfah (2008, 19 September). *Email to author*. Journalist at Bangkok Post. Bangkok, Thailand.

[110] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

(Warasak Phuangcharoen 2005, 15). The hearing committee of twelve was to be chaired by former Prime Minister Anand Panyarachun who was generally well respected by Thais, and this helped defuse the tense situation (Ogunlana et al. 2001, 212). Phinan and other activists, who were by this time feeling the physical and emotional strain after over two months of almost continuous presence in the camps, willingly left the forest on the day the committee was announced in anticipation of venting their frustrations in more formal public settings (Fahn 2003, 201).[111]

The public hearing committee staged an 'open public forum' in Bangkok, first at Government House then at Chulalongkorn University, to review the conflicts caused by the construction of the pipeline. Despite a very public attempt to appease the protesters, some affected people complained that the locations were far away from their homes. On 23 February 1998, the committee concluded that the PTT had produced a flawed EIA report and that the EIA process lacked transparency (Warasak Phuangcharoen 2005, 18). They also suggested that PTT had failed to accommodate public opinion and genuine concerns on environmental impacts (Ogunlana et al. 2001, 222). In a comment that has influenced future EIA processes, the committee also critiqued the EIA process for not including public participation, arguing that 'there was only public relations' (Fahn 2003, 204). The committee also submitted a number of recommendations on the pipeline project (see Box 5-1).

Despite these recommendations and a rather harsh assessment of the whole process, the committee failed to recommend that the project be delayed or the route altered and on 28 February 1998 Prime Minister Chuan decided that the laying of the pipeline by PTT should proceed (AHRC 1998; Fahn 2003, 204; Warasak Phuangcharoen 2005, 11). Analysis of public satisfaction with the hearing process found that the project's opponents perceived the hearings to be held too late in the development process and not to have adequately addressed their key issues (Ogunlana et al. 2001, 222-23). Unsurprisingly, one of the study's key recommendations was that public hearings should be held during the EIA process before a decision on the project

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[111] Phinan Chotirosseranee (1998, 5 October). *Interview with author.* Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.

was actually made. The risk otherwise was that a 'seemingly democratic exercise [could be seen as providing] legitimating cover for business as usual' (Dryzek 2005a, 82).

Recommendations by the Central Advisory Committee after its public hearings included:

- the government must urge the PTT to repair the homes of villagers affected by the construction and compensate them immediately;
- a sub-committee must be created to monitor the environmental impacts of the project;
- laws related to the implementation of large-scale projects must be improved;
- future environmental assessments should be based on accurate statistics;
- the public should have access to information about any development project; and
- the report should be published and distributed so that the public can learn from the mistakes made by the PTT on the project.

Box 4-1 – Recommendations by the Central Advisory Committee

Source: (AHRC 1998)

Following Chuan's announcement Sulak, who had not made any commitment to leave the forest, continued what he termed a 'fierce campaign',[112] at the Huay Kayeng forest site on 3 March 1998 with approximately 50 students and activists, suggesting later that doing business with the Burmese dictatorship 'was unconscionable'.[113] On 6 March 1998 Sulak and 40 other protesters were arrested under the Petroleum Act, a statute that protects PTT's energy

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[112] Sulak Sivaraksa (1998, 4 August). *Email to author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB).

[113] ------ (1998, 20 September). *Interview with author*. Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Bangkok, Thailand.

operations, for allegedly obstructing the pipeline construction (Lewis 2006, 55). The governor of Kanchanaburi Province had personally instructed about 20 officers to remove the activists from the site (AHRC 1998; Lowe 1998). In a statement made on the day of his arrest, Sulak questioned the local benefit of the project.

> My friends and I may not be able to protect the forest but we want to demonstrate that development without consideration for human rights, consideration for the environment issues and without consideration of the local participation is fundamentally wrong. Development must benefit the poor, the grass roots, animals and trees ... Most grand schemes of economic development and technical advances benefit multinational corporations and the super rich, but harm the majority of people (Kalayanamitra Council 1998).

He also emphasised the human rights aspect, linking the gas revenues to military spending and resultant repression: 'Is it … just, to pay money to Burma for her to buy arms to kill Burmese people?' (Kalayanamitra Council 1998).

The next day a further 20 villagers and student activists were temporarily detained by police in Dan Makham Tia district in Kanchanaburi for allegedly obstructing the construction work (AHRC 1998). Despite the completion of the pipeline and several changes in government, Sulak remained on bail for eight years. The case was only dropped in August 2006 because the law under which Sulak was charged related to the state-owned Petroleum Authority of Thailand which had since been partially privatised (Sai Silp 2006).

While Sulak has been prosecuted in court on numerous occasions and was forced to leave Thailand in the early 1990s due to charges of lèse majesté (Handley 2006, 298, 339, 447),[114] the penalties for local activists speaking out in Burma are generally far more immediate and visceral. A significant case was that of The Moustache Brothers, the a-nyeint comedy troupe who use nonviolent forms of performance protest such as comedy and satire, and employ irony as both rhetorical form and philosophical content (Szerszynski 2007, 348). During an interview they explained their close friendship with Aung San Suu Kyi and their support for her ban on foreign investment in Burma including the Yadana project. They described their Independence

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[114] Ibid.

Day performance at Aung San Suu Kyi's house in January 1996 when they told an innocuous enough joke:

> 'In the past thieves were known as thieves, now they are known as cooperative workers'. Cooperative workers are employed in government offices and always require baksheesh [bribery] to perform government services.[115]

For this joke, within an improvised performance of 'witty skits, brilliant jokes, sprightly dances and lively music' (Aung San Suu Kyi 1997, 40-41), Par Par Lay and Lu Zaw were tortured and received six years incarceration, some with hard labour, for their sense of the absurd.[116] They knew they would probably be arrested soon after the performance and yet they continued anyway.[117] This was manufactured vulnerability, Burmese style (Doherty 1999).

Although there are limitations to public participation in Thailand, the opportunities are bountiful compared with the Burmese side of the border where public participation in development decisions is virtually non-existent, despite more than 1,000 villagers being forced by the military to attend an 'opening ceremony' of the pipeline on 1 July 1998 (Giannini 1999, 15). As Lambrecht notes, development projects, such as the Yadana Pipeline, that occur in Burma's borderlands 'are only participatory inasmuch as they are financed predominantly through forced labour and the taxation of the rural populace' (Lambrecht 2004, 172).

The local public activism against the Yadana project therefore entailed a wide variety of tactics and philosophies, with many activists influenced by their various ethnic or cultural backgrounds, but the opportunities for public dissent were largely defined by the openness of the governing political regime. In Thailand there was a relatively liberal climate under Chuan but it became obvious that, at the very least, the consultation process was severely constrained by the 'range of policy process norms to which governments adhere' (Holland 2002, 76). In contrast, any

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[115] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author*. 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma.

[116] Par Par Lay had also been previously jailed for six months in 1990 for another mild joke and was taken from his house and held by authorities for over a month during the protests of the monk-led protests in 2007 (Amnesty International 2001; *Mizzima News* 2007).

[117] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author*. 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma.

opposition in Burma was quickly quashed by the military with the price of even the mildest dissent for activists being quite significant.

Trans-Thailand-Malaysia (TTM) Gas Pipeline Project

The Thai-Malaysian (TTM) Pipeline project through the largely Muslim Songkhla Province in the south of Thailand was punctuated by a variety of local protests and actions between 1998 and 2007. The project required offshore drilling, the construction of two gas separation plants (GSPs) in Chana district on the east coast of Songkhla and the laying of a gas pipeline from the GSPs to the border with Malaysia in the west (see Map 5-2). As the pipeline fed directly from Thailand into the pre-existing Malaysian pipeline network, most of the protests and activism occurred on the Thai side of the border. The project was initiated after the Yadana protests had subsided for the government of Chuan Leekpai, but the project was also taken up by Thaksin Chinawatra, who became prime minister in January 2001, with his provincial governors, who Thaksin had converted into 'chief executive officers', supporting the project (Beeson and Bellamy 2008, 124).

NOTE:
This map is included on page 153
of the print copy of the thesis held in
the University of Adelaide Library.

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Map 4-2 – The Route of the Thai-Malaysian Gas Pipeline

Source: (Petronas 2000)

Despite some assistance from transnational networks, the campaign against the TTM was driven almost solely by the local environment movement in Thailand for three important reasons. First the project was based in Thailand and, while certain earth rights abuses seem to have occurred, there was not the wide-scale repression that was witnessed in Burma and so transnational NGOs were less likely to assign resources to it. Second, the absence of Northern TNCs as central players in the project, except for Barclay Bank's involvement in a financing role, minimised attention from Northern activists within the GJM. Third, in Thailand the environment movement is quite mature and dynamic and therefore relatively self sufficient.

Activists began the campaign against the TTM project following the signing of a Memorandum of Understanding (MoU) between Chuan and Malaysian Prime Minister Mahathir Mohamad in April 1998 and the discovery of plans relating to the industrial development of Songkhla Province within the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) (ADB 2003). One of the first activities was organised by Penchom Tang (Saetang), of the Campaign for Alternative Industry Network (CAIN), who joined local students and other activists, some of whom had been involved with the Yadana campaign, on a study trip for 40 Songkhla villagers to the industrial parks of Rayong and Chonburi on the eastern seaboard 5-7 March 2000 (Penchom Tang and Pipob Udomittipong 2003, 4; Vasana Chinvarakorn 2000).[118] These areas were originally fishing villagers similar to those around Chana district on the Songkhla coast but had been transformed through decades of development into industrial estates that were considered toxic by local residents.[119] Varaporn Chamsanit, a human rights activist and former journalist with the Nation, also took students to the industrial areas on the eastern seaboard and then to meetings with fisherfolk and activists in villages in Chana district and Had Yai in Songkhla Province as part of the human rights program for the Thailand Research Fund (TRF).[120] Following this fieldwork, a seminar on large-scale industrialisation in the south and Thailand's Energy Development Policy was held at Bangkok's Chulalongkorn University on 8 March 2000 (Vasana Chinvarakorn 2000).

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[118] Penchom Tang (2005, 17 October). *Email to author*. Director of Campaign for Alternative Industry Network (CAIN). Bangkok, Thailand.

[119] The eastern seaboard communities continued to fight new industrial projects with thousands protesting against a new coal-fired power plant in September 2007 on the same day that news broke that EGAT had proposed building Thailand's first nuclear reactor in the area (*Bangkok Post* 2007b; Wassana Nanuam 2007).

[120] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

These activities broadened the outlook over the project for local villagers from worry over localised disruptions caused by the pipeline's construction to concerns over a more widespread pattern of industrial development and human rights abuses driven by the forces of globalisation.[121]

A broad coalition emerged comprised of environmental organisations, academics and local fisherfolk who argued that serious deleterious impacts upon local communities and their environments would occur for the duration of the project. Local academics at Prince of Songkla University in Had Yai, the capital of Songkhla Province, also questioned the need for the project pointing out that Thailand was importing gas from Burma while planning to export gas to Malaysia. Prasart Meetam, an Assistant Professor of Mathematics who worked closely with the campaign, spelt out how he had been introduced to the campaign in the following way:

> I originally got involved with TTM when a group of villagers approached me with respect to energy issues. I had some students who belonged to NGOs working on fisheries management who obviously thought I would be sympathetic. Originally I knew nothing about the pipeline or alternative energy issues but started with the question - why do we need the pipeline?[122]

His main interest was in poverty alleviation in the area and justice for local villagers, but his investigations led him to believe that the pipeline was unnecessary and that most of the benefits from the project would accrue to politicians and their business associates, while the costs would be borne by local communities.[123] Reungchai Tansakul, an Associate Professor of Biology and authority on EIA in the area, posed a similar question:

> 'Why don't we reserve our natural resources when we still have excess energy? We are not wise; we use up our own deposits when we still have alternative sources' (cited in Supara Janchitfah 2004, 42-43).

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[121] Ida Aroonwong (2008, 25 November). *Interview with author.* Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.
[122] Prasart Meetam (2005, 11 February). *Interview with author.* Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand.
[123] Ibid.

He later suggested that his concerns about the project, including environmental laws not being properly implemented, coincided with other local inhabitants and fisherfolk.[124] Reungchai also placed the project in the wider context of industrialisation in the region arguing that government moves to revitalise the nearby polluted Songkhla Lake would be meaningless unless the government revised its plan to turn the southern provinces, particularly Songkhla, into an industrial hub.

> '[The] decision to approve the Thai-Malaysian gas pipeline and gas separation plants in Chana district would bring many more dirty factories to the province. These factories will dump more pollution to the lake' (cited by Kultida Samabuddhi 2002).

This support from academics in Thailand was crucial to disseminating the campaign's messages throughout the country and was often sought out by the villagers themselves. It culminated in November 2002, by which time 1,371 Thai academics had signed a statement on Chiang Mai University's Midnight University website urging the government to review the TTM (Midnight University 2002).

Unlike the Yadana campaign, in which local activists were slow to get involved, the TTM campaign was entrenched in local communities from the very early stages and local villagers were both informed and active, particularly in setting up the Lan Hoy Siab protest encampment on the beach near the GSP site in Taling Chan subdistrict of Chana district (Penchom Tang and Pipob Udomittipong 2003). Lessons had been learnt by activists from the Yadana campaign that it was important to maximise linkages early on with local communities. In an example of the commitment shown to establish these linkages, Ida Aroonwong and two other activists from the NGO, Alternative Energy Project for Sustainability (AEPS), left their homes in Bangkok and travelled to the rural coast of southern Thailand to live for two years with the villagers who were fighting the project. While providing help and expertise, the activists also saw it as a necessary

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[124] Reungchai Tansakul (2005, 8 November). *Email to author*. Professor, Prince of Songkla University. From Had Yai, Thailand.

learning experience: 'it was a new environment for us, so we lived with the community to try and learn the issues they faced'.[125]

These greater efforts by outside activists to link up with the local activists and villagers and the improved communications technologies available since the Yadana dispute, particularly mobile phones and the internet, allowed activist networks to be established quickly and effectively. One of the most important roles activists outside the villages played was to link the campaign to broader societal issues and inequities. This role was similar to that played by women's organisations in the South whose 'most significant achievement [has often] been to contribute to an increase in the consciousness and confidence of [women] workers to demand their rights' (Hale and Wills 2007, 458). As a result the Muslim identity of local villagers became a prominent focal point for their actions as other Thai activists provided empowerment through education. Activist Varaporn Chamsanit noted that throughout the campaign against the TTM,

> Muslim minorities increased their awareness of their Islamic identity. At the ocean in Chana district the villagers essentially said "We must protect the ocean because God gave it to us". I don't think that they would have said that thirty years ago.[126]

Likewise Ida Aroonwong witnessed a change in the villagers' outlook.

> Traditionally Songkhla Muslims have [identified with the predominantly Buddhist] Bangkok but after the Kru Se Mosque massacre [in 2004] the Chana villagers looked [south] to Pattani and identified with the broader Muslim community.[127]

This response reflects a wider pattern across southern Thailand where Muslims started placing their local marginalisation in the larger context of the global attack on Muslim identity in the global War on Terror (Funston 2006, 87-88).[128] Varaporn Chamsanit suggested that in the TTM

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[125] Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.

[126] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

[127] Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.

[128] A key myth surrounding political Islam, particularly since 9/11, is that it is inherently violent (Ayoob 2008, 1). Activists argued that this assumption has also been historically made in Bangkok and much of Thailand regarding

campaign this process of identification was expedited by outside activists who 'brought greater awareness [to local villagers] of international/global aspects of the TTM such as anti-Muslim sentiment after 9/11'.[129]

As Prasart Meetam also noted, in this way villagers came to see the attacks not only on their way of life but also as an attack on their Muslim identity.[130] Villagers and Muslim activists therefore made a connection between the local symbol of Muslim exploitation with the global symbol of Muslims as targets in the War on Terror. As a result, Muslims found a voice that had, until that time, been lacking. Again Varaporn Chamsanit spelled out the process of transition:

> Previously the [Buddhist Thai] King had a ruler-client relationship with Muslims through 'Government appointed' Muslim leaders. Now Muslim communities are finding a voice to demand change, directly from the government. They are talking as Muslims rather than as poor people.[131]

As with the Yadana project it was local communities and ethnic minorities who were not only most adversely affected by the project, but who were also the most voiceless communities in the decision-making process. Much of the local activism against the TTM project concerned the lack of genuine consultation and participation in the decision making processes. The project was carried out under the new 1997 Thai Constitution which required greater public participation in development processes (s.59 and s.60) and improved checks and balances with the establishment of supervisory bodies such as the National Human Rights Commission (NHRC) (Royal Thai Government 1997). The Constitution also should have ensured that the local community had greater input into the management of the project due to its distinctive local culture (s.46) (see Box 4-2).

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the Muslims of the south. Ao (2008, 25 November). Interview with author. Environmental activist from Northeast Thailand. Bangkok, Thailand.

[129] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

[130] Prasart Meetam (2005, 11 February). *Interview with author*. Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand.

[131] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

Section 46: … a traditional community shall have the right to conserve or restore their customs, local knowledge, arts or good culture of their community and of the nation and participate in the management, maintenance, preservation and exploitation of natural resources and the environment in a balanced fashion …

Section 59: A person shall have the right to receive information, explanation and reason from a State agency, State enterprise or local government organisation before permission is given for the operation of any project or activity which may affect the quality of the environment, health and sanitary conditions, the quality of life or any other material interest concerning him or her or a local community and shall have the right to express his or her opinions on such matters in accordance with the public hearing procedure, as provided by law.

Section 60: A person shall have the right to participate in the decision-making process of State officials in the performance of administrative functions which affect or may affect his or her rights and liberties, as provided by law.

Box 4-2 – Excerpts from the 1997 Constitution of Thailand (emphasis added)

Source: (Royal Thai Government 1997)

The Constitution was promulgated on 11 October 1997 and the Yadana project had already been approved by the National Environment Board (NEB) the previous March and therefore the new public participation requirements did not apply. The TTM project therefore became one of the first major tests for the public consultation processes under the Constitution in which public hearings were to be held either during a project's feasibility study or EIA, but prior to any

decision being made. The EIA process for the TTM initially included some tambon (subdistrict) level and amphoe (district) level public meetings in 1999 where the public voiced concerns about the project. There was, however, little information available at this time so that the public was not well informed (Chatchai Ratanachai 2000a, 2-22). As a result of complaints that this process was insufficient, the Ministry of Industry set up a public hearing in Had Yai in July 2000, although the EIA had already been completed and published four months earlier (Warasak Phuangcharoen 2005, 27). Like the Yadana EIA, it was originally in English and difficult for locals to read, but this time a Thai translation eventually became available (Chatchai Ratanachai 2000a; 2000b; Supara Janchitfah 2004, 114).

While the EIA process was underway, four contracts – the Gas Sale Agreement, the Balancing Agreement, the Master Agreement, and the Shareholders Agreement – had all been signed by PTT and the Malaysian TNC Petronas on 30 October 1999. PTT argued that the contracts were non-binding and there would be no fine should the PTT abandon the project on environmental grounds. This was at odds, however, with a special committee's investigation in January 2001 which claimed that severe penalty payments would arise over postponement due to the 'take-or-pay' nature of the contracts (Supara Janchitfah 2004, 27; Warasak Phuangcharoen 2005, 25-29). As with the Yadana project this therefore indicated to activists that the main decisions on the project had been decided upon prior to the results of the EIA and public hearings, with the result that public concerns were relegated to insignificance.

Compounding this impression was the manipulation of public events to avoid dissenting voices. Prior to the hearing, military officers were employed as public relations officers and project opponents argued that these had been used to intimidate and harass them (Penchom Tang and Pipob Udomittipong 2003). The public hearing was held at the Municipality Hall in Had Yai on 29 July 2000 and academics and university students tried to broaden the discussion to consider the industrialisation program surrounding the proposed Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), which they considered of great relevance, but the chairperson of the hearing, General Charan Kulavanija, closed down the discussion. Many of the villagers were also excluded from the hearing and violence finally erupted between the opponents of the project

and its industry and military supporters and the hearing collapsed (Supara Janchitfah 2004, 47; Warasak Phuangcharoen 2005, 27-28).

The Ministry of Industry arranged a second public hearing to be held at Jiranakorn Stadium in Had Yai on 21 October 2000 but, again, the limitations of the hearing caused problems. Critics argued that the venue was specifically chosen to limit the number of people who secured seats for the hearing, who were overwhelmingly project supporters, while project opponents were barred from entering with barbed wire barricades erected around the stadium. As a result of these provocations local people felt angry and further marginalised, leading to further clashes between project supporters and opponents causing the suspension of the meeting again (Supara Janchitfah 2004, 51; Warasak Phuangcharoen 2005, 28).

In January 2001 the Industry Minister appointed a special committee to review the results of the public hearing and later that month the committee, to the disbelief of activists, concluded that the public hearing results were 'satisfactory' (Warasak Phuangcharoen 2005, 29).[132] The new government of Thaksin Shinawatra had promised to approach the activists differently and it commissioned reports from the Senate Committee on Environment, the National Human Rights Commission (NHRC) and Chulalongkorn University while Thaksin visited the protesters at Lan Hoy Siab on 4 January 2002 to promise a fair hearing. By May 2002 the reports had been submitted to Thaksin, all recommending that a final decision on the project be postponed until numerous issues related to human rights, the environment and the future energy needs of the region were resolved. Nevertheless, on 11 May 2002 the government ignored this advice and announced that it had approved the pipeline (Warasak Phuangcharoen 2005, 31-33).

For the rest of 2002 local villagers in Chana district and environmental organisations, students and academics around the country took every available opportunity to lobby the government. On 20 December approximately 1,000 villagers accompanied by students and human rights activists travelled the 50 kilometres from their villages in Chana district to Had Yai to protest against the TTM project and to hand a petition to the Prime Minister who was meeting his

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[132] Prasart Meetam (2005, 11 February). *Interview with author.* Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand.

Malaysian counterpart (Jilani 2004, 15). Thaksin's aide told them to wait in a specified area and, after complying, hundreds of policemen surrounded them and attacked them with batons (Pibhop Dhongchai et al. 2005, 44). This police response reportedly left 38 demonstrators and 15 policemen injured (Alexander's Gas and Oil Connections 2003). During the protest only NGO members were arrested although they were not readily identifiable, raising the issue of whether the NGOs had been under surveillance and, in tactics familiar to many green activists, the raiding police party removed their name and position badges from their uniforms (Supara Janchitfah 2003).[133] The police prosecuted twenty protestors for encouraging the use of force and causing a public disturbance.[134] A group of academics from Prince of Songkla University then pooled their resources and raised the funds to bail out the protesters.[135]

Several members of NGOs targeted in the Had Yai protest were also being investigated by the Anti-Money Laundering Office (AMLO), which was set up following the 1997 Constitution to fight organised crime but was being used by the Thaksin government throughout 2002 to target both Thai and foreign activists (Pasuk Phongpaichit and Baker 2004, 145). Activists arrested at Had Yai who were being investigated by AMLO included Banjong Nasae (also Bunjong), the prominent director of the NGO Southern Coastal Resources Management Project which assisted local community groups such as The Federation of Small Scale Fisherfolk in Southern Thailand (Supara Janchitfah 2004, 119).[136]

This increasingly authoritarian approach by Thaksin's government contrasted with his initial cooperative attitude, illustrating both forces of contestation within the state and also a new generation of Thai political tactics. Thaksin had gained electoral support from environmental activists for his conciliatory gestures before the election and during the early days of his

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[133] The tactic of removing police name badges was still being used in Australia for the APEC summit in 2007 although police denied it was a conscious policy decision (*ABC News* 2007).

[134] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.

[135] Banjong Nasae (2005, 31 July). *Email to author*. Director of Southern Coastal Management Project. Had Yai, Songkhla Province, Thailand.
, Prasart Meetam (2005, 11 February). *Interview with author*. Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand.

[136] Banjong Nasae (2005, 10 February). *Phone interview with author*. Southern Coastal Management Project (SCMP). From Koh Bulon, Thailand. Ida Aroonwong (2005, 8 February). *Email to author*. Activist with Alternative Energy Project for Sustainability (AEPS). Bangkok.

administration as his approach contrasted with the paternalistic manner of Chuan. Thaksin's underlying ideology was, nevertheless, even more wedded to capitalist industrial development than that of Chuan, dominated as it was by the neoliberal principles that benefited large business interests (Rodan and Hewison 2006, 114). Like Chuan before him, Thaksin found himself at odds with environmental activists, requiring a strategic balance between the blunt instrument of coercion and accommodation and consent. Thaksin, like other conservative elites in government, business and the military, opposed the more progressive sections of the Constitution that increased checks and balances and the public's role in decision-making (Hewison 2007, 931; Pasuk Phongpaichit and Baker 2004, 5-7). He was, nonetheless, largely constrained by the document despite his evident animosity to it and his efforts to undermine it. Regardless of the attempts by activists and some parliamentarians to entrench genuine democratic ideals in the Constitution, however, the limited improvement to participatory politics it mandated can also be seen as a strategic concession by elites to provide a non-threatening outlet for public discontent that might otherwise challenge more foundational elements of business and the state.

The discontent over the TTM Pipeline was particularly widespread, becoming the largest civic group in the country. It used Islamic identity as a local symbol of resistance but also adopted the transnational symbol of human rights, both for the local media and in the presence of UN Special Envoy for Human Rights, Hina Jilani. The government's increasing disregard for human rights was demonstrated in the Had Yai arrest of protesters on dubious charges, the increased security presence in the TTM area (Sanitsuda Ekachai 2003b), and the granting of police in the neighbouring southern provinces immunity from prosecution under the executive decree of 2005 (ICG 2007, i). Local villagers who opposed the pipeline were subjected to harassment by both uniformed and plainclothed Border Patrol Police, some carrying M-16 machine guns (Lohmann 2007, 15-19). Activist Varaporn Chamsanit noted that her study group to the region was constantly under surveillance by a special police force member,[137] and she later volunteered that

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[137] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

being monitored by state authorities in Thailand 'is an experience shared by many activists/NGO workers'.[138]

An editorial in The Nation cited the government's crackdown on those opposing the TTM Pipeline as the clearest evidence that the government was crushing dissent, with '[a] thick and dark cloud [settling] over the remnants of civil society' (*The Nation* 2004b). Repeated human rights violations due to the heavy-handed police and military tactics at Had Yai and other protests led Hina Jilani to describe the situation facing Thai civil society as encouraging a 'climate of fear' (Chimprabha 2003; Human Rights Watch 2007c, 30; Lohmann 2007, 20; SEAPA 2005). A month after the Had Yai protest Thaksin launched his 'War on Drugs' and between February and May 2003 2,598 alleged drug traffickers were shot dead across the country in apparent extrajudicial killings (Subhatra Bhumiprabhas 2003) that appeared to be based on arbitrary 'blacklists' (Jilani 2004, 18).

Thaksin's criticism of NGOs at this time increased, repeatedly attacking the protesters as being dishonest recipients of foreign funding and as promoting violence. As Hina Jilani noted in her final report, these statements by the Government criticising NGOs were heard by local police and other officials, prompting harassment and intimidation (Jilani 2004, 23). The video evidence, shown first at Thammasat University, demonstrated, however, that the protesters had not instigated the violence. The police produced their own manipulated video of the event but they were unaware that the protesters had their own video, which was then played in the courtroom. The video showed that the protesters, who were mostly Muslims, had just finished their evening prayers and were sitting down having dinner when the violence broke out (The Nation 2002).[139] In contrast, several hundred police had attacked the protestors with batons, beating people brutally and overturning a truck and other vehicles. Both the National Human Rights Commission (NHRC) and the Senate separately investigated the incident and both

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[138] Varaporn Chamsanit (2006, 6 February). *Email to author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand.
[139] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.

implicated the interior minister and the police in the violence (Pasuk Phongpaichit and Baker 2004, 146-47; Sanitsuda Ekachai 2003a; Supara Janchitfah 2004, 117).

The protesters have had several court room victories since the protests with the first being a decision brought down in their favour on 30 December 2004 (Somroutai Sapsomboon 2004).[140] It stated that all twenty, including the twelve local NGO staff members, were acquitted with the judge pronouncing their 'getting together to express their collective opinions [was] lawful' under section 44 of the 1997 constitution (Provincial Court of Songkhla, Thailand 2004).[141] This decision was upheld on appeal in 2007 (The Nation 2007). The decision, given the video evidence, was not surprising. Nevertheless it was still significant in indicating that the Thai judiciary retained a certain amount of independence during the Thaksin government, despite his repeated attempts at neutralising it (Somroutai Sapsomboon 2004). On 1 June 2006 the Songkhla provincial Administrative Court ruled that the police, the Interior Ministry and the province of Songkhla had prevented pipeline opponents' freedom of assembly by dispersing them in violation of their constitutional rights and ordered 10,000 baht compensation from the Royal Thai Police Office to each of 24 people injured in the baton charge who had subsequently filed charges (Bangkok Post 2006; Lohmann 2007, 121). On 14 February 2007 Judge Sudawan Riksathien of the provincial court noted that the Thai constitution guarantees that local people be informed of developments in their area and be allowed to give their views and participate in planning. She ruled that Chana district residents who were dissatisfied with the public hearings on the pipeline scheme had the right to demonstrate their opposition to the project and to demand a government review (Lohmann 2007, 148).

Despite frustration over the authoritarian tactics, the overarching strategy and tactics employed by the demonstrators was one of nonviolence. This approach was influenced by Buddhist

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[140] Ibid.

[141] The decision was only published in Thai script so I had it translated by activist Pipob Udomittipong. Pipob Udomittipong (2005, 9 March). *Email to author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International).

activists from across Thailand but also by the Islamic background of the Chana villagers.[142] As Chaiwat Satha-Anand demonstrates, Muslim nonviolent action in the face of injustice is common in contemporary societies, despite their being demonised in the War on Terror (Chaiwat Satha-Anand 2006b, 202). In early 2003, to emphasise their nonviolent approach, a convoy of 300 local children on their bicycles distributed leaflets and flowers to the 400 police deployed to guard the site of the gas separation plant (GSP) (Anchalee Kongrut 2003).[143] Despite these tactics, police repression continued with the use of anti-riot police to disperse a peaceful protest of 300 Chana villagers in December 2004. Earlier that week a 500-strong provincial police force had been employed to disperse another protest. The villagers claimed that police tried to instigate violence by cutting electricity to the site one evening and by firing sling-shots into the crowd (*The Nation* 2004a). These police tactics were undertaken in the context of the Tak Bai massacre in 2004 in which over 80 protesting Muslim villagers had died in the southern province of Narathiwat (Bangkok Post 2004; Lohmann 2007, 53). As a result of repression both around the pipline project and in southern Thailand more generally, the armed insurgency, which was initially confined to the three southernmost provinces, spread north to Songkhla Province with a triple bombing in Hat Yai in April 2005 (The Nation 2005). Thaksin set up the National Reconciliation Commission (NRC) in early 2005 but it became evident, following the promulgation of the draconian emergency decree of July 2005, that Thaksin was insincere in seeking reconciliation in the South (ICG 2005; McCargo 2005, 515). Regardless of the details of these events, it is obvious that the Thaksin government continued to employ excessive force and intimidation in its attempt to control legitimate popular demonstrations by local villagers.

Despite concerns over industrialisation of the area and the effects on their way of life, a central argument of the local community was that some of the land to be used for the GSP was communal land that had been donated to the community as wakaf land in an Islamic religious ceremony, which cannot be 'sold, transferred or altered, but which is held as common inheritance for common use rather than for that of any individual' (Lohmann 2007, 63). Being a

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[142] Ida Aroonwong (2005, February). *Phone interview with author*. Activist with Alternative Energy Project for Sustainability (AEPS). Undertaken in Bangkok, Thailand. Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.
[143] Pipob Udomittipong (2003, 30 June). *Phone interview with author*. Activist with EarthRights International (ERI). From Thailand.

Muslim ceremony, the government argued that Thai law didn't recognise the donation, further enhancing the feelings of marginalisation of the community.[144] The site of the GSP involved 720-900 rai (2.5 rai to an acre) located in an area under the jurisdiction of the Royal Forestry Department (CIIS and KPI 2003, 8). In the early stages of the pipeline dispute, the proposed GSP did not garner much attention until the area that villagers had been using for generations was closed off to community access. By April 2005 it had become a major issue though with pipeline opponents in Pa Ngam village in Taling Chan subdistrict, exploiting the politics of identity by carrying a sign which read: 'The gas separation plant company has grabbed Muslim wakaf land. Our wayip duty as Muslims means we must all take responsibility' (Oilwatch SEA 2005b).

In July up to 300 protesters rallied at the Chana district government land office to present a petition signed by 1,563 people opposing permission being given to TTM to use the public land (Oilwatch SEA 2005a). In September 2005 a forum was held at Chulalongkorn University on the seizure of public land under the state's large scale development projects.[145] A Chana community leader, Sulaiman Mudyusoh, addressed the forum making the connection to Islam explicit:

> "This project has adversely destroyed Islamic principles, which we can't accept. It's unfair that while we are fighting peacefully, we are accused by those in power of obstructing the country's development" (cited in Anjira Assavanonda 2005).

The reasons behind the protests against the TTM project were many and varied. Thai activists from outside of Songkhla Province saw the project as the start of a drive towards industrialisation in the south following in the wake of the eastern seaboard, causing environmental problems and the further marginalisation of local Muslim communities. These fishing villagers saw the project as threatening their way of life, but through their own experience

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[144] Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.

[145] On 27 August 2007 the National Human Rights Commission of Thailand organised another public seminar on the TTM at Prince of Songkla University to discuss the use of the *wakaf* land for the GSP with the audience in the seminar was almost exclusively Muslim women. Ida Aroonwong (2007, 1 September). *Email to author*. Activist with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand; Lohmann, L. (2007, 27 August). *Email to author*. Researcher at The Corner House. Dorset, UK; Prasart Meetam (2007, 16 August). *Email to author*. Lecturer in Mathematics, Prince of Songkla University. Had Yai, Thailand. (Lohmann 2007, 84).

and contact with outside activists they also saw it as an attack on their Muslim identity. The international political changes since the September 11 attacks had made Thai Muslims more conscious of their Muslim identity and had drawn them into conflict with the Thai government's pro-US policies. At the same time the opportunities for Muslims to voice their views had contracted, particularly with the dissolution of the Southern Border Provinces Administration Centre (SBPAC) in May 2002 which had been a crucial conduit between Muslim leaders and state authorities (Funston 2006, 87-88; Liow 2007, 160; McCargo 2007b, 47; 2009). The government was also seen as authoritarian, both in its response to dissenting views in local communities and by pursuing unconstitutional activities. Reungchai Tansakul argued that the main concern that he and other local people opposing the pipeline held was that the government's processes for approving the project were illegal.[146]

Varaporn Chamsanit suggested that the act of environmental activism, in its many forms, is itself a transformative process, particularly for those with no similar previous activity. At sites of environmental protest in Thailand, such as the Yadana and TTM Pipelines, minorities are particularly affected. They are both detrimentally affected, due to their proximity to the project, but also positively due to engaging in environmental activism. They become politicised and engaged in political processes and learn to organise and give voice to their interests. The protests in Had Yai were well attended by NGOs, students and academics – empowered, predominantly Buddhist groups in Thailand – but the protests in the villages were predominantly undertaken by local Muslims.[147] There has been little research done on the transformative potential of activism in the South, but the consequences of this activism appear to correspond with Doherty's conclusions regarding localised political transformation in the North which often leads local activists to a more critical view of state authority (Doherty 2002, 199-202).

The cooperation between Buddhists and Muslims to protect earth rights during the TTM campaign echoes activism undertaken in the Philippines, where Christian and Islamic groups on

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[146] Reungchai Tansakul (2005, 8 November). *Email to author*. Professor, Prince of Songkla University. From Had Yai, Thailand.

[147] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

the southern island of Mindanao collaborated to oppose exploitative mining practices. Doyle and McEachern conclude that in this situation

> (the) religious adherents … find that, at their foundations, the religions have more in common with each other when engaged in protecting both people and the Earth. In this way religions are often deinstitutionalised, removing the staid power structures that usually govern them, and returning to their emancipatory roots (Doyle and McEachern 2008, 81).

This is the same argument that Engaged Buddhists have used in their opposition to destructive developments. The Islamic activists against the TTM also drew on their religious heritage to pursue their goals using largely nonviolent forms of action even in the face of authoritarian responses (Chaiwat Satha-Anand 2006b, 202). This contrasts, however, with the willingness of Islamic activists in Mindanao to form what Doyle argues are 'green armies' to engage in forms of guerrilla warfare (Doyle 2005, 64). Admittedly, the authoritarian responses that these activists face have more in common with the brutal military rule in Burma than Thailand's political environment.

As with the Yadana campaign, women activists feature strongly in the public dissent exhibited throughout the TTM campaign. Ida Aroonwong, who provided key support for the Chana villagers, argued that this was not unexpected as 'projects in Thailand [like the TTM] affect households so women naturally get involved'. [148] Doherty has observed a similar process in the North where the concerns in environmental campaigns that affect areas such as family, health, community and neighbourhood, 'connect with women's disproportionately high responsibility as carers' (Doherty 2002, 202). Some Thai women NGO workers also consider that women are simply better at this kind of work due to superior problem solving and tactical and negotiation skills (Hamburg 2008, 109). Alisa Manla was a local Muslim woman from the fishing village of Ban Nai Rai who took up the opportunity with other villagers to visit the eastern seaboard in 2000 and became an active community voice against the TTM project despite receiving death threats. She invoked the symbols of her familial responsibilities in the campaign by voicing the threats to her house, the health of her children, and their future (Vasana Chinvarakorn 2002).

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[148] Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.

The transition from leader of a village housewives' group and daycare centre to community spokesperson was initially resisted by her village, but eventually accepted. Despite the conservative reputation of Islam in much of the North, Razavi has demonstrated that modernist and reformist currents in political Islam can be very open to gender equality (Razavi 2006). Alisa Manla's activism did, however, transform her view of power structures in society:

> These past few years have exposed me to different types of people. I've met academics who are truly concerned for the poor, but I've also met people who use their social status to serve those in power (Vasana Chinvarakorn 2002).

Other women included Varaporn Chamsanit, a former journalist who worked on women's issues and a human rights activist who helped educate urban students on the issues facing the rural villagers while providing the villagers with key insights into bureaucratic and political processes.[149] Another was Penchom Tang, director of the Campaign for Alternative Industry Network (CAIN), who helped organise the villagers' eastern seaboard fieldtrip.[150] In 2006-07 CAIN also conducted a study on Woman Leaders in Thailand's Environmental Movement looking at environmental struggles led by local women with Penchom commenting that 'it's certain that women have done great jobs on environmental and social movement [particularly] during the last decade'.[151]

These activities demonstrated once again the centrality of women to activism in the region particularly those who, like Phinan in the Yadana campaign, have used the symbols of women's issues in strategic ways. While women's movements in many parts of the world are waning due in part to the 'professionalisation' of feminist movements (Cornwall and Molyneux 2006, 1184), the activism in these campaigns suggests that women are playing a key role in the dynamism of the environmental movements in the South.

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[149] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia. (Varaporn Chamsanit 2006).
[150] Penchom Tang (2005, 17 October). *Email to author*. Director of Campaign for Alternative Industry Network (CAIN). Bangkok, Thailand.
[151] Penchom Tang (2008, 9 February). *Email to author*. Director of Campaign for Alternative Industry Network (CAIN). Bangkok, Thailand.

Salween Dam Projects

The Salween River passes through Shan, Karenni and Karen States in Burma before emptying into the Gulf of Martaban at Moulmein in Mon State. The proposed four Salween Dams therefore precipitated a multi-ethnic dimension to the campaigns, in addition to the environmental and human rights groups involved. Green groups had been aware of the proposed Salween dam projects in Burma since the 1990s,[152] but it wasn't until 2003 that the campaigns began to reach beyond the activist networks. In December 2003 the Bangkok Post, whose environmental writers were networked with Salween activists such as Pipob Udomittipong, ran a front page story with the prominent headline 'China plans 13 dams on Salween' (Kultida Samabuddhi and Yuthana Praiwan 2003).[153] Although concentrating on the upper Salween in China (the Nujiang or Nu), it also drew widespread attention to the impending Salween Dam projects in Burma and became the first of many articles on the topic.[154] There was no coverage of the issue in Burma itself, however, and even in Thailand the coverage was restricted to the English language press because, as the editor of the Salween News Network argued, 'the analysis on Burma in the Thai language press is often very limited'.[155]

Unlike the TTM campaign, activists faced problems of access to communities in the Salween region due to the authoritarian governance of the Burmese military. Nevertheless, the issues relating to the Salween Dams, and indeed, dams throughout Burma, resulted in a sprawling network of groups and umbrella organisations producing a plethora of websites and detailed reports. Following the Yadana experience, environmental groups involved with the Salween campaign were aware of the need for creating networks early on between local communities and activists to harness local knowledge but, again, access to the areas was a problem.

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[152] Giannini, T. (2000, 22 January). *Interview with author*. Co-Founder EarthRights International (ERI). Lecturer in Law, Human Rights Program, Harvard Law School. Bangkok, Thailand.

[153] Pipob Udomittipong (2004, 14 January). *Interview with author*. Activist with EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[154] The local and transnational activism against these Nu Dams in China achieved notable successes with the plans for the first project, the Liuku hydropower station, put on hold by Premier Wen Jiabao in early 2004 and again in May 2009 until the social and environmental impacts could be fully determined (Jiangtao 2009; Macartney 2009).

[155] Wandee Suntivutimetee (2005, 11 January). *Interview with author*. Editor, Salween News Network. Chiang Mai, Thailand.

Technologies such as the internet, mobile phones and desktop publishing have become much more accessible to these groups in the years since the Yadana and TTM campaigns and resulted in greater coordination and publicity for a wider audience. The more significant transnational aspects of this campaign are considered in more detail in Chapter 6, while this section considers the limited extent of local activism under these difficult political conditions.

As a central organisation within the Salween campaign, the Karenni Development Research Group (KDRG) is a coalition of nine Karenni civil society organisations and a member of both Salween Watch and Burma Rivers Network (BRN), the two broad coalitions campaigning against the Salween Dams. It undertakes research within Karenni State in Burma which it has published transnationally (KDRG 2006), but it faces extreme difficulties organising any public activities in the region and its research is undertaken incognito. The areas in Burma along the Salween are nominally in the control of the Burmese military but it does not go unchallenged as these are areas of long standing civil conflict (Simpson 2007, 550). The manifold problems for activists and local communities in this region are set out in an email from Aung Ngyeh, a Karenni activist with the KDRG and BRN.

> [The] Salween River flows through Shan State, Karenni State, Karen State and Mon state. So since Thai, China and Burmese military regime set up plans to build dams across the Salween river, our people who stay in those states become to have huge consern. But, the people inside Burma, they didn't know about the plans of Dam construction on the Salween. Therefore, the first thing that we have to do inside Burma is to raise awareness of dams construction to our Burmese people … now some people become … aware of the dam constructions and potential impacts. To organise public action inside Burma, it's very hard as Burmese people have subjected to living under oppressive regime. Most dam construction plans are located in ethnic lands … where long run civil war [is] found. So, the villagers who are staying in those dam construction sites have suffered from various kinds of human rights abuse for long time and they have to struggle for their [survival]. The people who will be affected from the dams, specially from Karen, Karenni and Shan state have to live in their own lands as internally displace person [IDPs]. Their lives is full of risks and … their lives can be destroyed [at any time] so they have to hide in deep jungle for their safety. So when, we have tried to deliver the messages of dam construction plans to [them], we have also faced difficulty to [reach] them ... Therefore, because of several difficulties, we can't organize public activities inside Burma yet except from raising awareness on dam construction [sic].[156]

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[156] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.

Large scale relocation in Karenni State near the Salween River has occurred since 1996, the year when 212 villages in an area thought to be sympathetic to the Karenni National Progressive Party (KNPP) were relocated as the area became progressively militarised (KDRG 2006, 15). According to the Shan Sapawa Environmental Organization (Sapawa), this also occurred upstream in Shan State, in a pattern common along the Salween where, as part of a wider anti-insurgency campaign, 60,000 villagers from areas adjoining the Tasang Dam site and flood zone were relocated in 1996 (Sapawa 2006, 20-24). Sapawa is the first Shan organisation dedicated to the preservation of the environment in Shan State and they have been particularly active over the Tasang Dam project, the only dam on the Salween slated for Shan State. Two of the founders of Sapawa, Sai Sai and Khin Nanda, were graduates of the same EarthRights Burma School.[157] Sai Sai became the Sapawa spokesperson and worked with ERI between 2001 and 2003 and later, as a coordinator, with Salween Watch and the Burma Rivers Network.[158] Although Sapawa conducted research in Burma, their activities were very restricted with the organisation being unable to conduct any research activities north of Kun Hing in Shan State (Sapawa 2006, 23-24). Despite undertaking research on the Burmese side of the border Sapawa, as with KDRG, has been unable to organise significant public activities in the Salween region.[159] In contrast, according to Sapawa, the Burmese military as part of its public relations campaign forced over 400 villagers, many of whom have worked on such projects as forced labour, to attend the official launch of the Tasang Dam in March 2007 with Thai construction company MDX and high-ranking Burmese military officials (Sapawa 2007a).

Downriver from both Shan and Karenni States, the Salween River forms part of the border with Thailand in Karen State, the sites for both the Wei Gyi and Dar Gwin Dams, with the Hat Gyi Dam lower down the river entirely within Karen State (see Map 4-3) (KDRG 2006, viii; KRW 2004a; Salween Watch n.d.).

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[157] Khin Nanda (2009, 4 April). *Interview with author*. Training Coordinator, EarthRights School Burma. At EarthRights School Burma, Chiang Mai, Thailand.

[158] Sai Sai (2009, 9 January). *Interview with author*. Shan Sapawa Environmental Organization (Sapawa) and coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.

[159] Sai Sai (2007, 17 December). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.

NOTE:
This map is included on page 174
of the print copy of the thesis held in
the University of Adelaide Library.

Map 4-3 – Proposed Dam Sites on the Salween River

Source: EDesk/Salween Watch 2007 (via email)

Displacement has also been rampant within Karen State with the Karen founder and director of the Karen Environmental and Social Action Network (KESAN), who grew up near the Wei Gyi Dam site, moving downriver with his family each time there was an attack by the Burmese military until they finally left Burma permanently in 1995 after the fall of Manerplaw.[160]

The proximity to Thailand has made organising some actions possible on the river. Karen Rivers Watch (KRW), a coalition of Karen organisations formed in June 2003 including KESAN, the Karen Office of Relief and Development (KORD) and the Karen Women's Organization (KWO), has organised protests with activists and villagers along the river near the dam sites every year since 2005 (Cho 2008; KRW 2007b; Saw Karen 2007). The events have transnational elements but there is also a large local component with local activists raising local awareness about the projects through the dissemination of knowledge which is intended to empower villagers.[161]

As one activist from KRW noted, 'we ask local villagers to share their feelings and knowledge; we mobilise the community from the Karen side'.[162] Another activist quoted five villagers demonstrating support for the events, with one enthusiastic comment being, 'we need more organizations, leaders and friends to come and visit us and [give] us updated information on [the] dam issue'.[163] Nevertheless, although these actions have occurred inside the official borders of Burma, the locations where they have taken place can be defined as politically fuzzy to the extent that they are not part of Burma and are not totally controlled by the Burmese military. Anthony Giddens argues that in Weber's definition of a state, the territorial element of a claim to a monopoly of violence over a given territory may be 'quite ill-defined' and that this 'claim' may well be contested (Giddens 1987, 18-19). The areas where protests have taken place are areas of Karen State largely controlled by the KNU, like the area surrounding Ei Tu Hta IDP Camp, which are considered by the ethnic Karen as liberated areas (LA), contesting the

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[160] Paul (2009, 6 April). *Interview with author*. Pseudonym for Director, Karen Environmental and Social Action Network (KESAN). KESAN Office, On the Thai-Burmese border (location witheld).
[161] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.
[162] Nay Tha Blay (2009, 7 January). *Interview with author*. Director of Karen Office of Relief and Development (KORD) and activist with Karen Rivers Watch (KRW). KORD Office, Mae Sariang, Thailand.
[163] Paw Wah (2008, 18 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

Burmese military's claim of sovereignty over the area.[164] Absolute control over these areas may be fluid, but security considerations are paramount and activists were reticent to discuss the location of the protests. Chana Maung of ERI suggested that the protests happened at 'safe areas for … activists and villagers',[165] while a KESAN activist later disclosed the location but warned that it should not be divulged.[166]

The protests inside Burma are, therefore, not undertaken to appeal to the military regime that controls most of the country. Indeed they would probably be violently suppressed, as Sai Sai noted, '[the] Salween movement action does not get a lot of attention inside because it's impossible to protest under the ruling [military] regime'.[167] Rather, they are undertaken in areas over which the military has little influence, which may change over time according to the tatmadaw's military operations making it difficult to arrange locations far in advance. As a KRW activist noted, '[I] can't mention all the places for coming year … March 14 [protest] because we do it depend on situation'.[168]

Due to the tenuous control by the Burmese military in many of these regions, however, the dams may provide a potentially valuable role for them in exerting pressure on insurgent groups. Once the dams are built, the reservoirs behind the dams will flood large areas that provide either shelter or transit zones for insurgent groups. Around the Tasang Dam the Shan State Army South (SSAS) still has sporadic battles with the Burmese military while the Dar Gwin, Wei Gyi and Hat Gyi sites provide security for the KNU and are also the busiest routes for Karen refugees fleeing Burma into Thailand. The Wei Gyi Dam will also flood most of Karenni State's two river valleys that lie upstream where the KNPP is active (Kusnetz 2008). One experienced Northern activist argues that as a result of these projects ethnic IDPs in these areas are

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[164] Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.
[165] Chana Maung (2008, 25 March). *Email to author*. Team Leader, Southeast Asia Office, EarthRights International (ERI). Chiang Mai, Thailand.
[166] Bergoffen, M. (2009, 8 January). *Interview with author*. Lawyer with KESAN. Chiang Mai, Thailand.
[167] Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[168] Paw Wah (2008, 18 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

effectively 'held hostage' by the Burmese military in the negotiations between themselves, ethnic insurgents and the Thai state.[169]

The Hat Gyi Dam has been slated as the first Salween dam to be constructed in Karen State being the only one out of the lower three dams to be entirely within Burma's borders and therefore lowering the level of external scrutiny (Noam 2008a; Pianporn Deetes 2007; Tunya Sukpanich 2007). While security is still tenuous, the tatmadaw have a certain amount of control at the Hat Gyi Dam site and as a result the protest in March 2008 did not occur at the dam site itself but rather upriver along the border with Thailand. [170] The closer proximity to Thailand allowed the KNU to provide greater security for the Karen and keep the villagers better informed. [171] Paw Wah, a KRW activist, estimated that 475 villagers attended the two events in 2008 despite security concerns: 'There were 18 villages, estimate 250 people from Kyor Lot (Thoo Moe Hta) [near Hat Gyi and] 5 villages and 225 peopl [sic] from Wei Gyi areas'.[172] When I informed Paw Wah that Kyor Lot (Thoo Moe Hta) did not appear in any detailed Burma maps, he told of the structural marginalisation of his people in Burma: 'Of course, you might not see the location name in web or maps because the indergenous [sic] homeland and communities [sic] villages there were ignored by SPDC [and] EGAT'.[173]

While security is generally more difficult deeper in Burma, there are also tatmadaw garrisons on the Burmese side of the river near the Dar Gwin and Wei Gyi Dam sites (KRW 2004a, 13), and in February 2008 ten tatmadaw soldiers were injured after being shot by Karen insurgents while crossing the river along the border (Saw Yan Naing 2008a).[174] The attack occurred near Ei Htu Tar IDP Camp on the Burmese side and the villages of Mae Sam Laep and Ban Ta Tar Fung on the Thai side near the Dar Gwin and Wei Gyi Dam sites, where local villagers opposed the

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[169] Green, S. (2009, 6 April). *Interview with author*. Pseudonym for Activist with Karen Environmental and Social Action Network (KESAN) (formerly with E-Desk/Images Asia). KESAN Office, On the Thai-Burmese border (location withheld).

[170] Nay Tha Blay (2008, 26 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

[171] Chana Maung (2008, 25 March). *Email to author*. Team Leader, Southeast Asia Office, EarthRights International (ERI). Chiang Mai, Thailand.

[172] Paw Wah (2008, 18 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

[173] Paw Wah (2008, 25 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

[174] Pipob Udomittipong (2003, 10 December). *Email to author*. Activist with EarthRights International (ERI). Pipob Udomittipong (2004, 14 January). *Interview with author*. Activist with EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

dams.[175] It was less than a month later when the villagers gathered on the river near the Wei Gyi Dam site secured by the KNU for their protest. Although there was little confidence that the Burmese military would heed the protests, Karen villagers on the Thai side also felt a sense of powerlessness: 'if the govt wants to build [the dams] it will as we are only poor people but, still, we and other villages send … representatives to meetings in Mae Hong Son, Chiang Mai and Bangkok'.[176]

On the Burmese side of the border the protests at marginally secure sites are the only outlet for Burmese villagers to voice their concerns over the dam projects. As with the Burmese side of the Yadana Pipeline, there has been no formal public participation in the Salween Dam projects. Initially, under the Thaksin government in September 2006, a senior official from EGAT announced that it would not be undertaking EIAs for the projects at all (Markar 2006; Piyaporn Wongruang 2006). In November 2006, however, following the coup that ousted Thaksin and intense public pressure in Thailand, Chulalongkorn University's Environmental Research Institute was commissioned by EGAT to conduct an EIA for the Hat Gyi Dam. It was not a transparent procedure, however, as public participation was not to be part of the process and the report was to remain confidential with only EGAT having disclosure rights (Pianporn Deetes 2007; Tunya Sukpanich 2007). According to an activist with KESAN, the EIA was finished in December 2008 and the group was endeavouring to get access to it through the Freedom of Information Act, which has been part of Thai constitutions since 1997, but the government and EGAT were using the 'sensitive nature' out clause to deny the request.[177]

Security in the Hat Gyi area was still tenuous though, and in May 2006 an EGAT geologist lost his leg to a mine while surveying the area and, according to later reports, died from his wounds (KRW 2006; KRW and SEARIN 2006; Kultida Samabuddhi 2006; Tunya Sukpanich 2007). In response to this and other ongoing concerns, Thailand's Human Rights Commission

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[175] Hsiplopo (2009, 6 January). *Interview with author*. Ei Tu Hta Camp Leader/Chairman, KNU Member. Ei Tu Hta Camp, KNU controlled Burma on the Salween River; Junatoo (2009, 6 January). *Interview with author*. Volunteer nurse from Mae La Refugee Camp. Ei Tu Hta Camp, KNU controlled Burma on the Salween River.

[176] Sanchai (2009, 6 January). *Interview with author*. Activist and wife of village deputy chairman. Ban Ta Tar Fung, Salween River, Thailand.

[177] Alex Shwe (2009, 8 January). *Interview with author*. Activist with KESAN (aka Ko Shwe). Chiang Mai, Thailand.

recommended that the Hat Gyi Dam be abandoned (Watershed 2007). In July 2007 30 EGAT engineers and other workers began a three-month feasibility study of the Hat Gyi Dam but encountered opposition from local Karen villagers. According to one activist the immediate area is a brown area,[178] largely controlled by the DKBA, which generally supports the tatmadaw, but which is contested by the KNU.[179] As another activist put it, 'the DKBA have the upper hand but the KNU can go in anytime'.[180] Nevertheless the KNU controls the area to the east towards the border and, as a result of opposition amongst villagers, the KNU banned the EGAT team from the reservoir site:

> The KNU will reach a decision based on the interests of the people … [they] should listen to the people and work with them to stop these dam projects because they will have a long term impact (Cho 2007).

After talks with EGAT in Mae Sot, the KNU later relented and gave the team permission to conduct a two-day survey; however the KNU and local villagers remained opposed to the dam project (Saw Yan Naing 2007). In September 2007 another EGAT employee surveying the Hat Gyi site died from an artillery shell and the remaining 42 EGAT staff were evacuated to Thailand (AP 2007b). No one took responsibility for the attack, but it highlighted that these are highly insecure sites for major projects. As Naing Htoo from ERI pointed out, 'even if [the tatmadaw] crush the KNU [in the Wei Gyi and Hat Gyi area] they will melt into the forest and continue their fight'.[181] Likewise Ka Hsaw Wa noted that it would always be 'easy to take a [hand held RPG] into the dam area'.[182] It also highlighted that in these dam projects, where official channels of public participation are effectively closed, it is largely through a militant insurgent group that local villagers and activists are able to influence the outcome of the project.

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[178] The SPDC divides Burma into 'white' areas, which are under complete SPDC military control, 'brown' areas, which are essentially under SPDC control but where resistance forces can occasionally penetrate, and 'black' areas, where there is regular armed resistance activity.
[179] Alex Shwe (2009, 8 January). *Interview with author*. Activist with KESAN (aka Ko Shwe). Chiang Mai, Thailand
[180] Naing Htoo (2009, 9 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[181] Naing Htoo (2009, 9 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand
[182] Ka Hsaw Wa (2009, 9 January). *Interview with author*. Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand

While security considerations for ethnic Karen communities in the region become part of the precarious daily existence both inside Burma and sometimes in the Thai borderlands, they are largely foreign to the Northern activists who are only practiced in organising protests in their own countries.[183] While intelligence agencies in the North have been known to target environmental groups and security responses to protests have been over-exuberant, particularly under cover of the War on Terror, activists generally have civil liberty protections unheard of for Karen communities in Burma. As a result the focus of these protests in Burma is on survival for the communities, rather than post-materialist concerns.

The content of these protests also emphasise local culture and ritual. Multi-religious prayers and ceremonies for the protection of the river by villagers and activists were aimed at fostering local solidarity among the villagers and publicising their plight (KRW 2007a). Most Karen in this region adhere to a synthesis of animism and Christianity and undertake rituals emphasising the connection between humans and their environment, such as an 'animist ceremony [in the Wei Gyi Dam area] calling on the local spirit to protect their lands and water' (KRW 2004a, 60).[184] Katie Redford of ERI related a story told by a Karen woman to fellow Karen Ka Hsaw Wa:

> Her child had been ill ever since he was forcibly removed from their village. The woman argued 'He is away from his god'. When babies are born the placenta is buried under a tree. That tree spirit (god) looks over you but if you leave, the spirit can no longer look after you.[185]

Through both deforestation and the internal displacement of people, these localised connections are severed causing illness in these communities (Hares 2006, 108; Mandipensa 2004; McGready 2003). Religion therefore plays a significant role in Karen areas but, as the Buddhist Sai Sai notes, Salween activists come from many ethnicities and religions and all are focused

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[183] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand; Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[184] A 1983 census indicated that 84 percent of Karen State was Buddhist with less than 10 percent Christian and 0.2 percent animist but this breakdown is more likely to reflect biases in reporting as a result of the severe marginalisation experienced by non-Buddhists, and particularly animists, in Burma (Tin Maung Maung Than 2005a, 69).

[185] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

on saving the Salween and its people through democratic processes.[186] Aung Ngyeh also contended that despite the diverse ethnicities and the authoritarian policies of the military, when his people fully understood the dams and their consequences 'the public action [will] come'.[187]

Shwe Gas Pipeline Project

As with the Salween campaign in the east of Burma, there have also been very few local protests over the Shwe Gas Pipeline project in Arakan State in the west due to restrictions on public dissent. Despite activists undertaking research within the state, organising public activities is significantly more difficult than in the east. Its proximity to India and Bangladesh allows transnational linkages with activists across the border, but its distance from the activist locus of Thailand leaves local activists particularly isolated.[188] Nevertheless in April 2007 there was a protest near Kyauk Phyu (Kyaukphu or Kyauk Pru), the second largest town in Arakan State near the offshore Shwe gas deposit (A1 Block) (see Map 5-4).

The protest was primarily related to the oil pipeline to be built parallel to the Shwe Gas Pipeline from Kyauk Phyu to Kunming in China, but it also reflected broader concerns over the impact of large scale fossil fuel development on local livelihoods (Al Jazeera 2008). The protest was a largely spontaneous reaction by local villagers rather than part of a coordinated campaign by activists and it descended into violence (Arakan Oil Watch 2008a).[189] It indicated, however, deep local opposition to both the fossil fuel projects and China's involvement.

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[186] Sai Sai (2007, 17 December). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.

[187] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.

[188] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

[189] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.

NOTE:
This map is included on page 182
of the print copy of the thesis held in
the University of Adelaide Library.

Map 4-4 – The Shwe Gas Pipeline from Kyauk Phyu to Kunming

Source: Adapted from Jockai Khaing, Arakan Oil Watch (via email 9 February 2009)

Approximately 40 Arakanese villagers attacked an oil-drilling site run by the Chinese company CNOOC between Kyauk Phyu and Rambree township: 'the villagers destroyed the Ranan Daung (Oil Mountain) oil-drilling site with sticks and swords after intruding on the compound during the night when guards of the site were absent' (Arakan Oil Watch 2007). A Northern activist from a Burma NGO in Thailand, who has travelled widely in the region, explained that the local village had over 600 small wells dug by hand:

> [It] takes them a week to dig a 100 ft and some wells are up to 600 ft deep ... After seismic surveys ... the CNOOC last year built a huge metal structure just next to the traditional oil fields for further exploratory drilling. Villagers know that their local business would be out of business if production starts, so the attack does not come as a surprise.[190]

Eighteen months earlier he had argued that this region was facing a variety of new pressures relating to both increased militarisation of the area and the energy project developments with increased land confiscation and forced labour linked to infrastructure projects and military shrimp farms.[191] Likewise a local activist from the region noted that in June of 2005 two people from each house in his home town had been taken as forced labour to build three helicopter pads for the military.[192] All these developments compounded the effects of the rapid expansion of the military that had been undertaken since 1988 in its attempts to spread its influence to the more remote border regions of the country (Selth 1996, 132).

In December 2004 the then president of the All Arakan Students and Youth Congress (AASYC), exiled in Bangladesh, indicated that the organisation had learned from the Yadana project where the promised benefits for locals failed to materialise, but he suggested that knowledge regarding the project in Arakan State was even lower than it was at a comparable stage in the areas surrounding the Yadana Pipeline due to restrictions on their activity.[193] Those that had been affected by the project already, such as those engaged in the protest, were, however,

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[190] Patrick (2007, 3 May). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

[191] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.

[192] Wong Aung (2009, 6 April). *Interview with author*. Global Coordinator, Shwe Gas Movement (SGM). Chiang Mai, Thailand.

[193] Kyaw Han (2004, 24 December). *Phone interview with author*. Former President, All Arakan Students and Youth Congress (AASYC), based in Dhaka, Bangladesh. Undertaken from Mizzima Office, New Delhi, India.

mindful of their tactics. During the action at the oil-drilling site there was destruction of property but no violence against humans. This action could well be considered nonviolent because it was aimed only at inanimate objects (Doherty 2002, 156; Doyle 2000, 48), with an Arakanese activist from Arakan Oil Watch (AOW) suggesting that:

> I think that it will be difficult for me to do something against … Buddhism. I like the philosophy of nonviolent. I think that nonviolent action is the best way to resist against anything. Every human being … poor or rich/educated or non-educated is valuable and respectable [sic].[194]

Certainly individual activists saw the actions of villagers as understandable, given the situation facing these communities. It was also seen as a potential rallying point:

> We have had some depressing discussions on how to approach and influence China policy on their extractive projects in Burma [but maybe] locally, the villagers … will show the way.[195]

As with the projects in the east of the country there was no attempt by the authoritarian Burmese regime to undertake an EIA for the Shwe project and no attempt to introduce public participation into the development process. Unlike the other projects, however, in this case the foreign TNCs were mostly from China, a country under a traditional authoritarian regime that was not subject to the same public pressures as the Thai state. Despite the Chinese state demonstrating an increasing recognition of the need for sustainability in projects within its own borders (Macartney 2009), it has not given any indication of similar concerns for projects in Burma. As a result, with two authoritarian regimes playing central roles in the project, there was little likelihood of either a thorough EIA being pursued or the opening of any channels for public participation.

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[194] Jockai Khaing (2007, 19 December). *Email to author*. Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand.
[195] Patrick (2007, 3 May). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

Conclusion

The analysis of the campaigns against the four energy projects above suggests that the level of local activism employed is very much dependent on domestic political openings. The ability to undertake public participation in environmental politics, and in particular environmental protest, is very much dependent upon the political regime under which it is undertaken. The prospects for genuine and effective public dissent by the environment movement under authoritarian regimes are therefore extremely limited. As a consequence, in the context of this chapter both public protest and participation under the traditional authoritarian regime of Burma were severely constrained, while the public expression of dissent under the more competitive regime of Thailand is well established. It is of little surprise, therefore, that the focus of much of the local activism in this chapter is directed towards change within the Thai state and Thai TNCs.

Since the early 1990s, and since the 1997 Constitution in particular, Thailand has increased the avenues available for the airing of public grievances although these outlets are often subverted. Public participation in the development process and the pursuit of an ecological rationality is regularly undermined by powerful political forces within business, government, and the military taking a 'tokenistic' attitude to public participation (Simpson 1995, 319), and using it as a 'legitimising cover for business as usual' (Dryzek 2005a, 82). Processes such as EIA in Thailand can therefore be seen as a strategy of accommodation and consent by the state which defuses public disquiet without surrendering the underlying philosophies of development. For activists who adopt this perspective, participation in limited state activities can be disempowering. Nevertheless, the experience of projects in Burma demonstrates that while EIAs with public consultation processes may be imperfect in practice, it is certainly better to have some kind of system than nothing at all (Howes 2005, 108).

The local activism within these environmental campaigns identified both social and environmental goals. Achieving justice for communities, primarily for ethnic minorities in Burma

and Muslim fisherfolk in southern Thailand, was intimately linked to issues of ecological health. On the Thai side of the Yadana campaign, issues of forest ecology were prominent but, equally importantly, activists linked business dealings with the Burmese military to the suppression of human rights in Burma and the further delaying of democratic reform. Initially relatively affluent local activists from Kanchanburi were focused particularly on preservation of the forest, but through their activism their awareness of linkages to wider social and political issues tended to radicalise their approach. Local groups such as the KCG therefore made conscious decisions about their organisational structure and decision-making processes, ensuring a flat, largely consensus-based decision making structure with both male and female spokespeople. As Doherty and Wall also demonstrate in their analyses of environment movements in the North (Doherty 2002, 185; Wall 1999, 25), undertaking activism in the South is itself a transformative process and NIMBY local environment groups may become radicalised social movement actors. A similar but different transformative process also characterised the campaign against the Trans Thai-Malaysian (TTM) Pipeline. Local Muslim villagers were on the whole less affluent than the activists from Kanchanaburi and they were certainly concerned to preserve their lives as fisherfolk, but as the campaign progressed they began to view the project both as an attack on their religion and as part of a wider pattern of globalised capitalist industrialisation. One of the major concerns in the limited local activism against the Salween Dams in Burma was the impact on internally displaced peoples (IDPs), not just to clear the reservoir zone itself but through the military relocating villages as part of their four cuts campaign against insurgents. The Shwe campaign had even less local activity in Burma, but the activism which did occur was very focused on threats to the already precarious local livelihoods.

It is clear that local cultural and ethnic influences shape some of the tactics in the campaigns at the local level and that local cultural and religious symbols have been employed by activists in the pursuit of their goals. In the Yadana campaign Buddhist and specifically Thai influences shaped particular tactics and, on a broader scale, Engaged Buddhist activists framed the project as being contrary to a variety of Buddhist values. To some extent this was an attempt to wrest the symbols of Buddhism back from the state, which activists saw as appropriating and subverting the true message of Buddhism. Buddhism also influenced aspects of the TTM

campaign but in Had Yai, and particularly at the village level in Chana district, the campaign was largely framed by Islamic values, with the symbol of Islamic integrity deployed by activists. Local campaigns for the other projects in Burma were limited but ceremonies for the protection of the Salween River by Karen communities emphasised the animist connections of the local people to their environment.

While the Thai environment movement has appeared to be powerful enough to ensure that further large dams will not be built in Thailand itself it is still extremely difficult, as the Yadana and TTM campaigns suggest, for public and community opposition to impose constraints on other large transnational energy projects. Nevertheless, when one also considers that most of the high quality dam sites in Thailand have already been used, and that EGAT has simply begun sourcing its energy from dams in the neighbouring authoritarian countries of Burma and Laos,[196] the true ability of the environment movement to significantly impact on any government energy and development policy looks less imposing. The dynamic movement within Thailand has, however, achieved some notable goals, such as entrenching EIA processes, whereas inside Burma environment movements are constrained and opposition to these projects is relatively mute. This chapter, therefore, finds that political regimes and their degree of openness can have significant impacts on the level of local environmental activism associated with transnational energy projects in this region. Local cultural and ethnic factors have also been shown to influence tactics and philosophies in these campaigns at the local level, but the evidence also tends to suggest that more precarious living environments induce a greater focus on social or post-colonial issues over post-materialist environmental concerns. The potential impact of these various influences on the campaigns at a transnational level will be considered in Chapters 5 and 6.

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[196] For further discussion on these developments in Laos and the Mekong see (Simpson 2007, 540-41; Sovacool 2009b, 472).

Chapter 5 – Bridging North and South: EarthRights International

This chapter is the first of two that deal explicitly with transnational activism, but it focuses specifically on the transnational NGO, EarthRights International (ERI). In the previous chapter the Kanchanburi Conservation Group (KCG), as a local informal group, was examined and the next chapter investigates in more detail transnational actors within the green movement, such as the Shwe Gas Movement (SGM) and coalitions against the Salween Dams, to complete a multilevel multiscalar analysis (Kaiser and Nikiforova 2006). ERI is chosen as the central case study of this dissertation, however, because as a transnational social and environmental movement organisation (Caniglia 2002; Rucht 1999, 207), which straddles North and South, it provides a compelling case study of an emancipatory governance group (EGG) addressing many elements of the research questions posed by this thesis.

Although this chapter addresses aspects of all research questions, its particular focus is on the fifth research question which considers the impacts that organisational structure and composition of environment groups have on their ability to achieve their goals. ERI offers a valuable case study in this regard as it straddles the two core case study countries and is a key actor in all of the campaigns in this thesis involving Burma. It also provides an exemplar of a EGG forming due to personal networks between Northern and Southern activists. Its focus is on human rights and the environment, but it is also consciously part of the global justice movement (GJM), making genuine attempts to employ its activist philosophy within its own organisation. In tandem with its fieldwork in the civil conflict zones of Burma's forests, ERI has also undertaken precedent-setting litigation against TNCs in US courts, demonstrating some of the benefits available to emancipatory NGOs with expertise in both the North and South. These activities have been undertaken in response to the actions of TNCs and authoritarian regimes but their relative success also demonstrates how environment movements can influence the behaviour of TNCs and large business interests. ERI also addresses many of the cultural, philosophical and political dilemmas that face EGGs which traverse North and South and it therefore warrants analysis in greater detail prior to discussing the broader transnational campaigns in Chapter 6.

As demonstrated in the Friends of the Earth International (FoEI) example in Chapter 2 (Doherty 2006), EGGs that cohabit North and South must be conscious of the potential for acute differences in foci between activists from the affluent and less affluent worlds. Unlike FoEI, ERI is not a federation of pre-existing groups but rather a single organisation founded by activists from the North and South with staff from both worlds. As a result it has been confronted by North-South dilemmas from its inception. It maintains offices in Thailand and the US and runs two activist schools in Southeast Asia while having also established operations in South America, resulting in multi-ethnic, multi-lingual activities that sometimes involve 'dozens of languages'.[197] Previous research on international solidarity work has found that centralised organisations with greater resources tend to reinforce power imbalances among organisational participants (Smith and Bandy 2005, 11). The founders and staff of ERI were therefore extremely conscious of the potential for North-South difficulties, including perceptions of 'Northern imperialism' that are sometimes elicited through use of the environmental symbol. In this sense I argue here that ERI has introspective elements to its organisation, despite its formal structure. An important organisational difference between FoEI and ERI is that, whereas FoEI was founded in the North and grew to include groups in the South, ERI was founded by both Northern and Southern activists on issues affecting primarily the South where the first office was established. Over the years the management of the organisation's activities in the South has been wholly transferred to Southern activists. It is, therefore, well placed to negotiate the tensions that arise.

ERI is not, however, an 'extreme' introspective group like Earth First! (Carter 2007, 155-56), and it would be considered very mainstream by such self-consciously anarchic groups. It has adopted the formality of an NGO, rather than an informal group, and has been incorporated in the US.[198] Nevertheless, it should be acknowledged that as a transational EGG it engages in a wide variety of activities in very diverse settings, from a civil war zone in the jungle borderlands of Burma to the federal courts in the US. It is inconceivable that an extreme introspective group could undertake the scope of these activities. Doyle argues that non-introspective groups 'are

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[197] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[198] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

often not conscious of their political form, their structure or their ideology' (Doyle 2000, 34). It is clear, as I demonstrate below, that ERI is very conscious of all three of these elements. The founders certainly decided to formalise the structure, which Doyle sees as an attribute of a non-introspective group, but during discussions with ERI activists – as well as through their actions – they demonstrate that they are well aware of societal power imbalances and particularly potential North-South tensions. These acknowledgements are indicative of ERI's broader campaigns for justice in the South in coalitions with local groups and networks. ERI is firmly entrenched, therefore, within the green public sphere as an EGG, rather than a perpetuator of the status quo as part of the environmental governance state (EGS). Doyle and Doherty argue that emancipatory groups (EGs)

> construct themselves … often in rugged opposition to what they perceive to be a global neoliberal project [and] through grassroots networking, develop shared techniques, strategies and repertoires of action alongside more localised networks and groups (Doyle and Doherty 2006, 883).

As will be demonstrated, ERI fulfils these criteria, but ERI goes further and also engages in environmental governance through their participation in various local, national and transnational fora and their broader activities. It also strongly identifies with the four core green values of democracy, sustainability, justice and nonviolence and is therefore a key case study of an EGG for this thesis.

As an EGG whose organisation and campaigns traverse both North and South, an examination of ERI can also demonstrate whether local cultural and political factors in the South impact on the philosophies and practices of activists in either local or transnational contexts. Furthermore, an analysis of ERI's organisational philosophy and practices and its progress towards its justice goals also provides some indication of links between the practice of equity and justice within an organisation and the achievement of justice in the wider sphere. Finding answers to these questions will assist in determining whether ERI has been successful in its activism in improving environmental governance and security for marginalised communities surrounding transnational energy projects in Burma.

From Small Beginnings

EarthRights International (ERI) was founded in 1995 by a Karen exile from Burma, Ka Hsaw Wa, and two American lawyers, Katharine (Katie) Redford and Tyler Gianinni. Ka Hsaw Wa defines their mission statement as follows:

> EarthRights International (ERI) combines the power of law and the power of people in defense of human rights and the environment. We focus our work at the intersection of human rights and the environment, which we define as earth rights. We specialize in fact-finding, legal actions against perpetrators of earth rights abuses, training for grassroots and community leaders and advocacy campaigns. Through these strategies, ERI seeks to end earth rights abuses, and to promote and protect earth rights.[199]

Ka Hsaw Wa had been a student involved with the protests in Rangoon in 1988. His friend had died in his arms after being shot by the Burmese military and Ka Hsaw Wa himself had been arrested and tortured for three days after the demonstrations. His immediate reaction to the massacre was anger and a desire for revenge through armed rebellion: 'I wanted to shoot the military [men], kill them'.[200] Doubts soon surfaced, however, regarding the likelihood of societal transformation through armed conflict and these doubts turned to resolve when he came across the mutilated body of a woman.

Ka Hsaw Wa then turned to nonviolent methods of achieving justice for the Karen and other ethnicities of Burma. He started working with a Canadian human rights group in 1992, gathering evidence of human rights abuses from interviews both inside Burma and in the border regions, with a different name on his passport allowing him to slip in and out of Burma incognito.[201] According to Katie Redford he 'took enormous [personal] risks over 10 years to document the facts and bring them into the international media and court rooms'.[202] A common thread in the horrific stories he collected was the destruction of the village environments by the Burmese

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[199] Ka Hsaw Wa (2007, 1 May). *Email to author*. Co-Founder/Executive Director EarthRights International.
[200] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.
[201] Ibid.
[202] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

military. Through this process he came to realise the vital interconnectedness of human rights and environmental protection.[203]

Giannini and Redford came from vastly different backgrounds to Ka Hsaw Wa, but both also understood the symbiotic nature of human rights and the environment and brought them together while at the University of Virginia School of Law in the early 1990s. Redford came from a human rights background, having spent two years teaching English in refugee camps near Mae Sot on the Thai-Burmese border prior to attending law school. On occasions while in the camp she could hear shelling from the Burmese military and twice the camp was burnt down by the Karen Buddhist Liberation Army (KBLA), a group aligned with the SPDC.[204] During her law degree she returned to Thailand in 1993 on a fact-finding mission for Human Rights Watch Asia for which she travelled to jungle villages in the conflict zones of Burma to conduct interviews with victims of abuses perpetrated by the Burmese military. In the grant submission to Echoing Green in 1994 for the establishment of ERI she described how these experiences stimulated her motivation to pursue justice for these people:

> After my experiences in Thailand … I knew that I would focus my law school career on international human rights. Indeed, I think it is impossible to live among victims of systematic human rights abuses, as I did with Karen refugees, and not want to do everything possible for them (Giannini and Redford 1994, 8).

These experiences sharpened Redford's awareness of the plight of ethnic minorities inside Burma, but her dedication to resolve the problems nonviolently derived directly from a commitment to human rights and was not influenced by any religious background.[205] In 1994 Redford wrote her final year law school paper on Suing Oil Companies Using the Alien Torts Claim Act (ATCA), long before any court cases of this nature had been undertaken, and this

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[203] In 1999, as recognition for his efforts in highlighting the plight of ethnic minorities and their environments within Burma, Ka Hsaw Wa was a recipient of the *Goldman Environmental Prize*, the *Reebok Human Rights Award* and the *Conde Nast Environmental Prize*. It is important to note that he won both environmental and human rights awards, demonstrating the linkages between the two areas. Even more illustrative of the connection was the *Sting and Trudie Styler Award for Human Rights and the Environment*, which he won in 2004.

[204] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[205] Redford, K. (2007, 6 August). *Email to author*. Co-Founder/Director EarthRights International (ERI).

litigation became a central goal in the formation of ERI in 1995.[206] In 2006 Redford's role in initiating this legal action was recognised with her election as an Ashoka Fellow for 'introducing a simple and powerful idea into the human rights movement: that corporations can be brought to court for their role in overseas abuse' (Ashoka 2006).

Giannini had inherited a strong commitment to nonviolence from his father but during his time in Thailand this philosophy was 'influenced by Thai Buddhist activists in the INEB [International Network for Engaged Buddhists] tradition',[207] with Buddhist activists such as Pipob also working with ERI over several years. While Giannini had worked with Haitian refugees, he had also focused on environmental issues through his law studies. During an externship with the Sierra Club Legal Defense Fund (SCLDF) (renamed Earthjustice in 1997) between September and November 1994 he 'studied the strategies that environmental NGOs used to influence the World Bank to change [its] environmental protection policies'.[208] Although focused particularly on environmental issues, a strong participatory element for local groups was promoted and disputes in the South such as the Narmada Dam were used as case studies linking environmental problems to a lack of participation, transparency and accountability (Giannini 1994). This paper formed the basis for what developed into ERI's integrated advocacy campaign (Giannini and Redford 1994).[209]

Redford met Ka Hsaw Wa in Thailand during her work for Human Rights Watch Asia in early 1993 when he acted as a Karen-English translator and the couple formed a relationship and later started a family. When Redford and Giannini finished their law degrees the three activists incorporated EarthRights International in February 1995, starting operations in July of that

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[206] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[207] Giannini, T. (2007, 1 August). *Email to author (from Cambodia)*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.

[208] Giannini, T. (2007, 14 February). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.

[209] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

year.[210] The creation of ERI at this time as an organisation focused on both human rights and environmental protection accords with research that demonstrates a large overall increase in multi-issue transnational social movement organisations, when compared with single-issue organisations, between the 1970s and 2000 (Bandy and Smith 2005, 6).

For the rest of the 1990s the three co-founders ran the organisation largely from Thailand, although a Washington office was also set up. In 2000 Redford and Ka Hsaw Wa moved back to the US with Redford taking up the management of the Washington office, leaving the Thai office in Giannini's hands.[211] In 2004 Giannini left ERI to become a Clinical Advocacy Fellow in the Human Rights Program at Harvard Law School where he was later appointed as a Lecturer on Law and also Clinical Director of the Human Rights Program.[212] The connection between human rights and the environment is once again evident with his early experience at an environmental organisation (SCLDF) feeding into his work in a human rights program, now running a course on Human Rights and the Environment (HLS 2008). In attempting to transnationalise knowledge on the Burma campaigns, he helped set up an ERI Law School Chapter at Harvard as well as American University and University of Virginia (ERI 2004c). While at Harvard he also co-authored a major report commissioned by five world renowned jurists which called on the UN Security Council to urgently 'establish a Commission of Inquiry to investigate and report on crimes against humanity and war crimes in Burma' (Stevenson et al. 2009, iv).

The initial funding to set up ERI was provided by an Echoing Green fellowship of US$35,000 pa for Giannini and Redford between 1995 and 1999.[213] Echoing Green awards fellowships 'to individuals with innovative ideas for creating new models for tackling seemingly unsolvable social challenges' (Echoing Green 2007). In their original Echoing Green grant proposal the

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[210] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand. Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[211] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[212] Giannini, T. (2006, 22 July). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. .
[213] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

activists argued that the ERI would be formed to accomplish two goals: 'to ensure that indigenous voices will not be silenced, and to simultaneously fight for the vital objective of environmental protection' (Giannini and Redford 1994, i).

They also set out how their new organisation would achieve these goals by conducting an

> integrated advocacy campaign to empower the local unrepresented people and guard their rights … utilizing education media strategies, political advocacy, cooperative efforts, litigation and coalition building to effect change (Giannini and Redford 1994, i).

In undertaking this campaign ERI would join an 'existing alliance of local human rights and environment groups' and also work with existing US advocacy groups (Giannini and Redford 1994, i-ii). From the very beginning, therefore, ERI worked towards the emancipatory goals set out by Doyle and Doherty of 'building regional and global networks in a manner which increases the power resources of the poor and environmentally degraded' (Doyle and Doherty 2006, 883).

While some components of ERI's strategy involved a certain amount of radicalism, other elements of its platform could be considered, on first inspection, largely reformist. Half the organisation's motto expresses confidence in the 'power of law', suggesting a reformist approach through legislation. It has interests in restricting corporate power in general but its goals are not radical in the sense of the traditional left, rather adopting a stance consistent with the view that 'capitalism is the only game in town' (Butler et al. 2000, 95). In Redford's words, 'I don't think ERI is trying to break down the capitalist system, just make it more just and fair'.[214] Despite the apparent modesty of these goals, it is common within the GJM to challenge neoliberal globalisation, US imperialism or global capitalism (Epstein 2001), but there are rarely attempts to do away with market mechanisms altogether. Activists may, for example, support nationalisation of certain industries in the South to distribute the revenues of natural gas sales more equitably (Crabtree 2005), but there are no serious moves advocating a shift to a centrally planned economy. Activists within the GJM may support elements of bioregionalism to constrain global economies, but the emphasis within the movement is much more heavily

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[214] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

focused on the deepening of participatory politics (Escobar 2004, 353-55; Gret and Sintomer 2005) and democratic mechanisms (Dryzek et al. 2003, 6; Hay 2002, 303; Paehlke 2005, 25), with an emphasis on decentralisation (Carter 2007, 58; Doherty and de Geus 1996, 3; Douthwaite 1996). An expected result of these changes would be new laws and policies that restrain global capitalism with improved transparency within economic processes. The World Social Forum (WSF) has been one of the key transformative processes within the GJM for challenging neoliberal globalisation, particularly for highlighting feminist and environmental aspects of the GJM (Eschle and Maiguashca 2006, 128). In January 2004 Ka Hsaw Wa addressed the WSF in Mumbai as part of a panel ERI co-hosted on Challenging Corporate Power in a Globalized Economy (Greenpeace 2004; Sen et al. 2004).[215] These sorts of panels underlined the 'democratic power' of the WSF (Hardt 2002, 118), and are radical in their challenge to the global power of business. I argue here, therefore, that, despite ERI's apparent reformist elements, in the particular milieu that ERI operates and in their day-to-day activities and organisation ERI can be considered as a radical organisation, being both introspective and emancipatory.

Following its inception, ERI's main project was the investigation of earth rights violations along the Yadana Gas Pipeline in Burma. As I note elsewhere,

> ironically, the atrocious violations of earth rights that have occurred in connection with the pipeline have been a stimulus for the development of the earth rights concept and for cooperation between previously irreconcilable groups (Simpson 2005, 257).

These irreconcilable groups included Amnesty International-USA and the Sierra Club, which had previously vigorously competed for funding and membership, but the dawning realisation by many activists across various social movements of linkages between human rights and environmental protection saw these disparate organisations cooperating on strategies that linked human rights and the environment. Most of the participants of a conference on Earth Rights and Responsibilities at Yale Law School in 1992 represented either EMOs or human rights organisations (American Association for the Advancement of Science 1992). Despite

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[215] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

presenting a united face during the conference, behind the scenes it was actually 'a disaster', according to Redford, with the organisations unwilling to cooperate. It planted the seed of collaboration, however, and the circumstances surrounding the death of Ken Saro-Wiwa and the rest of the Ogoni Nine in 1995 was a major factor in reconciling these groups to their joint interests, serendipitously at the point of ERI's foundation (Greer and Giannini 1999, 36-39).[216]

Although they didn't always name them as earth rights, these organisations, which had previously either focused solely on human rights or the environment, progressively integrated the two areas into a single campaign.[217] As encouragement, Sierra Club and Amnesty International received, along with ERI and another group, sizable grants from the Richard and Rhonda Goldman Fund in 1998 for increasing cooperation between human rights and environmental organisations (Greer and Giannini 1999, 94). As Redford noted, with the Fund placing the three year old ERI alongside these two large and respected NGOs, they felt they had certainly made it into the activist 'big league'.[218] The approach of combining environmental and human rights concerns is now firmly ingrained with EMOs such as Earthjustice making representations to the UN Commission of Human Rights on the linkages between human rights and the environment (Earthjustice 2004). The WSF panel on corporate accountability in Mumbai was jointly organised by human rights organisations, including Amnesty International, and environmental organisations, including Greenpeace, as well as organizations, such as ERI, that self-consciously attempt to bridge the two (Greenpeace 2004). Progress was made so that by 2007 the 'international issues' page of the Sierra Club website was entitled 'Fight for Global Justice' and listed concerns over responsible trade and human rights and the environment alongside more traditional environmental issues such as global warming and population growth (Sierra Club 2007).

In Oct 2004 the Nobel Committee awarded the 2004 Peace Prize to Kenyan environmental and human rights activist, Wangari Maathai. ERI considered this a vindication of its position:

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[216] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[217] Ibid.
[218] Ibid.

> EarthRights International is thrilled that the world's most prestigious award for peace has
> been given to an environmental activist, especially one who's [sic] work perfectly illustrates
> the profound links between human rights and environmental campaigns. With this award, the
> Nobel Prize Committee signals to the world its recognition of the indivisibility of human rights,
> environment and peace [emphasis added] (ERI 2004c).

The linking of human rights, the environment and peace is a core element of ERI's work and
places them squarely within the global justice movement. When asked whether they considered
ERI to be 'part of the environment movement, the environmental justice movement or the GJM
or some combination of the three', co-founders Redford and Giannini responded separately that
ERI thinks of itself as a combination of all three,[219] but Redford added, 'I feel like we are not
really an enviro or human rights organization – we are seeking justice and rule of law, so maybe
GJM is the most inclusive ... '.[220] This response accorded with earlier comments by Redford that
ERI focuses on the 'nexus' of human right and the environment and therefore 'pure
conservation' for its own sake is not their concern.[221]

Other ERI activists who spoke of their understanding of the earth rights concept always linked
environmental issues to some fundamental breaches of human rights. Naing Htoo, a Karen
exile who had been driven out of Burma by the tatmadaw in 1997 and became ERI's Burma
Program Coordinator in 2004, put it in the context of his personal experiences:

> I learnt about the philosophy of earth rights, the connection between human rights and the
> environment, in 1998. It confirmed and crystallized what I had seen and understood from the
> Burmese military actions in Burma. In Burma most people live off the land.[222]

Angela, a US citizen born in Korea, joined ERI as a Project Coordinator in 2003 after a three
month internship in Cambodia working for a women's rights group. Her previous work as a

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[219] Giannini, T. (2007, 14 February). *Email to author*. Co-Founder EarthRights International. Lecturer in Law,
Human Rights Program, Harvard Law School.
[220] Redford, K. (2007, 10 February). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[221] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI
Office, Chiang Mai, Thailand.
[222] Naing Htoo (2005, 10 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI
Office, Chiang Mai, Thailand.

Zapatista 'monitor' for Global Exchange in Chiapas in 1996 provided a prism through which she viewed earth rights:

> In Chiapas I experienced first hand the interrelatedness of human rights and the environment
> with the Mexican military destroying the ties to the environment for indigenous peoples.[223]

Catherine, an Australian activist, became ERI's Assistant Team Leader in the Southeast Asian Office in 2004. She had experienced frustration with Australian environment groups that divorced human rights from the environment, including the Australian Conservation Foundation which had actively lobbied the federal government to implement a zero immigration policy:

> Humans should be integrated into the environment, part of the environment. Also indigenous
> peoples are often the most trampled over, even though they tread the lightest on the earth.[224]

Working with ERI allowed her to combine her passions for human rights and the environment for the first time and also allowed her to work on Burma, her 'third love'.[225] These concerns illustrated a distinction that Doherty makes between pure conservation groups groups that are part of a more conservative environment movement or those, such as ERI, who are part of a more radical green movement (Doherty 2002, 14). The focus on issues of social justice also emphasises ERI's role as an emancipatory group (EG) (Doyle and Doherty 2006, 883).

While some introspective groups would consider ERI mainstream, organisation members certainly saw themselves as radical, particularly during Thaksin's premiership. As another Thai activist noted, 'under Thaksin all NGOs in Thailand are targeted, particularly those who work on Burma and particularly those who receive foreign funding'.[226] ERI satisfied these criteria with the then Assistant Director of ERI in the Southeast Asia Office arguing that 'ERI just existing' was

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[223] Angela (2005, 10 January). *Interview with author.* Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand.
[224] Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[225] Ibid.
[226] Wandee Suntivutimetee (2005, 11 January). *Interview with author.* Editor, Salween News Network. Chiang Mai, Thailand.

civil disobedience, although she also acknowledged that ERI steered clear of Thai politics.[227]
Nevertheless, many NGOs under Thaksin were raided by police and shut down and several
prominent activists were victims of unsolved murders. ERI had likewise been raided for police
access to their computers in the mid-1990s.[228] During Thaksin's period in office, however, ERI
managed to avoid the attention given to other NGOs even during a crackdown in 2002.[229]
Nevertheless, ERI's office remained a secluded and anonymous house in suburban Chiang Mai
where only trusted individuals were taken and it changed houses in 2008 because, as Redford
observed, 'after twelve years we were getting too many visits from the Thai authorities, just to let
us know they were there'.[230] This point illustrated a wider paradox between the costs and
benefits of media coverage and visibility in the North and South:

> In the US media coverage of NGOs is considered great and a key measure for funders but in
> Thailand it's actually problematic as it attracts attention to our work and therefore attention
> from the authorities.[231]

ERI activists generally displayed agitation and insecurity whenever anyone, even postal
workers, approached the house suggesting, as UN Special Envoy for Human Rights Hina Jilani
noted, that activists in Thailand experienced a 'climate of fear' (Chimprabha 2003). Security
concerns featured heavily in all of ERI's operations and sometimes, despite a general culture of
transparency and openness at the organisation, generated obstacles to undertaking research.[232]

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[227] Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of
EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[228] Giannini, T. (2000, 22 January). *Interview with author*. Co-Founder EarthRights International (ERI). Lecturer in
Law, Human Rights Program, Harvard Law School. Bangkok, Thailand.

[229] Giannini, T. (2002, 17 August). *Email to author*. Co-Founder EarthRights International (ERI). Lecturer in Law,
Human Rights Program, Harvard Law School. From Chiang Mai, Thailand.

[230] Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI).
Chiang Mai, Thailand.

[231] Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI).
Chiang Mai, Thailand.

[232] Despite my attempts, as a long-time researcher of the organisation, to obtain a copy of the organisation's
strategic plan, Ka Hsaw Wa responded that, 'I do not think we can share our strategic plan for the sake of the
security of people and organization'. Ka Hsaw Wa (2007, 1 May). *Email to author*. Co-Founder/Executive Director
EarthRights International.

As an organisation ERI's budget recorded significant growth from an initial US$35,000 from Echoing Green in 1995[233] to approximately US$1.5 million a decade later (ERI 2006a, 12-13; 2007b, 11-12). According to Rucht, such growth may reflect or induce self-interest in organisational growth and maintenance and may cause co-option and deradicalisation (Rucht 1999, 218). There are also instances where North-South transnationalism has resulted in NGOs forgoing principled structures and practices in favour of increased funding opportunities (Duffy 2006; Fagan 2006; Kerényi and Szabó 2006). While Redford displayed obvious pride at ERI being included in the 'big league' by the late 1990s,[234] the organisation appeared to be driven much more by their ability to achieve their goals than by organisational or personal self-interest. In a later email she defended ERI's growth and the fundraising efforts to pay staff salaries:

> When I think of what corporate CEOs are getting for messing up the world, and then what we're getting for cleaning up their messes… you get the point. The service that we provide is worth it – and I think ERI does a great job, and is an effective organization, and so there is nothing that I'm uncomfortable about in any of our fundraising activities.[235]

Giannini – then a co-director of ERI but now a lecturer at Harvard – explained that flat pay scales at ERI reflected an egalitarian justice-oriented philosophy, pointing out that 'we don't work at ERI for the money'.[236]

Nevertheless, as an NGO ERI requires continuous fundraising even to cover rather modest salaries. While Redford suggested that it was 'easy' to fundraise due to believing in ERI's "product" (her inverted commas), she also admitted: 'I didn't always feel this way – it took a long time for me to get over feeling embarrassed asking for money'.[237] Despite ERI's unremitting fundraising efforts there is little evidence of it debasing the original aims of the organisation although some observers, including a former Australian Ambassador to Burma, have alluded to what Doherty and Doyle define as 'rent seeking behaviour, [when] organisations are structured

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[233] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[234] Ibid.
[235] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[236] Giannini, T. (2004b, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.
[237] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

to meet the expectations of Western funders' (Doherty and Doyle 2006, 699). Given the very basic conditions under which the co-founders and their team operate it is difficult to assess the motivation of the organisation as self-aggrandisement, either individually or collectively. Far more visible are the shared principled ideas or values – centring on justice and respect for human rights and the environment – that Keck and Sikkink argue motivate transnational advocacy networks (Keck and Sikkink 1998, 30). While the activism of ERI suggests a genuine commitment to these values, it is its internal organisation that most clearly characterises its underlying philosophy.

Internal Politics

The internal structure and organisation of emancipatory groups (EG), which Doyle and Doherty argue 'build regional and global networks in a manner which increases the power resources of the poor and environmentally degraded' (Doyle and Doherty 2006, 883), is an important indication of their commitment and ability to achieve their aims. It is important for Northern NGOs to 'decentralise' the North and to adopt a view from 'modernity's edge' (Gole 2000, 91). In the case of ERI – with full operations in both the North and the South – various aspects of its internal organisation have been designed to ensure that the North is 'decentred'. As discussed above, while EGGs usually maintain more non-institutional forms of organization, I argue here that, although formalised, ERI's attempts to address structural issues of power-imbalance through its internal politics qualifies them as an introspective and emancipatory group.

According to Giannini the ERI co-founders recognised the inherent disparity in power relations between Northern and Southern activists in areas such as formal education and expected remuneration and they therefore took measures to counter this imbalance.[238] The requirements of a formal tertiary education could be waived for Southern activists in lieu of experience, and all ERI staff in Thailand or Washington were paid 'local rates', whether they were from the North or the South. In some situations there could be assistance provided to Northern employees who

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[238] Giannini, T. (2004b, 21 January). *Interview with author.* Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

had regular payments to make on student loans – issues that Thais generally don't have – but the emphasis was on equity and to provide a living wage. As Redford clarified,

> the lawyer or US-trained PhD does not get a higher salary or bigger title than the Burmese field staff who speaks four languages and can get to the regions that we are working on. We have a complex salary structure that values relevant life experience and educational/job experience equally.[239]

As an ongoing measure promoting the welfare of ERI's staff, each employee in Thailand was offered a trip home every year, whether that was to Burma or a country in the North. If there were security issues in returning home, as for some staff from Burma, employees had the opportunity to bring a family member to Thailand. If someone had no family, they could bring a friend to Thailand: 'the aim of the program is [for ERI] to provide the opportunity for family reunion, however that is defined'.[240]

Despite the formalisation of ERI with directors and nominal positions of hierarchy, Angela and Naing Htoo, American and Karen Program Coordinators at ERI, indicated that at a practical level there was consensus decision making and an effective lack of hierarchy with significant autonomy provided to each project team.[241] Angela stated that 'all employees are [considered] equal, no matter what their position', with all staff providing input for long term decision making in the organisation's Strategic Planning Process.[242] This approach reflected the core green belief of a natural relationship of equality across individuals where, as Dryzek puts it, 'hierarchy … is recognized and condemned' (Dryzek 2005b, 216). There are legal difficulties, however, for an organisation incorporated in the US with a budget of over $1.5 million to achieve a total lack of hierarchy, at least on paper, but the significant attempts to minimise it in practice demonstrated a commitment to democracy and equality. As the then Assistant Director of ERI's Thai office noted, 'if there are positions of seniority, ERI has ensured that these positions have

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[239] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[240] Giannini, T. (2004b, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.
[241] Naing Htoo (2005, 10 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[242] Angela (2005, 10 January). *Interview with author*. Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand.

gradually been taken up by local activists'.[243] This is particularly important for an organisation that is split between the North and South. The Thai office – originally in Bangkok but now in Chiang Mai – was the first to open but the organisation appeared to be led bureaucratically by the two American lawyers, partly due to their Echoing Green proposal and seeding funding (Giannini and Redford 1994), even if Ka Hsaw Wa provided philosophical leadership and credibility in the field. Nevertheless it was strategically prudent for Ka Hsaw Wa, as a Karen exile, to become Executive Director of ERI and the face of the organisation. This organisational structure with high-level North and South representation, both geographically and in terms of personnel, is quite unusual within a relatively small transnational organisation with studies demonstrating a tendency to be isolated either within the North or the South (Bandy and Smith 2005, 6). ERI is extremely conscious of this characteristic, even noting in employment advertisements that the 'staff is ethnically diverse (evenly divided between people from the Global North and South)' (ERI 2007e). Program Coordinator Angela also indicated in an interview that throughout the selection process and her subsequent employment at the organisation,

> cross cultural understanding is critical … [I needed] awareness of the limitations of the English language in a multi-cultural setting where power-sharing is important … Tyler [Giannini] emphasised he wants culturally sensitive staff.[244]

In 2004 the management of the Southeast Asia office shifted from Northern to Southern hands with the appointment of Chana Maung, a Karen exile, as Director of the office (later designated Team Leader) with Catherine, an Australian, as Assistant Director (later designated Assistant Team Leader). The management of the EarthRights Schools was also largely transferred into local hands in 2004 with Da Do Wa, another Karen exile from Burma, becoming Project Leader.[245] During the last decade, therefore, the management of both the Thai office and the EarthRights Schools has been transferred into Southern hands. The organisation's centre of

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[243] Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[244] Angela (2005, 10 January). *Interview with author.* Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand.

[245] Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

gravity has, to some extent, also shifted back to Thailand with Ka Hsaw Wa and Redford (the two remaining co-founders) moving back to Chiang Mai from Washington in January 2008.

As well as shifting responsibility to Southern activists, ERI considers its diversity in ethnicity, language, culture and gender as a major source of strength. Ka Hsaw Wa's pivotal position as a Karen man as co-founder of the organisation provides powerful leadership from an ethnic grouping otherwise marginalised within Burma. Likewise women always make up a significant proportion of ERI's employees with Redford as a co-founder providing a strong role model:

> Funders … love you to fill out 'diversity charts', but they don't necessarily ask or care WHY you practice diversity. For us, diversity is about building power – diversity brings different values, approaches, ideas, ways of doing things, and while it takes longer to really maximize this, in the end it makes groups like ERI more powerful – and this kind of diversity of experience and expertise is what groups like ERI, which is made up of such vastly diverse people … more powerful than corporations. In our view, this is how north-south collaboration … will enable local communities to rise up and resist the corporate powers, because we have what they don't – diversity and [the] power that comes from that.[246]

This diversity brings its own challenges. As Redford notes:

> At any given time, we have a minimum of 5 languages that our organization is working in, and if you add that together with the students at our schools, it's dozens of languages … When we started, there were three of us in one room in Thailand and so, we could speak directly to each other, and take the time to make sure we were all on the same page … Now, with over 30 staff, 2 offices … plus two schools, there is the potential for miscommunication, because of the lack of face time, and also the heavy reliance on email.[247]

Southern activists generally had advantages in the field with fluency in local languages and immersion in local cultures but most Northern staff in the Thai office also spoke Thai and sometimes Burmese. Nevertheless, as the then Assistant Director noted,

> most meetings are held in English and in this context ERI is aware that sometimes 'consensus' does not necessarily mean 'equality' because of power imbalances due to access to university education and ability to think 'on the spot' in English.[248]

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[246] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[247] Ibid.
[248] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

As a result, the Burmese-speaking staff may not always join in with English meetings and some meetings are held in Burmese with English summaries. Regardless of attempts to mitigate language barriers within the offices, the reliance on email as a transnational organisation causes additional avenues for miscommunication, despite the 'crucial' role the internet plays in its campaigns.[249] Ka Hsaw Wa acknowledges as much with a postscript at the end of each email: 'If I said something in this email that seems insulting, I might not mean it. Please give me another chance. Because English is not my native Language'.[250]

English is still the dominant language for communication via email or the internet (Lewis 2006, 115; Tadros 2005, 186), and there are many studies that examine the role of the internet and email in transnational environmental activism (Castells 2003, 187; O'Neill and VanDeveer 2005, 208), yet none that examine the cultural impact this has on North-South transnational organisations. Email complicates the dominance of English as the universal language but ERI is very aware of the power imbalances this introduces. Redford explained that,

> Email is a very comfortable form of communication for 1) native English speakers 2) good/ typists and 3) people who are culturally used to this kind of communication (i.e. the American, Canadian, Australian staff at ERI!) For example, KSW [Ka Hsaw Wa] would NEVER respond to this email from you because it would take him 2 days, whereas it's going to take me 2 hours. So, my voice gets heard, his doesn't.[251]

To assist in improving Southern activists' transnational networking opportunities and promoting their empowerment, Burmese or other ethnic minorities often represent ERI at conferences and international meetings. These exiled activists often have the added advantage of being more sensitive to security concerns than Northern activists.[252] The difference in security concerns between undertaking research in the North and in authoritarian states of the South, whether as an academic or an NGO activist, is underlined by the following notes in one of ERI's publications on forced labour in Burma:

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[249] Ibid.
[250] Ka Hsaw Wa (2007, 1 May). *Email to author*. Co-Founder/Executive Director EarthRights International.
[251] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[252] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

> Security is EarthRights International's first priority. Those willing to speak out about oppression in Burma put themselves at risk. Therefore, all sources for ERI interviews remain confidential, and all interviewees remain anonymous (Mahn Nay Myo et al. 2003a, iii).

> The location of this investigation [in eastern Burma] will remain unidentified in the report to avoid retaliation by the military against the villagers (Mahn Nay Myo et al. 2003a, 10).

Activists who have been brought up or lived in these repressive environments are far more likely to prioritise security when dealing with outsiders and are therefore generally considered by ERI as more security-conscious than Northern activists from the US or Australia. When pressed on the location of the Salween protests in Burma, Karen exile and Southeast Asia Team Leader Chana Maung was non-committal: 'I believe you understood the situation in Burma on the security issue … and the protest happened at the safe areas for the activists and villagers'. [253] It had occurred in one of the few remaining liberated areas in Karen State where villagers can safely gather without severe repression from the tatmadaw, but many Northern activists would find it difficult to normalise this situation.[254] A Northern activist acknowledged the vast cultural and political chasm that exists between Northern and Southern activists when asked whether she believed completely in nonviolence or whether there were occasions when armed resistance was necessary:

> Living as a Westerner with a 'cushy' background, impossible to answer – can't comment on armed struggle. But nonviolent social change produces or creates 'mass movements' which can effect change. But ERI does not deal with armed groups.[255]

To promote further a culture of inclusiveness, the Thai office in particular celebrates the cultural events of its diverse ethnic personnel including Karen New Year.[256] Despite sometimes requiring submission to professional norms, ERI encourages its activists to carry their culture

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[253] Chana Maung (2008, 25 March). *Email to author*. Team Leader, Southeast Asia Office, EarthRights International (ERI). Chiang Mai, Thailand.

[254] Likewise on a fieldtrip to Thailand I was told of a potentially serious security incident involving a number of ERI activists but was told not to divulge any of the details related to the incident to ensure that security agencies didn't 'join the dots'. Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). Chiang Mai, Thailand

[255] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[256] Naing Htoo (2005, 10 January). *Interview with author* (Interview undertaken on Karen New Year's Day). Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

with them. Ka Hsaw Wa himself spent much of his trips back to Thailand bearing bright red teeth and lips from the Karen tradition of chewing betel nut.[257] Women are also well respected within the organisation with a strong woman in Redford as co-founder and a focus on the particular vulnerability of women in Burma demonstrating a thorough understanding of the plight of ethnic minority women (ERI 2004e; 2006c).

As befits an organisation with a concern for social justice and the environment ERI was aware of its role as a consumer and therefore recycling was undertaken within the office and every effort was made to support local businesses over TNC. In the Thai office organisational meetings and retreats were held in, or close to, nature. In 2004 staff joined Karen student refugees on a meditative forest walk up Doi Inthanon, the highest mountain in Thailand one hour south of Chiang Mai.[258] By combining support for exiled ethnic minorities and an almost ecocentric or spiritual approach to nature (Eckersley 1992), this action was a physical manifestation of the organisation's commitment to earth rights, the nexus between human rights and the environment. As a transnational EGG that traverses North and South ERI's organisational structure demonstrates its linking of theory to practice by creating an environment of equity and justice. In this sense ERI can certainly be considered a radical emancipatory group because it is in these groups, as with radical networks, 'that the internal power relations … have been addressed most self-consciously' (Doherty and Doyle 2006, 699).

Legal Programs

EarthRights International has three strategic program areas – legal programs, training and campaigns – which are based on the integrated advocacy strategy of the original Echoing Green grant proposal (Giannini and Redford 1994). While ERI has a broad array of legal programs (ERI 2008d), the banner campaign for ERI in its first decade was its campaign against the Yadana project and its related legal fight against Unocal in US courtrooms. It stimulated

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[257] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[258] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

international media coverage and a shareholder backlash against Unocal, and was considered by Redford to be one of the two most important achievements that reflect ERI's aims and goals.[259] The most significant aspect of the court proceedings for broader campaigns against TNCs who operated in the South was the use of the Alien Torts Claim Act 1789 (ATCA) to sue a US corporation involved in 'egregious human rights violations' outside of US territory (Fahn 2003, 198). This US legislation is particularly relevant for this thesis as Redford's final year law school paper in 1994 took the then orginal approach of Suing Oil Companies Using the ATCA, long before any court cases were undertaken. [260] Indeed central to the formation of ERI was the aim of exploring, as stated in the Echoing Green proposal, 'litigation possibilities based on emerging principles of human rights and international law' (Giannini and Redford 1994, 5).

The ATCA granted original jurisdiction to any civil action claimed by an alien for a tort committed in violation of 'the laws of nations or a treaty ratified by the US' (Christmann 2000, 209). The most widely accepted international law norms, also referred to as jus cogens, include genocide, torture, systematic racial discrimination and slavery. The ACTA had lain virtually dormant for almost two centuries until Filitarga v. Pena-Irala (1980) when the Paraguayan plaintiff successfully sued for civil damages against a Paraguayan police officer living in New York who had earlier tortured his son to death in their home country (Haas 2008, 240-41).

Redford took the Filitarga case as inspiration with Unocal, a corporate body rather than an individual, as the defendant. The plaintiffs in the Unocal case were fifteen Burmese villagers who claimed that they were subjected to forced labour, rape, and torture during the construction of a gas pipeline. Soldiers from the Burmese military allegedly committed these abuses while providing security and other services for the pipeline project, making Unocal vicariously liable (ERI 2005a; Mariner 2003). In October 1996 ERI, along with other human rights NGOs, filed a class action lawsuit in a Los Angeles federal district court on behalf of these Burmese villagers

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[259] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[260] Redford's original idea emerged after a lecture by Jack Goldsmith, a former professor at University of Virginia, in which he mentioned the ATCA in passing. Goldsmith disagreed with her conclusions and, ironically, later became the main legal authority for critics opposing the use of the ATCA against corporations. Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

(Fahn 2003, 198). In 1997 the court set a new precedent by agreeing to hear the case and concluded that corporations and their executive officers could be held legally responsible for violations of human rights norms in foreign countries and that US courts had the authority to adjudicate such claims (Christmann 2000, 209-10; ERI 2005a). As the International Commission of Jurists noted in their later report on transnational corporate complicity, the court found that the evidence suggested that 'Unocal knew that forced labour was being utilized and that the [corporation] benefited from the practice' (International Commission of Jurists 2008, 37).

The implications of the case for US TNCs, particularly energy companies that often do business with authoritarian regimes in the South, were significant. A flood of litigation that followed in the wake of the Unocal case caused corporations to examine more closely the human rights record of the governments with whom they do business (The Economist 2003; Markels 2003). The Bush Administration, due to its close relationship with big business in general, and the energy sector in particular, attempted to stifle both the Unocal case and the ATCA in the form of a 'friend of the court' brief from then Attorney General John Ashcroft (Chomsky 2004, 154-5; Mariner 2003). According to Human Rights Watch, it was a 'craven attempt [by the Administration] to protect human rights abusers at the expense of victims' (Human Rights Watch 2003). As a measure of the concern over the ATCA in business circles, the National Foreign Trade Council paid for an op-ed page advertisement (an "op-ad") in the *New York Times* during the deliberations by the Supreme Court on another ATCA case, which argued that the Court should 'reign [sic] in' use of the ATCA and that corporations should not be held liable for the human rights abuses of foreign governments because, among other reasons, 'it discourages foreign investment' (ERI 2004d, 56).[261] In June 2004 the Supreme Court Justices ruled that the ATCA permits foreigners to sue in US courts for violations of certain international laws, meaning that the Unocal case could proceed (ERI 2004b; Girion 2004a; Mariner 2003).

While the Administration attempted to eviscerate the federal ATCA law, a parallel tort case had been proceeding under California state law with Burmese plaintiffs again alleging Unocal was

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[261] ERI and the other prosecuting lawyers in the Unocal case had been asked by the Court of Appeals to brief them on the impact of this Supreme Court case. Giannini, T. (2004, 17 September). *Email to author.* Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.

liable for their injury in relation to construction of the Yadana Pipeline. In September 2004 the judge agreed that a jury should hear the case (New York Times 2004), with Giannini confident that the accumulation of evidence and harrowing personal testimonies, including a woman whose baby was thrown into a fire by the Burmese military, would be sufficient to reach a conviction.[262] One of the prosecuting lawyers put it succinctly:

> This is the moment I've been waiting for … This means the case will go before a jury, and I think a jury will clobber them for their despicable behaviour. This is the ruling that Unocal has feared from the start (Girion 2004b).

Facing two ongoing court battles that appeared to be favouring the Burmese villagers, Unocal stung business opinion by announcing that they would settle both state and federal cases out of court. The payout was finally agreed upon on 21 March 2005 for an undisclosed sum, although The Irrawaddy suggested it could be in the region of $30 million (ERI 2005b; Parker 2005). The ERI co-founders did not divulge the Unocal settlement or their fees due to a confidentiality clause but the settlement is likely to have represented a significant expansion of ERI's finances.[263] Rucht argues that organisational growth of this scale could cause co-option and deradicalisation (Rucht 1999, 218). Indeed could any NGO conceivably look at this potential financial bonanza and still make the best judgements in terms of the case? In response to questions regarding the appropriateness of the settlement the ERI co-founders made several points. Redford argued that

> first of all, many of the legal precedents were already set … The one outstanding legal question that didn't get decided was … the appropriate standard for corporate complicity in human rights abuses. Because we settled, that decision never came down – however, the decision that the 9th circuit originally made in our case (that the standard should be aiding and abetting liability, similar to the Nuremberg standards following WWII) is the one that courts have since adopted in other cases.[264]

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[262] Giannini, T. (2004, 21 January). *Interview with author.* Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

[263] As a potential indication of ERI's fees, in 2005 ERI received over US$2.9 million in temporarily restricted income with net assets increasing over the year from just under $0.5 million to almost $2.8 million. This compares with temporarily restricted income in 2006 of $245,000 and net assets almost unchanged. It appears likely, therefore, that the bulk of this $2.9 million relates to the Unocal settlement (ERI 2006a, 12-13; 2007b, 11-12).

[264] Redford, K. (2007, 10 February). *Email to author.* Co-Founder/Director EarthRights International (ERI).

Giannini suggested a more complex relationship between the final agreement and legal precedent, but raised a more compelling argument for the settlement.

> It was not EarthRights or the lawyer's decision but the plaintiffs'. Ethically speaking, it was easy to weigh the plaintiffs' interests against the movement's interest of having the legal precedent. The plaintiffs' interests trump the latter. Having said that, it was still not easy.[265]

Redford took this point further and made an impassioned case for the justice of the settlement.

> It was always the plaintiffs' case and it was their decision to settle. I think people forget that these folks had been living in hiding for over 10 years, not knowing whether they would have to run the next day, not knowing where their next meal was coming from, not knowing whether their kids would be safe. Had they decided to go to trial (and it was a tough decision for them), even if we had won, Unocal would have appealed and we would have been in litigation for the next 5-7 years – that's 5-7 years of continued poverty, fear, inability to move on with their lives. So, it was easy for me (for example) to be like "let's nail them in court" when I had a home, safety, security. Not so for our clients. People need to understand the conditions that they were living in to understand their decision.[266]

While NGOs are generally skilled at making statements supporting their own actions, there is no evidence to suggest that ERI's emancipatory principles of justice were in any way compromised by the decision to settle. Indeed, the above arguments are particularly consistent with ERI's philosophy and practice in terms of its internal politics and organisational structure.

The result of the settlement with Unocal is that ERI has achieved, to some extent, the main aim of their integrated advocacy campaign, which was 'to empower the local unrepresented people and guard their rights' (Giannini and Redford 1994, i). Despite the Yadana project continuing to operate and there being little change in the tactics or strategies of the Burmese military, the financial resources from the settlement made available to the marginalised communities linked to the plaintiffs will achieve some improvement in their environmental security. It may also reduce the likelihood of future investments in large scale energy projects by US TNCs under authoritarian regimes throughout the South. ERI's success in its aim can be attributed, at least in part, to aspects of its organisational structure and modus operandi. Although there were

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[265] Giannini, T. (2007, 14 February). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.
[266] Redford, K. (2007, 10 February). *Email to author*. Co-Founder/Director EarthRights International (ERI).

several NGOs and legal firms involved the prosecution case largely relied upon ERI's field research in court. Ka Hsaw Wa's groundbreaking research throughout the 1990s was ably supported by other ethnic Karen ERI activists who undertook extensive field work in the ethnic Karen conflict zones near the pipeline in Burma. Much of this field research may not have been accessible had exiled activists from Burma and their project teams not been given the empowerment and operational autonomy they were afforded in ERI.[267] Along with an effective lack of hierarchy, these characteristics provided activists with greater licence to carry out their work. Ka Hsaw Wa's central role within the organization, along with other ethnic minorities taking up management positions, provided a sense of empowerment and confidence which then translated into their ability to gather field research, providing re-assurance of their authenticity to the marginalised peoples they interviewed. ERI's collaboration with many ethnic minority activist groups and NGOs also increased its legitimacy in the eyes of the communities in Burma's borderlands, particularly the Thai-Burmese area. The reputation of the NGO and its co-founders on the ground in the South certainly assisted them when they undertook research and other ethnic minority activists always reacted positively to the mention of ERI and its co-founders: 'Ah, yes, we are good friends with Tyler and Katie. They do a great job'.[268]

Success in the Unocal case also vindicated the legal tactics ERI adopted. Giannini argued that in the other areas of ERI's work – training and campaigns – they emphasised the links between the environment and human rights. Yet, despite the possibilities of prosecution under the ATCA and state legislation in the US for environmental degradation and increased environmental insecurity when it came to legal proceedings in the US they focused primarily on human rights:

> It was hard enough us [litigating against] a corporation like Unocal with business and the Bush Administration trying to bring down the ATCA so we really needed to focus on an established area of rights. If we'd focused on environmental issues it would have provided more ammunition for opponents to say that this was not a valid area for US courts to be

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[267] Angela (2005, 10 January). *Interview with author*. Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand. Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand. Naing Htoo (2005, 10 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand. Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

[268] Aung Htoo (2004, January 19). *Interview with author*. Burma Lawyer's Council General Secretary. Burma Lawyers' Council Office, Mae Sod, Thailand.

> looking at … By focusing on human rights there were plenty of precedents and we knew that
> if we made it to a jury trial with Burmese villagers in the witness box talking about the human
> rights abuses undertaken by the military we'd have a good chance [of victory].[269]

Having achieved what ERI described as 'a historic victory for human rights and for the corporate accountability movement' (ERI 2005b), Redford argued that it would significantly change business practices, at least to take the potential monetary costs of human rights into consideration:

> The message that was sent from the settlement to corporations was incredibly powerful.
> Before the settlement, corporate executives told their shareholders, the media, policy makers
> that these lawsuits were crazy – "nobody has ever paid a dime for these suits, it's just a
> bunch of crazy activists, don't worry ...". They can no longer say that – the settlement sent a
> clear message that human rights abuses COST (real money, which is all they care about) and
> that was a message that was good to send in 2005, rather than wait until 5-7 years later, after
> years of trial and appeal, to send that message. The deterrence is, for us at ERI, the
> broadest victory. Companies now have to figure liability into their bottom lines, and hopefully
> they'll start to realize that it's cheaper to just not commit abuses, rather than commit them and
> pay for them after the fact.[270]

Later in 2005 in a separate court case in France that had been running for three years, Total announced that it had reached a US$6 million settlement with eight plaintiffs from Burma who alleged human rights abuses related to the Yadana project. Almost $5 million was put aside for Burmese refugees in Thailand while over $1 million was allocated for "the people who could claim and justify that they were subjected to forced labor (Aung Lwin Oo 2005).

Although these rulings may impact on all TNCs, it is likely that corporations in the extractive industries, such as oil, gas and mining, will be most affected since they often use a foreign government's armed forces to protect company operations. As a flow on effect from Unocal suing its insurers and re-insurers, insurance companies will now also scrutinise more closely clients who operate in countries with repressive and authoritarian regimes. According to Daphne Eviator from The Nation in the US, 'the costs of genocide and slavery insurance could be pretty high' (2005, 2). While these impacts will take some time to filter through, they should

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[269] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.
[270] Redford, K. (2007, 10 February). *Email to author.* Co-Founder/Director EarthRights International (ERI).

eventually improve the environmental security of marginalised communities throughout the South by limiting the number of adverse projects undertaken by authoritarian regimes.

Despite ERI achieving some of its goals for marginalised communities both in Burma and elsewhere in the South, the daily existence of those in the vicinity of the Yadana Pipeline remains precarious. The pipeline is still operational and while the outcomes of these cases may reduce the likelihood of Northern TNCs engaging in further investment in Burma, it appears that some US TNCs, even after the ruling, do not regard operations in Burma to be anathema to their philosophy. A few days prior to Unocal's announcement of its final settlement in March 2005, news of Chevron's interest in a takeover bid for Unocal had appeared in the international press (AFX 2005). The takeover was finalised in August 2005 with some analysts believing the Unocal settlement was a prerequisite to completing the transaction (AFP 2005c; Eviatar 2005; Parker 2005).[271] Unocal's interest in the Yadana project was transferred to Chevron, despite the lofty CSR claims in The Chevron Way:

> We conduct our business in a socially responsible and ethical manner. We respect the law, support universal human rights, protect the environment, and benefit the communities where we work (Chevron 2005).

More specifically, the corporation argues that '50,000 people along the Yadana Pipeline now have free and improved healthcare' (Chevron 2007). Despite there being little evidence to support such grandiose claims, and the large body of evidence that ethnic minorities in the civil conflict zone along the pipeline have suffered egregious human rights abuses, Chevron maintains its CSR is intact. This inability to verify CSR claims supports Blowfield's assertion that despite significant information on CSR as a business tool, it 'tells us little about the real outcomes … in terms of the impact on its stated beneficiaries' (Blowfield 2007, 685). During the peaceful uprising and brutal suppression of protesters in 2007, Chevron refused to condemn the regime but released a statement that, given its complicity with a military regime with a long history of human rights abuses, was less than emphatic: 'Chevron supports the calls for a

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[271] With the takeover of Unocal, Chevron became the dominant oil and gas corporation in South East Asia with an estimated regional asset base of over US$11 billion and gas reserves of 9.9 trillion cubic feet (tcf) (Wood_Mackenzie 2005, 1). Chevron is also dominant in the region in petroleum liquids due to its Indonesian oil interests with reserves of 1.4 billion barrels, almost triple the nearest competitor.

peaceful resolution to the current situation in Myanmar in a way that respects the human rights of the people of Myanmar' (Chevron 2007).

Despite its ongoing presence in Burma, it is unsurprising that Chevron would want the Unocal case to be resolved before settling the takeover of Unocal, as it has been the subject of several other environmental and human rights controversies which are still subject to court proceedings.[272] Chevron is also the defendant in an ongoing lawsuit over massive land and water contamination in the northern part of the Ecuadorian Amazon with the resulting impacts on the health and livelihood of 30,000 Ecuadorian Indians and campesinos costing up to US$16 billion in clean-up and damages (Global Exchange 2005).[273] The case was originally brought under the ATCA and, through its operations in Latin America, ERI submitted an amicus curiae brief in support of the plaintiffs. In 2002, however, the US courts decided that the case should be held in Ecuador (Amazon Watch 2008; ERI 2003b). In a comment that undermined Chevron's CSR offensive, however, a Chevron lobbyist in Washington told Newsweek that 'we can't let little countries screw around with big companies like this – companies that have made big investments around the world' (Isikoff 2008).

Chevron is also the defendant in another case under the ATCA for its operations in the Niger Delta region of Nigeria and, as Redford notes, the ATCA standard of 'aiding and abetting liability' suggested in the Unocal case should be clarified in this case.[274] As Unocal did in Burma, Chevron has attempted to paint its interests in Nigeria as part of its CSR but, as Litvin and Frynas demonstrate, the history of CSR in Nigeria is particularly hollow (Frynas 2005; Litvin 2003). With Burma added to its list of operations in 2005 Chevron was listed as one of Global Exchange's 'Most Wanted' Corporate Human Rights Violators (Global Exchange 2005).

In addition to ERI's flagship Unocal case and the Chevron litigation, it has also acted as co-counsel with the Center for Constitutional Rights (CCR) for plaintiffs in the South in several other

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[272] Despite the settlement Chevron could still be sued over its ongoing activities in Burma (ERI 2008c, 53-55).
[273] A court appointed expert geological engineer recommended to an Ecuadorean judge in April 2008 that Chevron pay $8 billion to $16 billion for environmental damages if the company lost the case (Hearn 2008).
[274] Redford, K. (2007, 10 February). *Email to author.* Co-Founder/Director EarthRights International (ERI).

major court cases against TNCs. It's most significant success in these actions came in June 2009 when Royal Dutch Shell settled three ATCA lawsuits alleging complicity in the torture, killing and other abuses of Ogoni leader Ken Saro-Wiwa and other nonviolent Nigerian activists in the mid-1990s in the Ogoni region of the Niger Delta. The settlement provided a total of US$15.5 million which compensated the ten plaintiffs, including the families of the deceased activists, funded the establishment of a Trust for the Ogoni people and covered some of the plaintiffs' legal fees (CCR and ERI 2009).

While ERI engages in litigation, largely in the US, it also attempts to empower activists in the South by providing the tools for activists to pursue their own legal avenues. As part of this process it has published a litigation legal manual for non-lawyers (ERI 2003a), with the second edition, the Transnational Litigation Manual, including developments since the settlement of the Unocal case emphasising strategies for bringing cases on transnational environmental degradation and human rights abuses to US courts (Simons 2006). In March 2007 ERI expanded its work in South America to include legal training for judges and lawyers in Iquitos, Peru.

> The idea for the program was born from the recognition that many of the students at our EarthRights Schools were lawyers whose traditional legal training in their home countries had not included human rights, environmental or indigenous law (ERI 2007d).

Despite these legal publications and ad hoc training sessions, it is the EarthRights Schools that provide the core component of training for activists from the South.

Training

The most comprehensive training schemes ERI operates are within its EarthRights Schools for environmental and human rights activists in Southeast Asia and South America. Redford considers the success of these schools, along with success in the Unocal case, to be ERI's two most important achievements that reflect its aims and goals:

> If you sort of look at our legal program as 'the power of law' piece (harnessing the power of international law as a tool for people, movements, affected communities) the EarthRights Schools are about enhancing 'the power of people'.[275]

The first EarthRights School opened in Thailand in 1998 with fourteen students of different ethnicities from Burma.[276] The tenth anniversary class of this school produced a major report documenting earth rights abuses in Burma (EarthRights School of Burma 2008). The second school opened in Ecuador in 2001 with a third opening for the Mekong Region in July 2006. The schools

> work to create local human rights and environmental activists in Southeast Asia and the Amazon [and] teach that earth rights promotion and protection are the cornerstones of democracy, which requires an engaged civil society to secure and defend these right (ERI 2008e).

In 2004 Redford wanted to create schools that worked specifically on five petroleum producing countries.[277] This narrow focus appears to have broadened over the years as the Mekong School deals with more diverse development issues connected to the Mekong River region, particularly related to hydro-development, water issues and the Asian Development Bank. Each intake generally takes two students from each of the countries of the Greater Mekong Subregion (GMS): Yunnan Province (China), Burma, Laos, Thailand, Cambodia and Vietnam (ERI 2008e). The Burma School generally takes sixteen students from a variety of ethnic minorities across Burma with the 2009 cohort including Kachin, Chin, Karen, Karenni, Shan, Mon and Arakanese students. Importantly there is also an equal intake of women and men to promote the empowerment of women within the ethnic communities. Khin Nanda, the female Training Coordinator at the Burma School, noted that athough it was initially difficult to fill the eight women positions the demand had gradually increased so that by 2009 applications eventually outstripped the positions available.[278] As a graduate herself she argued that this sort of

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[275] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).
[276] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[277] Ibid.
[278] Khin Nanda (2009, 4 April). *Interview with author*. Training Coordinator, EarthRights School Burma. At EarthRights School Burma, Chiang Mai, Thailand.

empowerment had challenged established norms within ethnic communities, which were often conservative with respect to the promotion of women into prominent or influential roles.

Although there are practical courses at the schools that develops skills in information technology (IT) and dealing with the media, much of the schools' curriculum employs a rights-based approach to activism and development that provided a legal basis and normative framework for campaigns. The schools' training, as with all ERI's work, connects these rights-based approaches with what Tsikata describes as a 'normative stance on the side of the oppressed and excluded' (Tsikata 2007, 215). The establishment of these approaches in the schools was the culmination of the globalisation of 'rights talk' in the 1980s and 1990s that Cornwall and Molyneux argued was a high point for liberal internationalism with a strong global human rights component (Cornwall and Molyneux 2006, 1177).

In the early years of the Burma School staff displayed caution in discussing their roles within the organisation and the school was not even acknowledged on the ERI website.[279] The security concerns were valid, however, with several of the schools' students and graduates having been held by Thai police.[280] These concerns increased as improved border surveillance technologies, such as passport microchips, made it more difficult for students, as well as activists, to travel unobtrusively between Thailand and Burma. In earlier years simple tactics such as changing photos on passports would have allowed border crossings, but post-9/11 border controls made this activity more difficult.[281] These security concerns therefore informed both the teaching content and processes in the schools with each student having a comprehensive 'security plan' associated with their research project, particularly for undertaking research in Burma.[282]

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[279] Melanson, H. (2005, January). *Interview with author*. Teacher and Conflict Transformation Coordinator, Burma EarthRights School. Chiang Mai, Thailand. Wolsak, R. (2005, January). *Interview with author*. Alumni Program Coordinator, Burma EarthRights School. Chiang Mai, Thailand.
[280] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand; Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). Chiang Mai, Thailand.
[281] Ka Hsaw Wa (2009, 9 January). *Interview with author*. Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[282] Khin Nanda (2009, 4 April). *Interview with author*. Training Coordinator, EarthRights School Burma. At EarthRights School Burma, Chiang Mai, Thailand.

In 2005 Holly Melanson, a Northern activist, was a teacher and conflict transformation coordinator at the Burma School who helped in developing ERI's 'respected insiders' model of conflict resolution.[283] This model once again demonstrated ERI's concern for developing culturally sensitive and culturally specific forms of training and is set out in one of ERI's publications.

> The approaches to conflict resolution that interviewees described to us set it distinctly apart from Western methods and the techniques taught in academic and conflict studies settings. Instead, we have found that respected insiders who are normally elders or those in higher positions are the primary third parties for resolving serious conflict in Burma. By contrast, impartial outsiders – the traditional Western conflict 'resolver' – are much less likely to play central roles (Leone and Giannini 2005, 1).

This form of conflict mediation was taught at the school but within the context of participatory management processes. The report found that despite the current authoritarian environment in Burma,

> at least in some instances, elders and other community leaders do conduct inclusive decision-making process; such practices may serve as models for community-based natural resource management over the long term to ensure earth rights protection (Leone and Giannini 2005, 2).

This cultural specific approach was emphasised by ERI activist Matthew Smith in a later book chapter.

> Effective local participation in environmental governance in Burma will necessarily involve a unique tradition-based paradigm developed by local Burmese themselves (Smith 2007, 239).

Another Northern activist, Rebecca Wolsak, managed the Alumni Program of the school.[284] This program was considered by Redford to play a central role in ERI's long term strategy in the region:

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[283] Melanson, H. (2005, January). *Interview with author.* Teacher and Conflict Transformation Coordinator, Burma EarthRights School. Chiang Mai, Thailand.
[284] Wolsak, R. (2005, January). *Interview with author.* Alumni Program Coordinator, Burma EarthRights School. Chiang Mai, Thailand.

> [Our] long term, experiential learning approach, and the ongoing support we provide to our alumni through a formal alumni program, is a demonstration of our commitment [to] long term solutions to deep rooted problems.[285]

These alumni have also created a network of activists across Asia which has become increasingly useful in ERI's campaigns, although Ka Hsaw Wa maintained that the schools were not set up for this reason.[286]

Nevertheless, as the number of graduates has increased, so too has the pool of individuals available to work on ERI's projects. Naing Htoo, a Karen graduate of the Burma EarthRights School in 2001, left his village near the Yadana Pipeline route in 1997 when it was attacked by the tatmadaw. His family fled to a refugee camp in Thailand but Naing Htoo stayed in the jungle for six months and then joined ERI in 1998. His personal experiences and fluency in four languages symbolised ERI's grassroots strength and he eventually became Burma Project Coordinator.[287] He later worked on publications on forced labour (Naing Htoo et al. 2002), and the Shwe Pipeline (Smith and Naing Htoo 2005; 2006), providing a notable exemplar of the aims of the activist schools. As with the management of the Thailand office, the management of the schools has now largely transferred into local hands with Da Do Wa, a Karen exile from Burma, becoming the project leader at the Burma school in 2004.[288] Khin Nanda, a Shan graduate, later took on the lead role as Training Coordinator. In a Thai refugee camp in 2000 Khin Nanda had heard about the school from a graduate of the first Burma School program. She was successful in her application for the second intake and graduated with Sai Sai, another Shan exile, to set up Sapawa, the first Shan environmental group.[289]

By handing over management to various ethnic minorities, ERI has demonstrated increased confidence in the administrative abilities of activists from Burma. While training at the schools

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[285] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

[286] Ka Hsaw Wa (2009, 9 January). *Interview with author*. Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[287] Naing Htoo (2005, 10 January). *Interview with author*. Program Coordinator, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[288] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[289] Khin Nanda (2009, 4 April). *Interview with author*. Training Coordinator, EarthRights School Burma. At EarthRights School Burma, Chiang Mai, Thailand.

has provided some tools in this regard, Redford is emphatic in denying that the training increases the activists' capacity:

> It is NOT 'capacity building' which is what most NGOs like to call training of this sort – no, the students in our Burma and Mekong Schools have capacity already – and they have capacity that we, as northern, educated, whatever, people don't have. But they don't have the tools, experience, information and skills that they need to deal with the new phenomenon of globalization, of corporations coming into their lands, and violating their rights and harming their environments. So, it's like they need to learn a new language, and learn new strategies to resist or deal with these new threats and abuses. The model of the ERS program is a real emblem of what ERI is all about.[290]

The reticence to classify the training as 'capacity building' indicates, once again, ERI's concern to avoid condescension in their engagement with activists from the South. 'Capacity building' can be, as Redford describes above, somewhat patronising when discussing the various skills that activists from the South bring to their work when they are not traditionally valued in the North. As Fagan demonstrates in his study on the environment movement in Bosnia-Herzegovina, some environmental NGOs are dismissed by donor organisations as lacking 'capacity' largely because of 'an inability to complete project grant application forms' (Fagan 2006, 794), when the movement's diversity of skills and knowledge actually represents a great variety of expertise.

Although many ethnic minority activists from these schools already challenge hegemonic forces in their own home environments, through training and networking at these schools they learn about wider issues such as the forces of economic globalisation and the impacts on local economies and societies. By fighting for recognition and resource re-distribution the consciousness of ethnic minorities and indigenous peoples may be raised in much the same way that other activists are radicalised by their activism (Maddison and Scalmer 2006, 73), although life under the Burmese military may have already been a radicalising experience.

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[290] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

Campaigns

The campaigns that ERI has been involved with traverse Asia, Africa and the Americas using a variety of campaigning techniques. As indicated above, the first ERI campaign focused on human rights and the environment in Burma, opposing construction of the Yadana Gas Pipeline from Burma to Thailand. Since the mid-1990s the organisation has maintained its interest in Burma but has also broadened its campaigns to other areas in the South including the Greater Mekong Subregion, South and Central America, India and Nigeria (ERI 2008a). Major components of its campaigns are its litigation and training through EarthRights Schools, outlined above, but it also collaborates with many local groups in preparing reports and organising protest actions. While more formalised activities such as litigation and report writing are given a high profile by ERI, its involvement with protests is more discreet. Several authors have argued that the difference between social movements and other political actors is their use of protest as a means to pressure institutions (della Porta et al. 2006, 19-20; Doherty and Doyle 2006, 703). While in recent years this aspect of ERI's activism has been downplayed its co-founders have a long history of association with protests.

The most prominent example was the involvement of Ka Hsaw Wa in the student protests of 1988 in Burma, which resulted in him being tortured for three days by the military.[291] Giannini also engaged in a dangerous democracy protest in Burma, although with the protection of US citizenship. On the tenth anniversary of the 1988 uprising Giannini travelled to Burma and was one of eighteen people who were detained and later sentenced to five years hard labour.[292] Half the group had the protection of Western passports, but the other half were from Southeast Asian countries.[293] All their sentences were later commuted, however, and they were deported after

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[291] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[292] Giannini, T. (2007, 14 February). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.

[293] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

six days (Fink 2001, 244).[294] For the Burmese in Burma, engaging in nonviolent street protests is certainly a form of manufactured vulnerability (Doherty 1999), but this also applies to Northern activists who take these sorts of risks under authoritarian regimes in the South. Despite the level of protection which citizenship of Northern countries affords, there are still heightened risks in these environments.[295]

While these activists have now accrued an element of societal respectability – Giannini now teaches at Harvard Law School and Ka Hsaw Wa has won numerous international awards for his work – ERI has maintained its involvement with transnational protests against the projects discussed in this thesis but without the prominence attached to other elements of its campaigns. Part of the strategy is to allow 'local' environment groups, with the credibility of being founded and staffed by Southern activists, to be the most vocal in open protests.[296] Another aspect of the strategy appears to be increasing ERI's image as primarily a constructive NGO, one that provides formal solutions – through publications, training and litigation – rather than merely protesting on street corners. As protest is a key element of being a social movement organisation, this reticence in overt protesting could indicate increasing conservatism in the organisation. Doherty notes, however, that there is no relationship between the institutionalisation of environmental organisations and the levels of protest (Doherty 2002, 148-49), and I would argue that ERI's reduction in open protest is primarily a campaign strategy rather than any dilution of its orginal aims and does not reduce their claim to social movement status as an introspective group.

ERI's cooperation with local or transnational Southern groups in preparing reports on environmental and human rights abuses dates back to its first major publication. In 1996 ERI and the Southeast Asian Information Network (SAIN) published the first edition of Total Denial

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[294] In one of my earliest contacts with Giannini in Bangkok I received an email from him in September 1998 saying he had 'just got back into town' himself the day before. He made no mention, however, of just being released from a Burmese jail. Giannini, T. (1998, 20 September). *Email to author*. Co-Founder EarthRights International (ERI). Lecturer in Law, Human Rights Program, Harvard Law School. Sent and Received in Bangkok, Thailand.
[295] An example in Burma is the close range shooting of a Japanese journalist during the protests of September 2007 (*Times Online* 2007).
[296] Smith, M. (2009, 6 April). *Interview with author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand.

(ERI and SAIN 1996), which, according to Ka Hsaw Wa, 'comprehensively documented atrocities along the Yadana Gas Pipeline for the first time'.[297] Giannini also considered the detailed documentation in the report as central to both their court case and the advocacy campaign.[298] An update on the pipeline project was published as Total Denial Continues in 2000 with a second edition released in 2003 (Giannini et al. 2000; 2003). As part of the Yadana and broader Burma campaign, ERI also wrote, or co-authored, several major reports during this period that reported on the extensive use of forced labour in Burma, primarily in the eastern region of Burma near the Yadana Pipeline and Salween Dams (Giannini and Friedman 2005; Mahn Nay Myo et al. 2003a; 2003b; Naing Htoo et al. 2002). In April 2008 ERI released a new report The Human Cost of Energy (ERI 2008c), which focused on Chevron's ongoing involvement in Burma drawing on 'five years of interviews'.[299] The publication emphasised Chevron's ongoing liability over its operations in Burma with the settlement with Unocal only settling specific lawsuits for sixteen victims of the pipeline project (ERI 2008c, 53-55). It also demonstrated that the settlement had not diminished the role that ERI anticipated playing in pressuring Chevron to leave Burma.

Many of ERI's campaigns received international media attention, largely as a result of ERI's campaigns and legal work. When Thailand was required to pay for gas it was not receiving for the Yadana project Pipob Udomittipong, formerly of KCG and the Spirit in Education Movement (SEM), was interviewed as a representative of ERI by the *New York Times*, arguing that '(i)t's altogether a failure … a mismanagement of the energy policy in this country' (Arnold 2000). The progressive US magazine, *The Nation*, also picked up the campaign, writing prominent articles decrying Unocal's investment in Burma (Eviatar 2003; 2005). In the UK the later campaign against the Salween Dams also received attention with Richard Parry of *The Times* obtaining a copy of the confidential MoU between Thailand and Burma (Parry 2006).

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[297] Ka Hsaw Wa (2004, 14 January). *Interview with author.* Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[298] Giannini, T. (2000, 22 January). *Interview with author.* Co-Founder EarthRights International (ERI). Lecturer in Law, Human Rights Program, Harvard Law School. Bangkok, Thailand.

[299] Smith, M. (2008, 10 April). *Email to author.* Project Coordinator (Pipelines and Mining), EarthRights International. Chiang Mai, Thailand.

ERI's activists also gained attention beyond the news media with Caroline Kennedy and the Robert F. Kennedy Center in New York putting on a play 'Speak Truth to Power' with Woody Harrelson playing Ka Hsaw Wa. This influence also acted as a recruitment tool with Matthew Smith, who produced the play, meeting Ka Hsaw Wa in 2003 and later joining ERI in Thailand as Project Coordinator on Pipelines and Mining.[300] Smith later wrote articles with Naing Htoo on the Shwe Pipeline in *Watershed* magazine, produced by the Bangkok-based TERRA (Smith and Naing Htoo 2005; 2006), an also produced a book chapter on mining and environmental governance in Burma published by ANU (Smith 2007).

Although the campaign against the Salween Dams had gained international interest after the publication of a front page article in the *Bangkok Post* in 2003 (Kultida Samabuddhi and Yuthana Praiwan 2003), Redford and Giannini wrote in the submission to Echoing Green a decade earlier that they had already conducted research on the human rights and environmental implications of dams on the Salween River. At this time the World Bank was supporting dam projects on the river along the Thai-Burmese border and the activists intended to file claims with the Bank's Inspection Panel, but under pressure from NGOs and some governments the Bank later withdrew its direct support for the dams and all other projects in Burma (Giannini and Redford 1994, 4, 8). In 2003, six months before the front page article appeared in the Bangkok Post, Giannini indicated their interest in the Salween Dams.

> In many ways, these dams could be and likely will be a repeat of the Yadana project …
> unnecessary development that will lead to human rights [abuses] and environmental
> problems.[301]

During the Asian Development Bank's (ADB's) AGM in May 2007, ERI and other activist groups called on the Bank to cease providing 'technical assistance' to Burma via the Greater Mekong Subregion (GMS) program for projects such as the Salween Dams and to address concerns regarding the ADB's involvement with the military junta in Burma (ERI 2007a). Although involved in this activity and also contributing to the major publication, The Salween Under Threat

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[300] Smith, M. (2009, 6 April). *Interview with author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand

[301] Giannini, T. (2003, 16 June). *Email to author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.

(Salween Watch and SEARIN 2004), ERI appears to have played a much greater role in providing training and experience for Southern activists who later established anti-Salween Dam campaign networks.[302] Sai Sai graduated from the Burma School in 2001 then worked for ERI between 2001 and 2003 and took up key positions in Salween Watch and the Shan Sapawa Environmental Organization (Sapawa).[303] Sai Sai employed the contacts and knowledge he gained while with ERI in his new roles, with the Karen Team Leader of ERI's Southeast Asia Office, Chana Maung, being his main contact on the Salween campaign.[304] Between 2002 and 2004 Pipob worked at ERI campaigning against the Salween Dams until he left to become a member of the Advisory Committee for Salween Watch.

In the campaign against the Shwe Pipeline in western Burma ERI activists have conducted research in Arakan State but, as with the Salween campaign, ERI has endeavoured to promote local, ethnic minority, or exiled Burmese groups as the drivers and visible face of the campaign. Although it was one of the five original core members of the Shwe Gas Movement (SGM) by 2009 ERI was preparing to remove itself from the core membership to play a more supportive background role.[305] Despite being based in Thailand it also invested significant time in India. In October 2004 the then Program Coordinator at ERI confirmed that

> Tyler is at a conference in New Delhi right now focused solely on the Shwe Project organised
> by an Arakan group. It convenes Burmese, Indian and Korean stakeholders. Tyler will
> present about the experiences of Yadana and Edith Mirante will present about gas pipelines
> in Burma on the western side.[306]

In late 2006 ERI activists also attended the Northeast Student Organization's (NESO) three day annual meeting in Tripura, northeast India. ERI and the Shwe Campaign Committee of India,

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[302] As a consultant with ERI Japanese activist Masao Imamura also assisted in this training and undertook fieldwork in Burma. Imamura, M. (2003, 9 December). *Interview with author*. Independent Consultant to EarthRights International. Chiang Mai University International Centre, Chiang Mai, Thailand.
[303] Sai Sai (2007, 17 December). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[304] Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[305] Smith, M. (2009, 6 April). *Interview with author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand
[306] Angela (2004, 14 October). *Email to author*. Pseudonym for Program Coordinator, EarthRight International (ERI). Chiang Mai, Thailand.

which had been set up in December 2004,[307] discussed the environmental and social impacts of the proposed pipeline both in Burma and India. Campaign Committees were also set up in Bangladesh, South Korea, Thailand and the US. ERI was, however, only involved as an adviser to the Campaign Committees which, except for those in Korea and the US, were comprised of Burmese exiles. An ERI activist commented that

> the experience from the Yadana campaign was invaluable but there was a movement of power into the hands of locals [because] ERI is conscious of 'power sharing' between North and South communities.[308]

This coincided with comments by the then Assistant Team Leader of ERI's Southeast Asia office regarding the distinction between ERI and some other NGOs, with ERI's work being 'solidarity work' rather than 'issues based'.[309]

In response to the news filtering out in 2006 that the Shwe gas was probably to be sold to PetroChina rather than India and the pipeline was to be built to Kunming in Yunnan Province rather than northeast India, ERI shifted the focus of its strategy. Activists remained optimistic despite the greater challenge of China's influence, particularly in relation its Security Council veto: 'I think there are also different strengths, weaknesses, opportunities … for a China campaign. We just have to be creative ... and think differently about methods'.[310] As part of ERI's broader strategy Korean activists had been brought into the campaign as they could 'pressure Daewoo more effectively',[311] but this element now became much more significant as influencing the authoritarian government of China was considered more difficult than the relatively democratic regime in India.

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[307] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

[308] Angela (2005, 10 January). *Interview with author*. Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand.

[309] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[310] Catherine (2006, 19 January). *Email to author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). Chiang Mai, Thailand.

[311] Angela (2004, 14 October). *Email to author*. Pseudonym for Program Coordinator, EarthRight International (ERI). Chiang Mai, Thailand.

Although ERI does not focus uniquely on women's interests it does have a Burma Women's Rights Project that recognises the particular vulnerability of women in Burma. It also acknowledges through all its Burma campaigns that the security and well-being of ethnic women in Burma are doubly at risk:

> It means that not only are they refugees, but they are refugees in charge of providing homes for their families … They are subjected to all the dangers the military poses to men, such as forced labor, torture, and murder, and then additional horrors based on their gender, including rape, forced marriage, and forced pregnancy (ERI 2006c).

In one of the earliest reports for ERI Betsy Apple, the Women's Rights Project Director, wrote a report, School for Rape: The Burmese Military and Sexual Violence (Apple 1998), which served as a launching pad for several reports on sexual violence in the country. While serving as a consultant to Refugees International in 2003 Apple wrote another report on the issue, part of a flurry of reports that were released at this time raising it as a concern (Apple and Martin 2003; KWO 2004; 2007; SHRF and SWAN 2002).

Apart from ERI's core work on Burma, which in 2005 made up 80 percent of its campaign efforts,[312] it has also been a central player in major global campaigns such as International/Community Right to Know (Faber 2005, 54). It is also a member of the International Network for Economic, Social and Cultural Rights (ESCR-Net), which writes reports for NGOs, the UN and other agencies, often advocating rights for indigenous peoples or ethnic minorities (ESCR-Net 2007). According to Keck and Sikkink, international advocacy networks and organisations that traverse North and South usually work on situations where identifiable victims are being physically harmed, allowing for a portrayal of right versus wrong (Keck and Sikkink 1998, 132). The environmental issues that fit this model generally involve displacement of indigenous peoples or destruction of their livelihood, which are often the result of large dams, deforestation or major development projects. As a result most of ERI's campaigns focus at least to some extent on these sorts of issues.

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[312] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

Conclusion

Transnational social and environmental movement organisations that traverse the North and South often experience stark differences in foci between their Northern and Southern activists. The precarious living conditions and authoritarian governance that frequently accompany existence in the South results in concerns that are closely aligned to post-colonial societal critiques (Doherty and Doyle 2006, 707; Torgerson 2006, 717). This materialist critique is contested by many Northern activists, although it is being rediscovered by some NGOs who engage in identity politics (Routledge 2003, 335). Even the most progressive and introspective EGGs can, however, experience tension between the strategies and activities of their Northern and Southern nodes. EarthRights International (ERI) appears to have negotiated this North-South divide better than most. Its co-founders from Burma and the US established the NGO to address their common concerns relating to earth rights – the nexus between human rights and environmental protection – primarily in Burma. While expanding its activities significantly since its modest origins in 1995, ERI maintains an introspection regarding its organisational structure and activities that attempts to ameliorate structural power imbalances between Northern and Southern activists (Simpson 2008a, 1).[313] By recognising the importance of Southern management in Southern issues and the pursuit of consensus decision-making, ERI has avoided the major conceptual conflicts that have afflicted other EGGs.

Some of ERI's activities may appear conservative or mainstream but in other important aspects, including its approach to its activities and organisation, it retains a radical edge. It has confidence in the 'power of law' and its aims are reformist in a traditional sense, aiming not to subvert capitalism but to 'make it more just and fair'.[314] Nevertheless, in its awareness of cultural sensitivities and focus on lack of hierarchy within the organisation it demonstrates introspective and emancipatory characteristics. While Doyle and Doherty argue that emancipatory groups 'celebrate more non-institutional forms of organisation' (Doyle and Doherty 2006, 883), I argue here that the particular transnational milieu in which ERI operates suggests

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[313] See also (Elliott 2009, 404) for further discussion on this point.
[314] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

that they could not function effectively as an entirely anarchic network or informal group. An organisation that works between the jungles of Burma and the court rooms of the US requires a certain formality to function successfully. At the very least, without this organisational formality members of ERI would have to act as individuals as co-counsel in US court cases for Burmese villagers and other marginalised peoples from the South, raising difficult questions regarding the distribution of legal costs and fees. While Doyle uses the introspective categorisation only for informal groups (Doyle 2000, 34), I believe it can also be applied to emancipatory formalised NGOs, such as ERI.

In addition to promoting the central role of co-founder Ka Hsaw Wa as a Karen exile ERI has made significant efforts in achieving equity between its Northern and Southern activists to redress the inherent disparity in power relations in areas such as formal education, English proficiency and expected remuneration.[315] Language and cultural sensitivities are therefore prerequisites for any employment with the NGO and all staff undertake further training in this area. ERI has also made a conscious attempt to achieve gender equity within its structure, reflecting an organisational commitment to its broader campaign of supporting women through the Burma Women's Rights Project.

The increased management of the Southeast Asian nodes of its organisation by ethnic minorities is paralleled by ERI's collaboration with many ethnic minority activist groups and NGOs throughout the region, increasing its legitimacy in the eyes of the marginalised communities of Burma's borderlands. It has also ensured that 'local' environment groups take the lead in campaigns against the Salween Dams and Shwe Pipeline, concentrating its own efforts on training and its broader strategies rather than on the 'banner campaigns' as it did during the early years of the Yadana campaign. As an ERI activist argued ERI focuses on 'solidarity work' rather than being 'issues based'.[316] Similarly, although ERI activists have been involved in protests in Burma in the past, the organisation prefers to allow 'local' or Southern

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[315] Giannini, T. (2004b, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.
[316] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

groups to be the organisational face of transnational protests for these campaigns. Regardless of their direct involvement with the protests, ERI only involves itself with nonviolent groups and supports nonviolent activism. While nonviolence as a philosophy throughout the organisation is commonly derived from a human rights basis, co-founder Tyler Giannini and others within ERI have also been influenced by Thai activists within the Engaged Buddhism tradition.[317]

Co-founder Katie Redford considers ERI's establishment of the EarthRights Schools and the litigation success in the Unocal case to be ERI's most important achievements, reflecting both its aims and its goals.[318] These accomplishments have empowered marginalised communities in the South in three important ways. First, the schools offer information and education on the effects of globalisation in the South and provide crucial training and tools for managing or challenging the associated processes. Second, the court settlement provided significant resources to improve the health, well-being and security of ethnic minority communities in the Thai-Burmese border region. Third, the precedents set in the court case will also encourage other TNCs to reconsider their engagement with authoritarian regimes or conflict zones in the South or at least oblige them to consider the potential for significant future costs.

This case study of ERI demonstrates that formalised NGOs that engage in legal practice as part of their strategy – one of the most conservative areas an NGO can operate in – can also claim status as an introspective and emancipatory group if their philosophy and organisational structure reflects the core green values of social justice, nonviolence, ecology and democracy. Indeed Doherty argues that formalised NGOs which maintain the core green commitments retain a strong claim to being green social movement organisations (Doherty 2002, 148-49). With a focus on these core values both in the structure of the organisation and in its operational philosophy, it provides a key exemplar of a North-South EGG. Its approach to its campaigns and networks with other groups within the GJM provides an important insight into the operation of transnational green politics and makes a significant contribution to the emancipatory discourse of the transnational green public sphere (Torgerson 1999, 19-20).

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[317] Giannini, T. (2007, 1 August). *Email to author (from Cambodia).* Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School.
[318] Redford, K. (2008, 21 January). *Email to author.* Co-Founder/Director EarthRights International (ERI).

ERI's quest for equity between its Northern and Southern activists appears intimately related to its success in both achieving its organisational aims and improving environmental security for the marginalised communities of Burma. This linkage, which could be employed by other transnational NGOs with a focus on human rights and the environment, suggests that promoting justice within the organisation can make a substantial contribution to achieving broader organisational goals and ameliorating the effects of marginalisation on communities in the South. With these findings in mind, the next chapter continues the analysis of transnational activism associated with the energy project case studies but broadens the investigation to include other transnational actors.

Chapter 6 – Transnational Campaigns

This chapter continues the analysis of transnational activism but shifts the focus from a single organisation to the various coalitions and networks that comprise the transnational campaigns against the energy project case studies. Much of the activism related to projects centred on Burma is transnational in nature due to a lack of domestic political openings. As a result the campaigns that received little attention in Chapter 4 are examined here in more detail. While some of the activism in this chapter also takes place in Thailand and its fuzzy border region with Burma, it is of a different nature to that covered in Chapter 4. Much of the activism is carried out by expatriate communities from Burma against transnational energy projects originating in their home country. This activism is focused, however, towards international governments, corporations and media rather than the corresponding Thai entities.

This analysis of the relationship between the level of authoritarian governance in Burma and the resulting intensity of local and transnational activism in these case studies provides four major findings for the first research question. First, under traditional authoritarian regimes the extent of human rights abuses and environmental destruction linked to development projects, particularly transnational energy projects, is likely to be greater than under more competitive hybrid regimes. Second, under traditional authoritarian regimes the ability of local activists to voice their concerns through protest and various media in the local context is severely constrained compared with hybrid regimes, which therefore increases the importance of developing transnational networks and coalitions to undertake transnational campaigns. Third, under traditional authoritarian regimes there is likely to be an activist diaspora of expatriates who are more likely to engage in activism transnationally from outside their home country. Fourth, there appears to be an inverse relationship between the level of authoritarian governance and the level of local activism, with increasing authoritarianism resulting in less local activism, but a direct relationship between the level of authoritarian governance and the level of transnational activism, with increasing authoritarianism resulting in greater transnational activism, largely as a result of the activist diaspora.

As much of the activism in this chapter concerns projects inside Burma, issues of social and environmental justice are even more pronounced. As in other parts of the South, the postcolonial milieu provides the context for environmental justice movements which is only enhanced by poverty and marginalisation (Torgerson 2006, 717; Williams and Mawdsley 2006, 662). The environmental campaigns therefore broaden their focus to include justice issues such as the insecurity of ethnic minority women in the face of systematic sexual assault and the burdens associated with being internally displaced peoples (IDPs). Ecological issues also come into play, but this chapter finds that the groups that focus primarily on ecological issues, rather than as an integrated part of a more justice-oriented approach, are often conservation groups based in the North that fail to see the link between these issues and the precarious existence of peoples in the South. Groups that grasp this connection are often either formed or based in the South or founded by Southern activists. This chapter therefore offers findings relevant to the second research question and relating to the issues focused upon by environment movements in the face of precarious living conditions and authoritarian governance.

Examination of these transnational campaigns also helps elucidate differences that arise between local and transnational activism in the deployment of cultural symbols and therefore provides answers to the fourth research question. In Chapter 4 religious and royal symbols were central to the campaigns of activists at a local level, but these are less significant within transnational campaigns. The essentialising of religious and cultural symbols may still appear, but in transnational campaigns appeals to the international community are often couched in more universalised concepts such as human rights and democracy (DeLaet 2006, 10-11). While activism may still be influenced by, and celebrate, local cultural factors, these influences may also be left behind by adhering to a rationalist bureaucratic framework and adopting a rights-based approach.

This strategy has been successful in campaigns in other parts of the world such as the women's movement for maquila workers' rights in Central America where activists have employed the transnational human rights symbol (Mendez 2002). Similar problems are often faced by both feminist and environment movements, but the main advantage of this approach for activists is

that it provides a legal basis and a normative framework that supports 'the oppressed and excluded' (Tsikata 2007, 215). Once rights are legislated, however, feminists have faced difficulties over the gap between legal requirements and everyday realities (Cornwall and Molyneux 2006, 1183), which is also the experience of activists both in Thailand and Burma. Transnational campaigns often, therefore, take these rights-based approaches beyond national governments to global governance institutions, particularly the UN. Activists who contribute to these reports maintain, however, a strong linkage to their local cultural and religious heritage which provides an obstacle to what Christoff argues are the 'dangers of policy professionalisation' for activists (Christoff 2005, 301).

This chapter shifts the focus from local organisations and EarthRights International (ERI) to transnational networks and coalitions where pooled transnational resources and expertise provide more coordinated campaigns against the transnational energy projects. ERI is also discussed here but only within the context of its relationships with these various reference groups (Rucht 1999, 221), such as allied environmental organisations. This focus provides some evidence on the links between the structure and composition of activists groups and groupings and their likelihood of success and therefore suggests some findings related to the fifth research question.

The existence of transnational coalitions is an area that has been overlooked by most studies on environmental activism (eg. Doherty 2002; Doyle and McEachern 2008), although coalitions in the GJM have received some attention even if they are not specifically based in the South (Faber 2005; Yanacopulos 2005b). Transnational coalitions in the South have been expedited by the growing availability of inexpensive communications technologies as demonstrated by their increasing prevalence over the various campaigns. They may also be a signifier of both the growing sophistication of the campaigns and further evidence of the existence of an activist diaspora from Burma.

These transnational coalitions are largely comprised of Southern activists and organizations although they are supported by Northern activists with a focus on justice within the environment

movement and strong connections to the South. While these Northern activists demonstrate a cooperative relationship with Southern groups, more traditional Northern environmental organisations of the environmental governance state (EGS) persist in prioritising conservation over human rights. Although ERI continues to play a significant supporting role some Northern conservation groups, such as the New York-based Wildlife Conservation Society (WCS), continue to be at odds with Burma's activist diaspora over complicity with the Burmese military regime.

Justice-oriented networks or coalitions of the South are also likely to be more enduring than those that are focused more exclusively on ecological grounds. Pieck's (2006) study of the transnational networks between indigenous Amazonians and Northern activists suggested that support for indigenous activists was directly linked to the political importance associated with the Amazon's ecological significance in the North, which declined over time. She also noted, however, that 'Northern environmentalists often tend to interpret southern movements as ecological ones' (Pieck 2006, 310). While this may be a view represented by Northern conservation groups such as the WCS the Northern activists involved with the transnational campaigns below exhibit a keen awareness of the links between human rights and environmental protection.

In addressing aspects of the second and sixth research questions this chapter also finds that TNCs can play a central role in perpetuating authoritarian governance and resultant insecurity for marginalised populations, even if the home country of the TNC is democratic. While the roles of Unocal and Total, of the US and France respectively, have been introduced and are discussed further, this chapter also shows that the economic engagement of South Korea's Daewoo International with the Burmese military transcends its business interests in the Shwe project. The conviction of the Daewoo president and other executives for illegally selling military hardware to Burma's generals suggests the TNC is unlikely to make investment decisions based on the welfare of Burma's citizens and bolstered the calls by activists both for the prohibition of foreign direct investment (FDI) in Burma and for greater transparency in the activities of TNCs.

Yadana Gas Pipeline Project

As discussed in the previous chapters, the Yadana project provoked one of the most extensive environmental campaigns in the region with Fahn labelling it 'a global campaign for the 90s' (Fahn 2003, 197). Chapter 4 demonstrated the intense local activity against the project in Thailand and Chapter 5 analysed the involvement of ERI, in particular its court action against Unocal in the US. ERI was the central transnational NGO, but there were many other groups, some based in Thailand, which also participated in the transnational campaign. As with most actions involving Burma, the central focus was on the egregious human rights abuses committed by the Burmese military. The transnational campaign highlighted both the connection between these abuses and environmental degradation and the complicity of TNCs in facilitating the gas revenues that entrenched the authoritarian military regime. As an editorial of the Burmese expatriate news website, The Irrawaddy, put it,

> [a]s dreadful as the forced labor, torture, rape and murder committed along the pipeline route was in human terms, the greater part of the Yadana and Yetagun consortiums' responsibilities with relation to Burma are that the gas revenues help perpetuate and enrich a brutal, incompetent government (The Irrawaddy 2004).

This section therefore provides a contextualisation of activism within the civil conflict zone of the Thai-Burmese borderlands and examines the roles of various actors within the transnational campaign against the Yadana Pipeline. The findings suggest that it is largely the influence of activists either in, or from, the South that focus the campaign on issues of justice and that some conservation NGOs from the North are as complicit as oil and gas TNCs in perpetuating the marginalisation and abuse of ethnic minorities through their engagement with the Burmese military. The findings also suggest that, while some activists in the South adopt local cultural perspectives, during campaigns at a local level they are also often comfortable assuming more universally recognised concepts and methodologies for transnational campaigns. This finding suggests activists maintain flexibility in adopting the most suitable strategies and tactics for a particular environment.

Since Burma's independence, ethnic minorities in Burma's mountainous border regions have been the particular targets of repression with the world's longest running civil war still being fought in the Thai-Burmese borderlands surrounding the Yadana Pipeline project between the tatmadaw and ethnic minority insurgent groups (Lintner 1999; Smith 1999). Life in these borderlands can be precarious and uncertain and, as O'Kane notes in her study on ethnic women in the region, 'the distinctions between [identities of] public/private, politics/survival, mother/activist, freedom fighter/illegal alien [collapse] and become inseparable experiences' (O'Kane 2005, 15). A key example of this process was the experience of Ka Hsaw Wa, co-founder of ERI, who spent a decade occupying this space following the 1988 crackdown in Burma with multiple identities as a refugee in the jungle borderlands, an ethnic minority leader, an NGO CEO, a partner and father and an incognito field researcher.[319] His inability to effect change in Rangoon itself during the 1988 protests led to Ka Hsaw Wa's recognition that transnational approaches were essential. As Soe Myint, founder and editor of exiled news agency Mizzima News also argued, activists rarely campaign openly in Burma due to a well found fear of persecution but they also focus their attention beyond the ruling Burmese military towards international fora.[320] When Ka Hsaw Wa left Rangoon in 1988 he was one of the few activists with the access and language skills to undertake the field research for the Yadana campaign and communicate it effectively outside of Burma.

The activists within the Burma Lawyers' Council (BLC) underwent a similar experience. The organisation was established in the liberated area (or revolutionary area) of Karen State in 1994 but retreated to Mae Sot in western Thailand in the face of increased tatmadaw offensives (Piya Pangsapa and Smith 2008, 496). From there they provided quarterly human rights and security training along the Thai-Burmese borderlands for Yadana activists and others promoting democracy and the rule of law in Burma. The BLC worked closely with ERI during the Yadana campaign, having mutual legal backgrounds and interests and being 'good friends' with Giannini

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[319] As he had an alternate identity on his passport the border police asked him to inform them whenever he saw 'the activist Ka Hsaw Wa'. Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[320] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

and Redford.[321] Despite their commitment to nonviolent activism, members of the organisation nevertheless maintained links to militant ethnic insurgent groups such as the KNU.[322] The tenuous security situation experienced by ethnic minorities both inside Burma and amongst its borderlands, creates an environment where the focus of activism is primarily on human rights and justice. BLC training for activists in all the campaigns recognises environmental aspects of the disputes but, as with other actors in the campaigns, the focus is on 'the right [for local ethnic minorities] to exploit, protect [or] use the environment as they wish'.[323]

The tatmadaw offensives around the Yadana Pipeline also stimulated transnational activism in the form of women's groups who spoke out over the systematic rape and sexual assault of women in ethnic minority communities. Due to the increasing affordability of desktop publishing, various transnational NGOs, some drawn from exiled ethnic communities, highlighted this issue through several reports, mostly published in English inside Thailand and aimed at transnational audiences. These documented rapes occurred predominantly along the Thai-Burmese border with several occurring in the Yadana Pipeline region (Apple and Martin 2003; KWO 2004; SHRF and SWAN 2002).[324] The women were often taken into bondage for weeks at a time and the tatmadaw were, at best, careless with their lives, with documented deaths associated with those guarding the Yadana Pipeline (KWO 2007, 53). Despite the precarious living conditions, it was the pre-existing networks of activists, such as those set up by Dr Cynthia Maung and the Mae Tao Clinic (MTC) in Mae Sot, which allowed these groups to gather the data and publish these reports so quickly.[325] The MTC is a key exemplar of an NGO in the South that is more service provider than lobbyist (Cleary 1997), yet its emphasis remains on protecting human rights.

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[321] Aung Htoo (2004, January 19). *Interview with author*. Burma Lawyer's Council General Secretary. Burma Lawyers' Council Office, Mae Sod, Thailand.

[322] Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.

[323] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

[324] K'nyaw Paw (2007, 9 March). *Email to author*. Karen Women's Organization (KWO) and 2006 International Women's Development Agency (IWDA) Ambassador. Mae Sariang, Thailand.

[325] Green, S. (2005, 11 January). *Interview with author*. Pseudonym for activist, E-Desk/Images Asia. Lanna Cafe, Chiang Mai, Thailand.

The contrast between Northern and Southern organisations is made clear in the attempts to establish the Myinmoletkat Nature or Biosphere Reserve in the area surrounding the pipeline in Tenasserim Division of Burma. Conservation projects are used by the military to pursue their own narrow interests but several Northern conservation groups have become involved by promoting particular projects. The million acre Myinmoletkat Reserve was touted by Burma's leaders in 1996-97 as a major conservation project which the New York-based Wildlife Conservation Society (WCS) and Smithsonian Institution in Washington both supported.[326] The NGOs worked with the Burmese military and lent their name to the reserve, which the regime used as an excuse to clear out Karen villages. In reality the reserve was being cleared to secure the pipeline route and provide access for military logging of the forests (Mason 1999, 7). A team from the Observer newspaper visited Burma in 1997 and gathered first hand accounts of the rape, execution and enslavement of Karen villagers in the vicinity of the pipeline, while representatives of the two conservation NGOs effectively placed the importance of biodiversity conservation above that of human rights in the region (Levy et al. 1997). Following the military's operation, the area of the proposed Myinmoletkat Reserve became the front line of military engagements between the military and insurgents with the proposed reserve now defunct (Noam 2007).

In contrast to these Northern-based environment groups, a more sensitive approach to the ethnic Karen of the pipeline region is conveyed through the work of the Karen Environmental and Social Action Network (KESAN) which specifically focuses on 'the relationship between social and environmental issues, [doing] so in a way that reflects Karen priorities' (MacLean 2003, 1). KESAN has worked with ERI on several transnational campaigns with alumni from ERI's EarthRights Schools on their staff,[327] employing local knowledge to encourage participatory management of local resources in Burma using traditional experience and institutions. The organisation's Karen founder grew up on the Salween River and during his childhood saw paint marks on the rocks marking the Wei Gyi Dam site, indicating interest in the

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[326] The Wildlife Conservation Society has also been criticised for its role in pursuing conservation goals at the expense of local communities through its participation in the Donor Consortium in Madagascar, a role which Duffy argues contributes to Madagascar qualifying as a governance state (Duffy 2006).
[327] Redford, K. (2004, 15 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

site for several decades.[328] He and his family, however, had to move south to avoid repeated tatmadaw offensives until they were forced into exile, providing a very different experiential perspective on the region to US-based NGOs.

KESAN undertakes fieldwork with other Karen within Burma, but it is based in Thailand and communicates through its reports to the outside world on how environmental degradation from the logging, mining and damming carried out by the military are deleteriously impacting on the human rights and well being of Karen communities (KRW 2004b; MacLean 2003). While the group claims a specific ethnic identity, it also adopts the rights-based language adopted by many transnational NGOs, such as ERI, that appeal to universal rights. This strategy is paralleled in the feminist movement and similar dilemmas are faced. While in Burma there are few of the constitutional rights that would normally be expected, a law banning forced labour would represents what Cornwall and Molyneux consider to be the 'gulf that exists between elegant laws and the indignities of … everyday realities' (Cornwall and Molyneux 2006, 1183). Despite this gap, the advantage for activists of rights-based approaches is that they have a legal basis and a normative framework that supports 'the oppressed and excluded' (Tsikata 2007, 215). While a rights-based approach has been, to a certain extent, co-opted by status quo institutions such as the World Bank, it can still provide a useful method for analysing development activities when employed as a tool from a critical perspective (Cornwall and Nyamu-Musembi 2004, 1426-27).

Some Thai activists took a similar approach, identifying the transnational campaign as embedded in claims about Thai Buddhist culture in some fora, but in others couching their arguments in rights-based language. Sulak Sivaraksa, co-founder of the International Network of Engaged Buddhists (INEB) (Sathirakoses-Nagapradeepa Foundation 2008) and the International Forum on Globalization (IFG 2008), brought both these perspectives to the campaign. Sulak brought the campaign to Schumacher College in the UK in January 1998

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[328] Paul (2009, 6 April). *Interview with author*. Pseudonym for Director, Karen Environmental and Social Action Network (KESAN). KESAN Office, On the Thai-Burmese border (location witheld).

where he invoked Buddhist philosophy as a cure for the greed that led to the project.[329] Another approach was co-authoring with Phinan Chotirosseranee of Kanchanaburi Conservation Group (KCG) a report for the UN Human Rights Committee (Pibhop Dhongchai et al. 2005). This report also reflected the growth of Phinan's activism which had originally been focused on the local environment and drew heavily on Buddhism.[330] Her activism, however, contributed to a politicisation through which her sphere of interest increased to principles of international law with the report arguing the existence of severe violations of the International Covenant on Civil and Political Rights (ICCPR) in Thailand: 'By placing the southern regions under martial law without announcement of any reasonable grounds, the Thai Government failed to follow the key ICCPR Articles' (2005, 14).

Pipob Udomittipong, who was also a member of KCG, was involved in the Yadana campaign at both local and transnational levels, and also combined activism that drew from Buddhism and a more universalist rights-based approach. He coordinated the Thai Inter-Religious Commission for Development (TICD) in the early 1990s, and thereafter became a member of the working committee and executive committee of INEB. In the mid-1990s he was coordinator of Sulak's Spirit in Education Movement (SEM) College that promoted an alternative education which integrated spirituality into social action and learning. Later he helped Sulak edit a book on Engaged Buddhism (Sulak Sivaraksa 1999). He promoted the Yadana campaign internationally through more mainstream sources when he was interviewed by Voice of America during the Yadana forest protests (Aung Hla 1998), and later, when he worked at ERI, by the New York Times (Arnold 2000). Despite his long commitment and emphasis on Buddhist solutions his confidence in more universalist rights-based approaches was demonstrated in 2002 when he co-founded EnLAW, Thailand's first independent environmental law association in Thailand, with Penchom Tang.[331]

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[329] Sulak Sivaraksa (1998, 25 January). *Interview with author.* Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.

[330] Phinan Chotirosseranee (1998, 5 October). *Interview with author.* Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.

[331] Pipob Udomittipong (2004, 14 January). *Interview with author.* Activist with EarthRights International (ERI). ERI Office, Chiang Mai, Thailand. Pipob Udomittipong (2005, 3 January). *Interview with author.* Activist with Salween Watch and translater for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.

As discussed in the previous chapter much of the interest in the Yadana campaign by the American media was due to the Unocal case unfolding in US federal courts. A valuable addition to the global campaign appeared in March 2006 when Total Denial, a film by Milena Kaneva (2006) that documented the Unocal case, won the Vaclav Havel Award at the One World International Human Rights Documentary Film Festival in Prague (ERI 2006b; One World 2006). Borrowing the title from ERI's original report on the pipeline (ERI and SAIN 1996), the film was shot over 2000-2005 and included footage taken in the jungles of Burma. Footage from Thailand, Europe and the courtrooms of America demonstrated the global nature of the campaign, with extensive interviews with ERI founders Ka Hsaw Wa and Katie Redford. Despite the Northern components of the campaign, the film demonstrated that it was the central influence and experience of activists in the South that drew the focus of the campaign onto issues of social justice. After the settlement with Unocal in 2005 the campaign had received reduced media focus but the film brought global attention back to the now-Chevron-owned project and its impacts, particularly following the Burma protests in September 2007 (Goodman 2007; Sanger and Myers 2007). In April 2008 ERI's first major report on the project for five years posed questions on Chevron's ongoing complicity and legal liability (ERI 2008c).

Although the campaign against Unocal in the US was well underway by the mid-1990s the transnational campaign against Total, the French operating partner of the pipeline, only rose to prominence after the pipeline's completion in 1999. It took until February 2005 before the Total Oil Coalition, a group of 53 organisations based in 18 countries, was formed (USCB 2005), although by then Burma Campaign UK (BCUK) argued that Total faced the largest campaign of any company operating in Burma (BCUK 2005b). That year BCUK released Totalitarian Oil, a report that documented the abuses surrounding the project and Total's associated complicity (BCUK 2005c). Protests in the same year were undertaken in the US at the French embassy and five consulates and at Total's AGM in Paris (AFP 2005a; USCB 2005). According to John Jackson, Director of BCUK,

> (t)he board of TOTAL are out of touch with the modern world. They need to realise the Cold War attitude of supporting dictators as long as they are 'our' dictators is long gone. Customers and shareholders don't want to be involved with companies helping to prop up military dictatorships (BCUK 2005a).

Although some shareholders at the AGM may have been sympathetic to this position, it appeared that the overwhelming majority were opposed. According to media reports a shareholder was booed in response to a question about whether Total was considering pulling out of Burma (AFP 2005a), with the Financial Times reporting that 'the cat-calls and abuse from the 7,000-strong audience were so loud that Thierry Desmarest, Total's chief executive, had to appeal for the man to be heard' (Financial Times 2005). Despite some success in shareholder activism it therefore appears to remain a difficult route for engendering concern for human rights and environmental protection within oil and gas companies.

Also in 2005, the same year Unocal settled out of court, Total settled a court case that had been brought in 2002 by eight plaintiffs in the Nanterre District Court in France, who claimed that they were used as forced labourers on the Yadana Gas Pipeline project by the Burmese military. In November 2005, Total agreed to pay €10,000 to each of the claimants as part of a €5.2 million 'solidarity fund' to finance humanitarian projects near the Yadana Pipeline and at the Thai border (AFP 2005b; Lassalle 2005). Despite the settlement, Total upheld its 'categorical denial of any involvement in forced labour and all accusations of [that] nature' (Total 2005). As part of the ongoing public relations campaign, Total's vice-president Jean-François Lassalle, argued in the Belgian paper, Le Soir, in early 2006, that

> [t]he local inhabitants around the Yadana pipeline say that they are happy to have us there. They are above all, grateful that there is no forced labour in the area around our pipeline [emhasis added] (Lassalle 2006).

On top of the eight claimants, however, €1.12 million of the settlement fund will be set aside for 'people who can justify that they've been subject to forced labor at the time of the work in pipeline areas' (Lassalle 2005). On the basis of the individual payments to the plaintiffs, this amount set aside would cover over one hundred further forced labour claims, which tends to suggest that Total considered that forced labour was actually quite widespread despite protestations to the contrary. The claims by Total that people were 'happy to have us there' were also somewhat undermined following French court convictions involving Total's state-

owned predecessor, Elf Aquitaine, for rampant corruption and influence peddling in Congo Brazzaville.[332]

The campaign against Total continued in 2006 with an International Day of Protest on 3 February with at least fifteen countries taking part and the Burma Centre Netherlands (BCN) demonstrating at ten different Total petrol stations throughout their country asking everybody 'not to fill their tanks at a Total station as a sign of solidarity with the repressed peoples of Burma' (BCN 2006).[333] In a press release the National Coalition Government of the Union of Burma (NCGUB), the government in exile, expressed its solidarity 'with all pro-democracy and support groups for Burma' who were participating in the day of protest against 'investments and business deals which only encourage the generals to continue their iron-fisted rule' (NCGUB 2006). In 2008 the campaign continued at the AGM in Paris where activists queried Total management about the role of the Burmese military in securing the pipeline and the links to ongoing human rights violations. The new chief executive of Total, Christophe de Margerie, responded that, 'If there are some other (violent acts), we will react; rapes do not occur only in Burma' (Info Birmanie et al. 2008).

The latest device in the campaign against Total that fully employed the technologies of globalisation was a blog of actions taking place, largely around the UK (BCUK 2008). The appearance of the blog coincided with the crushing of the protests in Burma in September 2007 and provided a central clearing house of information regarding numerous upcoming and past events that activists used to promote their activities. This evidence provided further support for Castells' argument that environmental movements have been at the cutting edge of employing new communications technologies for use as mobilising and organising tools (Castells 2003,

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[332] In November 2003, a French court convicted 30 former Elf executives on charges of 'misuse of company assets' with an unprecedented 15 jailed (Vallette and Kretzmann 2004, 12). Congo was once one of the richest states in Africa but with Total accounting for 70 percent of the country's oil production it now has the highest per capita debt in the world with fully one third of government income going to service oil-backed debt (Global Witness 2004,18).
[333] Countries participating in the International Day of Protest included the Netherlands, France, UK, Germany, Belgium, Austria, Romania, Sweden, Norway, Finland, Switzerland, Ireland, Australia, Thailand and US (BCUK 2006). The BCN had also undertaken discussions with the banks ING and Fortis, encouraging them to cease their financial support for Total until they withdrew from Burma. According to *The Irrawaddy*, activists burned the French flag in front of the French embassy in New Zealand as well as sending an open letter to the French ambassador asking Total to end its investment in Burma (Shah Paung 2006).

187). A more traditional approach was provided by the Brussels-based International Trade Union Confederation (ITUC) in a report issued in April 2008, which argued that as Total was the main EU TNC involved in Burma, more tightly focused sanctions on gas operations would impact more directly on Burma's generals than broad-based sanctions (ITUC 2008).

Despite the efforts of Unocal and Total to embellish the living conditions around the pipeline, a particularly damming indictment of the project came from the New Light of Myanmar, the Burmese regime's own mouthpiece. The promises of improved access to electricity for local communities have remained unfulfilled, with figures showing that six years after the pipeline's completion the per capita use of electricity in Tenasserim Division was the second lowest in Burma, with usage in Rangoon 114 times higher (see Table 7-1) (Simpson 2007, 545).[334]

Area	Population	Total electricty consumption (GWh - million kWh)	Per capita consumption (kWh)
Yangon (Rangoon) Division	5,420,000	3,084.0	569.0
Taninthayi (Tenasserim) Division	1,327,000	6.6	5.0
Rakhine (Arakan) State	2,698,000	9.4	3.5
Myanmar (Burma)	52,400,000	6,213.0	118.6

Table 6-1 – Electricity Consumption in Burma

Source: Authors calculations – for Burma from (IEA 2006; MOFA 2003) and for others from (Modins.net 2004; Thiha Aung 2005a; 2005b; 2005c)

As Zarsky notes, information on the benefits of projects to local communities is often difficult to come by under authoritarian regimes but the actual conditions can often be surmised by their impacts:

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[334] Despite this sort of evidence a former Australian Ambassador to Burma argued during an interview in 2006 that he supported the project because he had been flown by helicopter to the Yadana platform by Unocal during his tenure and almost everyone employed on the platform to 'just below the top level' was Burmese.

Companies like Unocal can present smiling faces of Burmese people who are benefiting from the building of the Yadana pipeline – but what about the thousands of Burmese refugees in Thailand who ran for their lives? (Zarsky 2002, 49).

Trans-Thailand-Malaysia (TTM) Gas Pipeline Project

In contrast to the extensive global campaign associated with the Yadana Pipeline, the transnational campaign against the Thai-Malaysian (TTM) Pipeline was relatively subdued. There were no international days of action, although in the UK and Europe there were reports published criticising the role of UK-based Barclays Bank in the project. Part of the reason for this lack of transnational activism was that the two main TNCs involved in the project, PTT of Thailand and Petronas of Malaysia, were not from Northern countries and therefore there was no potential for court cases in the North like those against Unocal and Total. A more significant reason is that most of the project was undertaken in Thailand which has a more established environment movement than Burma and allows more opportunities for participation and dissent. These opportunities may fall far short of the genuine democratic participation in the development process required for an ecological democracy (Dryzek 1999), but dissent is still far more tolerated. The absence of Burma's involvement in the project also excluded the vast number of exiled Burmese transnational activists from the campaign and also minimised the international interest of NGOs who would normally focus on issues related to authoritarian regimes such as Burma. Nevertheless, Thai activists still created a transnational campaign by forming transnational networks and appealing to universal concepts such as human rights. A distinctive feature of this campaign, however, was the linking of the local marginalisation of Muslim villagers to the wider victimisation of Muslims that took place under the War on Terror. To some extent, therefore, local cultural symbols were exploited to highlight the injustices wrought upon the village communities.

Despite local communities opposing the TTM Pipeline from 1998 the European arm of the campaign only gathered momentum after June 2004 when the UK bank, Barclays, agreed to be the lead arranger for the financing of almost half the $524 million required for the project. In that same month Ida Aroonwong, an activist with the Alternative Energy Project for Sustainability

(AEPS) who was living with the villagers in Chana district, helped villagers draft a letter in English to the president of Barclays Capital in London.[335] The letter urged the bank to withdraw its support for the project based on: impacts on the ecology and local livelihoods; a flawed Environmental Impact Assessment (EIA); failure of the government to listen to opponents of the project; mock 'public hearings'; violence against local communities; and the take-over of religiously significant public lands (Lohmann 2007, 24-28).

Barclays was one of the ten original signatories to the Equator Principles, a voluntary industry code to ensure projects are 'socially responsible and reflect sound environmental management practices' (Equator Principles Secretariat 2008). In response to a letter from AEPS in 2005 questioning their adherence to the principles, Barclays argued that the project straddled the implementation of the principles and it was therefore not possible to apply each principle 'retroactively' but that changes made relating to the principles had 'resulted in substantive improvements to its social and environmental profile' (Birtwell 2005). As FoE UK demonstrated, however, the activities surrounding the management of the project discussed in Chapter 4 breach not only several of the social and environmental principles but also Barclay's own human rights policy (FoE 2005). In a report on CSR in the finance industry in Europe the Corporate Responsibility (CORE) Coalition cited the Barclays involvement with the pipeline as evidence of the ineffectiveness of voluntary finance-sector CSR initiatives such as the Equator Principles (CORE 2005, 24). In a later report for the European Coalition for Corporate Justice (ECCJ), Olivier de Schutter argued that these sorts of voluntary initiatives are insufficient to ensure that TNCs protect 'human rights, labour rights and environmental rights' (de Schutter 2007, 1). Zarsky also cites the voluntary nature of all forms of CSR that allows TNCs to 'select not only how to respond to ethical demands but which demands to respond to' (Zarsky 2002, 48). As was the strategy in other campaigns, activists took the CSR statements made by Barclays and used it against them,[336] with Oilwatch Southeast Asia arguing that participation in the project would harm Barclay's reputation (Oilwatch SEA 2004).

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[335] Ida Aroonwong (2008, 25 November). *Interview with author*. Activist formerly with Alternative Energy Project for Sustainability (AEPS). Bangkok, Thailand.
[336] Patrick (2007, 3 May). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

English speaking Thai activists assisted in translating some of the messages from the local activists and sending them to an international audience. This led in 2007 to the compilation of a report that documented the campaign over the previous five years (Lohmann 2007).[337] While the report covered the European campaign against Barclays, much of the report dwelt on the issues surrounding the loss of the community's wakaf land and the Islamic communities' campaign to oppose construction of the gas separation plant (GSP). Although few of the Islamic villagers could write in English, with the help of other activists in Thailand and abroad they were able to communicate their plight through these international publication efforts. They appealed for their human rights to be respected, but they also identified their oppression with that of the global campaign being waged against Muslims as part of the War on Terror (Funston 2006, 87-88). As one activist argued they started 'talking as Muslims rather than as poor people',[338] and as a result reports of protests that were sent electronically all over the world had titles such as 'Pipeline opponents insist "State has no right to force Muslims to commit a sin"' and 'Stop destroying Islam, pipeline opponents demand' (Lohmann 2007, 59 and 82; Oilwatch SEA 2005a; 2005b). This activity contrasted with the usual coverage of the transnational activities of Islam in Southeast Asia that, as Baogang He has argued, focused on Islamic militant groups and the aim of establishing an Islamic state which included southern Thailand (He 2004, 89).

Thai activists furthered their use of rights-based universalist language when they took the campaign to a transnational audience via UN bodies. In Tsikata's analysis of a feminist rights-based approach she argues that it is being led by the UN, which is one of the few progressive voices in development, but that its 'desperate alliances with transnational corporations and powerful governments make it an unreliable ally' (Tsikata 2007, 223). Nevertheless Thai activists have been keen to take the transnational campaign to the UN and when the UN Special Envoy for Human Rights, Hina Jilani, visited Thailand activists ensured that she was made aware of the TTM campaign. In her final report she noted the violent response to the Hat Yai protest and that those opposing the TTM had reported that they were afraid to highlight human

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[337] Lohmann, L. (2007, 27 August). *Email to author*. Researcher at The Corner House. Dorset, UK.
[338] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

rights violations for fear of retaliation by local authorities, including possibly being killed under cover of the anti-drugs campaign (Jilani 2004, 18, 22). Thailand received other unwanted and, for the country, unusual attention at the 59th Session of the UN Commission on Human Rights early in 2003 when similar issues were raised during an oral intervention made by Pax Romana, a Geneva-based human rights organisation, which accused the government of having failed to take effective measures to ensure the right to life of its people while at the same time creating a 'culture of impunity' (Subhatra Bhumiprabhas 2003). In 2005 activists produced a detailed shadow report in response to the Thai government's submission to the UN Human Rights Committee under the International Covenant on Civil and Political Rights (ICCPR) the previous year (Royal Thai Government 2004). The shadow report was written by seven experienced activists and highlighted the shortcomings of the Thai government report by including details of the crackdown on protesters in Hat Yai (Pibhop Dhongchai et al. 2005, 44).[339]

A conference paper presenting the activists' case against the TTM was tabled at the Oilwatch Assembly in Columbia in 2003 and called on international support:[340]

> In light of this suppressing atmosphere, we need international solidarity to strengthen local opposition to the Thai-Malaysian gas pipeline project. If the Oilwatch general assembly can issue a statement in support of the villagers and calling for the suspension of the project, it should be very useful (Penchom Tang and Pipob Udomittipong 2003, 5).

The need to increase linkages and networks amongst activists in the South during this time was evident with the advent of the World Social Forum (WSF) in Brazil in 2001, which by 2004 Ka Hsaw Wa was addressing in Mumbai.[341] Nevertheless, while in Thailand the local campaign against the TTM was extensive and vocal, in Malaysia, which was involved in the project on several levels, there was very little activity. Penang-based Third World Network (TWN) founder and director Martin Khor had emphasised that monitoring TNCs and their projects in Southeast

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[339] These seven activists included Sulak Sivaraksa, Penchom Tang of Campaign for Alternative Industry Network (CAIN) and Phinan Chotirosseranee (Bhinand Jotiroseranee) of Kanchanaburi Conservation Group (KCG).
[340] Penchom Tang (2008, 9 February). *Email to author*. Director of Campaign for Alternative Industry Network (CAIN). Bangkok, Thailand. Pipob Udomittipong (2008, 9 February). *Email to author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International).
[341] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

Asia was vital for coordinating activism in the region.[342] Well after the campaign had begun, however, TWN was not at all involved with the TTM campaign.[343]

The other prominent environmental organisation based in Penang, FoE Malaysia (Sahabat Alam Malaysia (SAM)), provided moral support but was not in any substantial way active in the campaign.[344] Despite the role of Malaysian TNC Petronas as a co-partner in the project there were no other Malaysian organisations involved with the campaign. This lack of activity south of the border emphasises how difficult it was to establish transnational elements of a campaign when lacking the ready-made activist diaspora of Burma exiles.

Salween Dams Projects

The transnational campaign against the Salween River Dams in Burma was kick-started by the prominent front page article in the Bangkok Post discussing China's plans for 13 dams on the Nu River, upstream from Burma's Salween (Kultida Samabuddhi and Yuthana Praiwan 2003). According to Pipob, who knew the article's authors, the related publicity was essential in popularising opposition to the dams in Thailand and the region.[345] This sort of media coverage was considered essential for transnationalising campaigns in the region with an NGO worker in Phnom Penh labelling the Bangkok Post as the 'activists' paper'.[346] Indeed the Thai print media was the most vibrant in the region, with McCargo anointing it 'an island of outspokenness in a tight-lipped ocean' (McCargo 2000, 1). This kind of publicity against dams on the Salween River would certainly not be possible in Burma's restricted media environment (Lewis 2006, 51-52).

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[342] Khor, M. (1998, 8 February). *Interview with author*. Founder and Director Third World Network (TWN). Schumacher College. Devon, UK.
[343] Tuan, B. (2005, 29 January). *Email to author*. Activist with Third World Network (TWN). Penang, Malaysia.
[344] Mahshar, N. (2005, 2 February). *Email to author*. Activist with Friends of the Earth Malaysia, Sahabat Alam Malaysia (SAM). Penang, Malaysia.
[345] Pipob Udomittipong (2004, 14 January). *Interview with author*. Activist with EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[346] Lazarus, K. (2005, 30 January). *Interview with author*. Oxfam America [now of IUCN Laos]. Phnom Penh, Cambodia.

The exodus of activists from Burma fleeing oppression, particularly since the 1988 protests, helped transnationalise the campaign against the Salween Dams (Brewer 2008, 23). These ready made activist networks were initially ethnically segregated but over time cooperation across ethnic boundaries increased, creating a more cohesive and potent activist diaspora. A key element of this activity was the formation of transnational coalitions which pooled their resources and formed much stronger organisational ties. The transnational campaign emphasised the universal rights, in the form of human rights, of the affected ethnic minority communities in Burma. Despite cross-ethnicity cooperation, however, the campaign also promoted culturally specific identities. This cultural particularism extended beyond rights debates into the ecological realm, highlighting the importance of indigenous knowledge of biodiversity (KESAN 2008).

The transnational Salween Dams campaign demonstrated the depth and vitality of the Burmese activist diaspora, particularly within Thailand. Salween Watch, Karen Rivers Watch and Burma Rivers Network were all formed in the last decade as coalitions of smaller environmental groups to oppose large dams in Burma. They are staffed primarily by expatriate ethnic minority communities of Burma and operate mainly from Chiang Mai and the Thai-Burmese borderlands. These organisations are all actually coalitions, rather than networks, with even the Burma River Network noting on its website that

> [t]he new coalition … is comprised of [ten] civil society groups representing communities from different regions of Burma being impacted by at least 20 large dams planned by the military regime [emphasis added] (Burma Rivers Network 2007).

There is a relative paucity of studies on the nature of coalitions in the literature on environmental activism, although some studies have demonstrated their growing importance in transnational campaigns (Bandy and Smith 2005; Carter 2007, 162). Yanacopulos has argued, however, that coalitions afford economies of scale (Yanacopulos 2005a, 259), and the anti-dam, or pro-river, coalitions of Burma have worked effectively by pooling their minimal resources and exploiting the growing availability of inexpensive communications technologies. They have all worked closely with ERI, particularly the Karen Team Leader of its Southeast Asia Office, Chana Maung, although ERI has maintained a low profile in the campaign, preferring ethnic

organisations to drive the operation.[347] The Salween Watch coalition, formed in February 1999, eventually drew in former ERI activists such as Sai Sai and Pipob Udomittipong.[348]

Karen Rivers Watch (KRW), a coalition of Karen organisations based in Thailand including the Karen Office of Relief and Development (KORD), was formed in June 2003 and has organised protest actions in Karen State along the Salween River where it forms the border with Thailand (KRW 2007b; Saw Karen 2007). KORD was formed a decade earlier and, now based in Mae Sariang, brought expertise to KRW in both emergency relief and community development. KORD's director, Nay Tha Blay, argued that it took this two pronged approach in both its fieldwork in Karen State – 'we give them fish but we also teach them to fish' – and also in the development of both local and international networks.[349]

Burma Rivers Network (BRN) was formed more recently in May 2007 and brought together organisations of various ethnicities across Burma with its mission being to

> protect the health of river ecosystems and sustain biodiversity, and to protect the rights and livelihoods of communities affected and potentially affected by destructive large-scale river development (Burma Rivers Network 2007).

The pooled expertise from the various component organisations was particularly useful in the launch of the comprehensive BRN website in January 2009 that examined dam issues related to six rivers (Burma Rivers Network 2009). Despite the assertion from Yanacopulos that coalitions 'have broader strategic aims than single-issue thematically focused networks' (Yanacopulos 2005b, 95), these coalitions are relatively specific in their aims, although with different geographic foci. The secretary and coordinator of BRN, Aung Ngyeh, outlined the rationale for

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[347] Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). Chiang Mai, Thailand. Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[348] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand; Sai Sai (2009, 9 January). *Interview with author*. Shan Sapawa Environmental Organization (Sapawa) and coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[349] Nay Tha Blay (2009, 7 January). *Interview with author*. Director of Karen Office of Relief and Development (KORD) and activist with Karen Rivers Watch (KRW). KORD Office, Mae Sariang, Thailand.

the formation of the BRN when other, more localised, coalitions such as Salween Watch already existed.

> The plans of dam construction are not only found on Salween River but the plans are also found on the other rivers in other ethnic lands such as Kachin, Arakan, Chin. Therefore, it's very important to have network group of Burmese civil society organizations which are working on environmental issues. As a result, initiated by Salween Watch, Burma Rivers Network (BRN) is formed to carry our advocacy campaigns against dams construction inside Burma.[350]

Although these coalitions are specific in their aims of protecting particular rivers throughout Burma, issues of militarisation of the dam areas and associced human rights abuses remain prominent (Burma Rivers Network 2009). While these coalitions are important, further transnational networks have also been formed with activists and NGOs, such as International Rivers, based in the US and TERRA in Thailand. The coalitions have made particular attempts to create networks with activists and NGOs in China who oppose dams on the Nu River, the upper Salween, in Yunnan Province. One NGO in Yunnan, Three Rivers Guardians, was set up by Lao Zhang, an alumnus of ERI's Mekong School for activists, demonstrating the importance of the schools not only in training but in establishing networks in the region.[351] Another activist Awng Wa, from the Kachin Development Networking Group (KDNG), operated from Yingjiang in Yunnan. [352]

In the wake of the Bangkok Post front page in December 2003 the emergence of affordable desktop publishing allowed many ethnic minority groups to publish professional reports on the dams and their potential impacts to disseminate information to a wider audience. Most reports were published in English in Thailand and aimed at transnational audiences, but some were also published in Burmese and ethnic minority languages to be covertly imported into Burma and distributed within communities. As Aung Ngyeh, co-coordinator of BRN, explained:

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[350] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.
[351] Morris, R. (2008, 28 May). *Email to author*. Assistant Director, Southeast Asia Office of EarthRights International (ERI). Chiang Mai, Thailand.
[352] Smith, M. (2008, 28 May). *Email to author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand.

> The people inside Burma, they didn't know about the plans of dam construction on the
> Salween. Therefore, the first thing that we have to do inside Burma is to raise awareness of
> dams construction to our Burmese people … now some people become … aware of the dam
> constructions and potential impacts.[353]

The efforts must be covert though as Sai Sai, the other coordinator of BRN, also emphasised:
'Members of our coalition Salween Watch and Burma Rivers Network are [creating] awareness
with local communities inside [Burma, but] the action [must be] underground'.[354]

The first of these professional reports appeared in 2004 in which KRW and Salween Watch
provided the first detailed analysis on the plans for the Salween. KRW published Damming at
Gunpoint, written mainly by Law Plah Min (KRW 2004a),[355] while Salween Watch co-authored
Salween Under Threat with the Southeast Asia Rivers Information Network (Salween Watch and
SEARIN 2004; SEARIN 2007). These publications argued that large scale environmental
damage and human rights abuses would flow from construction of the dams. In Damming at
Gunpoint the Yadana Pipeline is highlighted as a project that has caused oppression of Karen
communities while providing huge revenues for the Burmese military. The Salween Dams are
regarded as a continuation of this process:

> It can be seen that the regime's plans to exploit the water resources in the Salween River, by
> building dams and selling hydropower to Thailand, fit into its ongoing strategy of subjugating
> the ethnic areas and exploiting the natural resources there (KRW 2004a, 10).

Salween Under Threat also cites the Yadana project as a precedent to be avoided, making the
connection between the resultant gas revenues and the purchase of fighter jets by the Burmese
military (Salween Watch and SEARIN 2004, 42). It also provides a central rationale for the
transnationalisation of the campaign. Not only are TNCs and governments from various
countries involved with the projects, but activists from outside Burma have much more chance
of voicing their opposition without violent retribution and are better able to influence their
governments:

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[353] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research
Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.
[354] Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a
coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[355] Paw Wah (2008, 18 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

> There is an urgent need for people to speak out, as local potentially-affected people face dangers if they choose to protest … because dissidence is met with fierce and often fatal retaliation. Those who are able to express concerns, including indigenous communities and international NGOs working outside of Burma, should therefore challenge these projects. This challenge is likely to appeal to the deepest conscience of [foreign] governments, financial institutions, the Thai public and concerned parties from the US, Japan, and Europe. By encouraging the disengagement from any dam project on the Salween, we can help prevent a tragedy from unfolding, affecting our brothers and sisters in Burma's Shan, Karenni, Karen, and Mon states (Salween Watch and SEARIN 2004, 12-13).

The vulnerable political and social environment in which these communities live ensures that the focus of these reports is on issues of human rights and social justice in Burma rather than simply ecological issues, while still emphasising nonviolent solutions.[356]

As a result the organisations' reports analyse the projected damage to forest and wetland ecosystems along the Salween, but the effects are couched largely in terms of the adverse impacts on the livelihoods of riverine communities (Salween Watch and SEARIN 2004, 15-22). When dealing with ecological issues, however, there is also a focus on the importance of indigenous knowledge. In a report by KESAN on the biodiversity of the western side of the Salween River near the Wei Gyi Dam site in Burma, the anonymous primary author makes connections between their Western university scientific knowledge and their indigenous heritage:

> Because many plants are toxic to humans, the local people need to know the species well before using them. Local species identification methods are based on humans' five senses … Since I was young my parents have taught me how to identify plants and animals so I can survive in the forest. They taught me to make a fire when there is no lighter by using bamboo chits or stones, and how to extract water from plants … This knowledge is important and useful … when travelling deep in the forest (KESAN 2008, 5)

While written in English by a Karen team and extolling the virtues of indigenous knowledge, the report's centrality to the transnational campaign is emphasised by it being unavailable in Karen and therefore inaccessible to Karen communities inside Burma.

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[356] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.

The vulnerability of these communities to ecological crises is emphasised in the response of BRN to Cyclone Nargis in which it argued that the military regime's energy policies, together with its forest and mangrove destruction, would only exacerbate climate change and its impacts: 'people in Burma are now starting to die as a result of climate change in unprecedented numbers' (Burma Rivers Network 2008). The focus is epitomised by the subtitle to Damming at Gunpoint, itself an evocative title, which is Burma Army Atrocities Pave the Way for Salween Dams in Karen State. The Karen Human Rights Group (KHRG) similarly highlights that the reservoirs of the three proposed dams in Karen State will remove a major escape route to Thailand for Karen refugees, but will also cut the principal supply line from Thailand for aid to Karen IDPs displaced by conflict and the dams (KHRG 2007, 38-39). ERI and KESAN contend that the IDPs, forced from their homes by such development projects and associated tatmadaw offensives, are also forced into environmentally destructive practices such as 'slash and burn' cultivation methods rather than their more sustainable and traditional rotational techniques, merely to feed themselves and their families (MacLean 2003, 61). They may also harvest timber and non-timber products, such as bamboo and rattan, at unsustainable rates in a futile attempt to rescue some semblance of security in their peripatetic existence as they flee the tatmadaw and armed conflicts, with Human Rights Watch finding an average of thirty 'displacement episodes' per person among the Karen they interviewed in Karen State (Human Rights Watch 2005).

The focus on the Salween Dams from transnational groups has largely been in cooperation with these groups that have strong connections with the ethnic minority communities and therefore human rights abuses in Burma are always strongly represented (International Rivers 2007; TERRA 2008).[357] These efforts can be contrasted with the approach to Burma of less connected Northern organisations such as the New York-based Wildlife Conservation Society (WCS) which, in its own words, 'in 1993 … became the first International NGO to initiate a program in the Union of Myanmar (WCS 2003). At this time the organisation, led by Alan Rabinowitz, promoted 'people-less' post-materialist approaches to conservation (Martinez-Alier 2002). While the rhetoric of the organisation has changed somewhat, the primary concern remains for

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[357] Pipob Udomittipong (2004, 14 January). *Interview with author*. Activist with EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

non-human animal conservation (Noam 2008b). It has cooperated with the Burmese military regime to set up the Hukaung Valley Tiger Reserve but refuses to criticise the regime's human rights record. It instead praises the efforts of the Ministry of Forestry in promoting conservation, despite acknowledging that the reserve has resulted in increased militarisation in the area (Lamb 2007; Rabinowitz 2007; WCS 2006). These contrasting perspectives reflect the different life experiences within organisations from the North and South. These contrasts echo the North-South conflicts experienced by feminist movements between the gender based arguments of the North and the more complex postcolonial perspectives from the South that also connect oppression to race, ethnicity, nationality and class (Desai 2002, 28-29).

The two Salween publications in 2004 provided the stimulus for various other, mostly ethnic centred, groups to publish reports on their particular areas of interest. In 2006 the Karenni Development Research Group (KDRG) published Dammed by Burma's Generals, drawing parallels between the proposed Salween Dams and the experience of Karenni communities impacted by the Mobye Dam and the Lawpita Hydropower Project in the west of their state (KDRG 2006).[358] In the same year the Shan Sapawa Environmental Organization (Sapawa) published Warning Signs, examining development in the upper reaches of the Salween in Shan State (Sapawa 2006). The spokesperson for Sapawa, Sai Sai, who is now also a coordinator of Salween Watch, first worked on the Salween Dams at ERI between 2001 and 2003 after graduating from the Burma School.[359] Since 2004 Pipob Udomittipong, another former ERI employee, has been a member of the Salween Watch Advisory Committee.[360] In both its schools and within the organisation itself ERI has therefore played a key role in training activists who have gone on to play significant roles in broader regional campaigns.

At the southern end of the Salween River, Mon State hosts the Salween delta and so the exiled Mon Youth Progressive Organization (MYPO) has its office in Sangkhalaburi in Karnchanaburi

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[358] This project was also examined in a publication by graduates of ERI's Earth Rights School (EarthRights School of Burma 2008, 81-97).

[359] Sai Sai (2009, 9 January). *Interview with author*. Shan Sapawa Environmental Organization (Sapawa) and coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.

[360] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translator for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.

Province, where Mon State abuts Thailand. The office was raided by the police in 2002, when Thaksin's government was putting many NGOs under pressure, but it continued operations and in 2007 it published a report entitled In the Balance that called on all parties to stop their investments in the Salween Dams (MYPO 2007).

Although these individual reports are important, more critical for the campaign, according to Aung Ngyeh, are the networks that grow out of cooperation with parallel campaigns on the Irrawaddy River in Kachin State and others within Burma.[361] These networks are often facilitated by well resourced North-South organisations such as ERI or the Soros Open Society Institute, but personal relationships in expatriate communities sometimes provide the links that connect organisations.

As well as the published reports, there are a number of websites dedicated to the campaign against the Salween Dams and listserves are regularly used to keep activists and interested people around the world informed of recent events (Salween Watch 2007; SEARIN 2007). As Reitan notes in her study of Jubilee 2000, these forms of electronic activism can create multiple forms of information diffusion that stimulate growth of transnational networks (Reitan 2007, 80). This provides further evidence that confirms Castells' assertion that environmental movements employ these new communications technologies as mobilising and organising tools (Castells 2003, 187). Saiz sees such developments as particularly encouraging, using the technologies of globalisation to provide the possibility of thinking and acting locally and globally at the same time (Saiz 2005, 163-64). Most groups in the Salween campaign have therefore ensured a prominent online presence but, as della Porta and Diani find in other cases, many who have signed up for the listserve are already either part of the campaign or have other links to activists in the campaigns (della Porta and Diani 2006, 133).

The ability to tap into global communications and networks – access that is strictly limited in Burma – has been an important determinant in the development of transnational activism for exiles from Burma. In the Thai-Burmese border region this has often resulted in the movement

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[361] Aung Ngyeh (2007, 13 December). *Email to author*. Pseudonym for activist with Karenni Development Research Group (KDRG) and Coordinator of Burma Rivers Network (BRN). Mae Hong Song, Thailand.

out of the jungles, villages and refugee camps to towns and cities where this access can be expedited. The environmental activism of these exiled communities can be generalised from O'Kane's study of women in this area:

> Intersections between globalisation processes and women's activism occur in border locations via INGOs, communication technologies and resources attracted to the borderlands for economic, political, military and humanitarian reasons (O'Kane 2005, 20).

As a result, exiled Burmese inhabit many of the Thai towns along the border roads with a vast congregation of activists in Chiang Mai. In addition to the online environment the congregation of Burma exiles in these borderlands also provides a conduit for transnational actors from outside the region to become involved. Some of these actors are Northern activists who are transformed or radicalised through witnessing the precarious existence in the margins of the South.[362] Unfortunately for the NGOs in the region, however, the conduit also operates in the reverse direction. Many Burma exiles on the Thai side of the border are awaiting resettlement in third countries and this can act as a 'brain drain' for NGOs. Throughout 2007-8 this exodus was particularly acute with NGOs losing up to half their staff with highly trained activists being resettled in Northern countries such as the US, Canada and Australia. Although this could present an ideal opportunity for transnationalising the campaigns several activists argued that the difficulty in refugees finding work, gaining fluency in English and adapting to their new lives in the North often meant that they lose touch with the campaigns.[363] Other activists argued that the subtle nuances of working with ethnic communities in Burma can only be fully understood by maintaining a presence in the region as oral communication takes precedence over written forms.[364]

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[362] Acaroglu, L. (2007, 27 September). *Interview with author*. Coordinator of Salween Dams Protest in Melbourne, 28 February 2007. Melbourne, Australia.

[363] Alex Shwe (2009, 8 January). *Interview with author*. Activist with KESAN (aka Ko Shwe). Chiang Mai, Thailand. Browning, C. (2009, 8 January). *Interview with author*. Activist with KESAN (former AusAID volunteer). Chiang Mai, Thailand. Redford, K. (2009, 9 January). *Interview with author*. Co-Founder/Director EarthRights International (ERI). Chiang Mai, Thailand. Rogers, P. (2009, 5 January). *Interview with author*. Co-founder, Drug and Alcohol Recovery and Education (DARE) Network. Mae Sariang, Thailand.

[364] Paul (2009, 6 April). *Interview with author*. Pseudonym for Director, KESAN. KESAN Office, On the Thai-Burmese border (location witheld).

Most of the international protests against TNCs' involvement in the Salween Dams were organised through a global network of online activists although, as della Porti and Diani note, these virtual networks operate best when initiated and supported by real social linkages of the sort described above (della Porta and Diani 2006, 133). In their study of a similar campaign against a mine in Peru, Haarstad and Fløysand argue that the same globalised connections existed, and that 'resistance strategies against the agenda of a multinational corporation were enhanced by, or were even dependent upon, the processes of globalization' (Haarstad and Fløysand 2007, 304).

These results are consistent with evidence drawn from broader environment and justice movements that the internet has revolutionised movement development and tactics (Curran 2006, 75; Doherty 2002, 172; Eschle 2005, 21; Klein 2001). While these technologies can be used for activism and seeking out alternative media perspectives, high internet penetration in a society does not necessarily reflect greater activism or social awareness. As Lewis notes in his examination of the internet in Southeast Asia, Thais are much less comfortable with the English language than their neighbours in Malaysia and Singapore and, partially as a result, much of the internet use in Thailand is for game playing rather than engaging in activism or searching out alternative media (Lewis 2006, 115). With limited English literacy in Thailand the campaigns face difficulties in the Thai language press which, although relatively open compared with neighbouring countries, rarely covers the transnational campaigns in Burma that are featured in the English language press.

> Thais depend on vernacular dailies for the news about Burma. But neither the high-circulation papers nor the specialist dailies print much Burma news. When they do, however, it is usually negative … not supported by concrete evidence and frequently on the front page (Wandee Suntivutimetee 2003).

Despite these obstacles, Thai environment groups such as TERRA have played key roles in supporting exiled Burma activists in the Salween campaign (TERRA 2008).

While globalising technologies are employed, there are great benefits to these transnational contacts remaining as loose networks rather becoming a single organisation with a central

authority. These sorts of networks, often 'greatly facilitated by the internet, can … enable relationships to develop that are more flexible than traditional hierarchies' (Routledge 2003, 335). Keck and Sikkink argue that the motivation to form these transnational advocacy networks are primarily shared principled ideas or values (Keck and Sikkink 1998, 30) which, in this case, are based on justice and the protection of human rights and the environment even if the campaign vehicle is a campaign against dams. International organisations engaging in the Salween campaign, such as International Rivers (formerly International Rivers Network), may be focused on the health of rivers but their support is also couched in the terms of justice for riverine inhabitants (International Rivers 2007).

As discussed in Chapter 4, KRW has organised some protest activities within Burma's borders in Karen State (Cho 2008; KRW 2007a; Paw Wah 2008), but these only occur in the politically grey fuzzy zones usually associated with the KNU controlled liberated area (LA) as it is 'impossible to protest under the ruling [military] regime'.[365] These events near the Wei Gyi Dam site and the area upstream of the Hat Gyi Dam site[366] are, therefore, somewhat transnational as they occur in a territory that Giddens would argue is an 'ill-defined' component of Burma's statehood (Giddens 1987, 18-19). These areas therefore become part of a borderlands region that, in effect, crosses three areas of jurisdiction, Thai, Burmese and Karen. This case therefore provides support for Kaiser and Nikiforova's analysis that

> borderlands [act] as multiscalar sites of imminence, as zones of contestation and spaces of becoming where actors representing a multiplicity of scalar stances engage in the re-narration and re-enactment of place and identity (Kaiser and Nikiforova 2006, 940).

These protests occur on 14 March every year as part of the International Day of Action Against Dams, which is very much linked into a global campaign (Cho 2008; International Rivers 2008; KRW 2007b; Saw Karen 2007).[367] The events are primarily instigated by KRW activists, with organisational assistance from ERI, and are aimed at an international audience, as evidenced

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[365] Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand.
[366] Chana Maung (2008, 25 March). *Email to author*. Team Leader, Southeast Asia Office, EarthRights International (ERI). Chiang Mai, Thailand. Nay Tha Blay (2008, 26 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.
[367] Paw Wah (2008, 18 March). *Email to author*. Activist with Karen Rivers Watch (KRW). Chiang Mai, Thailand.

from press releases and websites.[368]   Despite its grassroots origins, much of the activity of KRW is focused outside of Burma. KRW's main report, Damming at Gunpoint, is only published in English and, despite posting the title in Karen, the KRW website is also largely English with all press releases unavailable in either Burmese or Karen (KRW 2004a; 2007b). Noting this emphasis does not diminish the extensive local work KRW undertakes on the ground in Burma, but does indicate that their campaigns are, on balance, largely directed towards a transnational audience.

While organising global protests against the dams, activists also addressed the formal institutions involved with the dam decision-making directly. To coincide with an International Day of Protest against the Salween Dams in February 2007, an open letter and petition against the Salween Dams was delivered to the Thai prime minister.[369] The request for withdrawal of cooperation with the Burmese military regime over the dams was signed by 124 Thai organisations, 56 Burmese organisations, over 1,400 individuals and an additional 52 organisational endorsements (NGO-COD-North and Salween Watch Coalition 2007). In March 2007 KRW met with the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC) during its visit to the Thai-Burmese border to argue that all available channels should be used to oppose the dams until Burma democratises (KRW 2007c). Another major tactic of the regional campaign is to put pressure on the ADB. As Burma is in arrears to the ADB it does not receive direct assistance but it does receive indirect technical support through the Greater Mekong Subregion (GMS) Program which has formed the basis for a regional development agenda drawing largely on transnational capital (Hirsch 2002, 150; Oehlers 2006, 465). This support includes the funding of infrastructure projects, including highways and electricity transmission lines between Burma and Thailand, which would greatly increase the viability of the Salween Dam projects. In May 2007 at the ADB's 40th Annual Meeting of the Board of Governors in Kyoto, Japan, representatives from groups working on Burma issues, including ERI, called on the ADB through

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[368] Sai Sai (2008, 18 March). *Email to author*. Shan Sapawa Environmental Organization (Sapawa) and a coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand. Smith, M. (2007, 31 August). *Email to author*. Project Coordinator (Pipelines and Mining), EarthRights International. Chiang Mai, Thailand.

[369] This *International Day of Protest* had events in Thailand, India, the Philippines, Australia, the US and Japan (Tunya Sukpanich 2007).

the Director of Japan's Ministry of Finance to cease providing this technical support and to address activists' concerns regarding the ADB's involvement with the Burmese military (ERI 2007a).

As another part of the transnational campaign Sai Sai, as a representative of both Sapawa and Salween Watch, presented a list of human rights abuses linked to the Tasang Dam project in Shan State to the MDX Project Manager in Bangkok in November 2007. The list was accompanied by a petition signed by over 1,500 affected Shan community members demanding that the company cease its construction of the dam. Sapawa's press release suggests that the evidence shattered the 'MDX public relations façade' by detailing land confiscation and forced labour on the project (Sapawa 2007b). Elsewhere Sapawa had argued that 400 villagers were forced by Burmese military authorities to attend the official 'celebration' ceremony with MDX officials to launch construction of the Tasang Dam (Sapawa 2007a).

Despite activists' avoidance of contact with the Burmese military regime, they have demonstrated through their campaigning that they see the Chinese government, despite its authoritarian nature, as more receptive to some of the concerns of civil society. Three months after the publication of the Bangkok Post front page article, International Rivers sent a letter to President Hu Jintao of China asking for the suspension of the 13 proposed dams on the Nu, upriver from the Salween. The letter was endorsed by 76 organisations from 33 countries, with K'nyaw Paw of the Karen Women's Organization (KWO), based in Mae Sariang in Thailand near the Thai-Burmese border, as the main representative from Burma.[370] In an attempt to communicate in terms which the Chinese regime considered appropriate, the letter avoided any mention of human rights or democracy and focused primarily on ecological issues and the livelihood of the millions of people who lived downriver (Shen 2004). This activism achieved some success with Chinese Premier Wen Jiabao suspending the projects both at this time and again five years later (Macartney 2009).

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[370] K'nyaw Paw (2007, 9 March). *Email to author*. Karen Women's Organization (KWO) and 2006 International Women's Development Agency (IWDA) Ambassador. Mae Sariang, Thailand.

The KWO have also opposed the lower Salween Dams, and K'nyaw Paw had the opportunity to discuss the plight of Burma's ethnic minorities, and particularly women, in a meeting with Laura Bush, members of Congress and officials of the US State Department at the White House in June 2007. Other women were also prominent in the Salween campaign, focusing on issues of particular significance to women. Wandee Suntivutimetee set up the Salween News Network in Thailand and edits a magazine that investigates women's issues associated with the civil conflict in the Salween region such as rape and sexual assault.[371] In addition to highlighting the human rights abuses faced by ethnic minorities due to the building of these dams, these women have provided a focus on the concerns of women as particularly vulnerable IDPs.

The Alternative ASEAN Network on Burma (ALTSEAN-Burma) provides another aspect of the transnational campaign against the Salween Dams and other projects that adversely affect the security of ethnic minorities by running three-day courses on Security Literacy Training for Burma Activists in Chiang Mai in October 2007 and February 2008 (ALTSEAN-Burma 2007b; SHAN 2007). Since 1996, ALTSEAN-Burma has drawn activists from the ASEAN region to highlight repression and promote human rights and democracy in Burma, particularly through its book series focusing on women with the most recent book entitled Women's Voices For Hope (ALTSEAN-Burma 2007a). Activists participating in the two training courses were drawn from a variety of campaigns and an ALTSEAN-Burma activist emphasised that, as with all of their trainings, they 'aim to include participants from a range of ethnic groups'.[372] The training gives prominence to environmental security concerns in Burma with another activist arguing that 'environmental security is an enormous issue in Burma and is in a greater part linked to human rights abuses of the Burmese people'.[373] The experience of these two Northern activists based in Thailand and working closely with refugees and exiles from Burma provides them with a more visceral understanding of the issues facing the oppressed ethnic minorities of Burma compared with groups such as the New York-based World Conservation Society (WCS).

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[371] Wandee Suntivutimetee (2005, 11 January). *Interview with author.* Editor, Salween News Network. Chiang Mai, Thailand.

[372] Hudson, M. (2007, 19 October). *Email to author.* ALTSEAN-Burma Burma Senior Training Officer. Bangkok.

[373] Lynn, B. (2008, 18 February). *Email to author.* ALTSEAN-Burma Burma Senior Training Officer. Bangkok.

Further human rights and security training for Salween activists was provided by the Burma Lawyers' Council (BLC), comprised of mainly Karen exiles from Burma.[374] As well as general human rights and legal training in the Thai-Burmese borderlands region, the BLC held a two day workshop specifically on the Salween Dams in August 2002. Although training sessions were held at various locations along Burma's borders, the BLC website noted that this Salween workshop would be held on 'Karen land', effectively the liberated area (Burma Lawyers' Council 2007). These sorts of training and consciousness raising activities have generated enough pressure on the Thai government that, following two military incidents with EGAT civilians in 2006 and 2007, the anti-dam activists effectively forced EGAT to halt work at the Hat Gyi Dam site in Karen State while other dam projects have also shown limited progress (AP 2007b; Tunya Sukpanich 2007). Neverthless, while EGAT and the Thai government remain enthusiastic about the projects, it remains clear that under the present Burmese regime a project of this scale can only lead to greater insecurity for the ethnic minorities in the region resulting from forced labour, forced relocations and other earth rights abuses.

Shwe Gas Pipeline Project

The transnational campaign against the Shwe Gas Pipeline project drew particularly on the experience of activists and groups involved in the Yadana campaign with the formation early on in the campaign of a transnational coordinating organisation that identified itself as the Shwe Gas Movement (SGM). According to the organisation's website, it comprises

> individuals and groups of people from western Burma who are affected by the plans to extract natural gas from Arakan State as well as regional and international friends who share our concerns (Shwe Gas Movement 2007b).

In essence the SGM is more of a coalition than an entire movement, albeit one that includes networks of individuals and one that, unlike the definition by Yanacopulos, is focused on a single issue (Yanacopulos 2005b, 95). The SGM qualifies as more of a coalition because at its core it

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[374] Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.

has a relatively formal membership with its core in Thailand comprising Arakan Oil Watch (AOW), the All Arakan Students and Youth Congress (AASYC) and ERI, although ERI has diluted its visibility in the campaign in favour of ethnic groups, much as it has in the Salween campaign.[375] Bringing these organisations together has provided the economies of scale that coalitions can afford (Yanacopulos 2005a, 259), and has allowed the publication of regular reports by drawing upon diverse resources. There are also two Arakanese coordinators based in Chiang Mai who focus on international advocacy including Wong Aung, the SGM Global Coordinator.[376] The other core members are the SGM-Bangladesh and SGM-India, comprised of interested individuals from various exiled Arakanese and Burmese groups. These movements are similar to others based in the South in that they facilitate a local-global connection and link into broader justice and human rights campaigns (Chatterjee and Finger 1994, 76), in this case relating to Burma. The linking and networking with other campaigns such as those against the Yadana and Salween projects has resulted in a cross-fertilisation of ideas resulting in more effective activities, a process that della Porta and Mosca demonstrate has also occurred elsewhere (della Porta and Mosca 2007).

The Shwe campaign, even more than the Salween, illustrated the extensive cross-border linkages that characterise this sort of transnational campaign. Both Northern and Southern activists cooperated across the region, even if they requested anonymity over their involvement.[377] One Northern activist based in Thailand noted that for the SGM

> there are a number of very close support groups, including myself and my organisation that participate in most activities but [we] stay away from formal membership as we also facilitate financial support.[378]

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[375] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand. Smith, M. (2009, 6 April). *Interview with author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand.

[376] Wong Aung (2009, 6 April). *Interview with author*. Global Coordinator, Shwe Gas Movement (SGM). Chiang Mai, Thailand.

[377] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.

[378] This anonymous organization also received funding from Oxfam America through their activist in Cambodia. Lazarus, K. (2005, 30 January). *Interview with author*. Oxfam America [now of IUCN Laos]. Phnom Penh, Cambodia. Patrick (2007, 30 January). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

Other formal members of the SGM who communicated regularly across the region included the Korean House for International Solidarity (KHIS), the Korean Federation of Environmental Movements (KFEM) and other NGOs in India and Bangladesh (ERI 2007c; Shwe Gas Movement 2007b).[379]

While these network members highlight their concerns over ecological damage associated with the Shwe project, the overriding concerns of the network relate far more closely to the inability of the Burmese people, and particularly ethnic minorities in Arakan and Chin States, to participate in any decision making processes regarding the project, with their involvement likely to be 'limited to forced labour and land confiscation'.[380] With Arakanese exiles having personally experienced forced labour and torture under the military regime,[381] the gas project is considered to be primarily an 'Arakan national issue', inseparable from broader justice concerns.[382] Groups like the Burma Lawyers' Council (BLC) therefore provide human rights training for Shwe activists in Chin state to enable more effective reporting of human rights abuses.[383] As with the Yadana campaign, concerns over earth rights dominate ecological concerns in the Shwe campaign with the founder and editor-in-chief of Mizzima News, Soe Myint, arguing that 'the right to self determination is critical; the right [for local ethnic minorities] to exploit, protect [or] use the environment as they wish'.[384]

As a result the two campaign goals of the SGM were to

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[379] Patrick (2007, 30 January). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

[380] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.

[381] Wong Aung (2009, 6 April). *Interview with author*. Global Coordinator, Shwe Gas Movement (SGM). Chiang Mai, Thailand.

[382] Smith, M. (2009, 6 April). *Interview with author*. Project Coordinator (Pipelines and Mining), EarthRights International (ERI). Chiang Mai, Thailand.

[383] Myint Thein (2004, 19 January). *Interview with author*. NLD-LA General Secretary and BLC Founding Executive Council Member. Burma Lawyers' Council (BLC) Office, Mae Sod, Thailand.

[384] Soe Myint was a student journalist in the mass protests in Burma in 1988 and later hijacked a plane from Thailand to Calcutta with a soap container to conduct a press conference on the situation in Burma. He is now editor of *Mizzima.com* in Delhi (Fink 2001, 1-2). Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

> postpone the extraction of the Shwe natural gas deposit until a time when the affected people in Western Burma can participate in decisions about the use of their local resources and related infrastructure development without fearing persecution [and] withdraw or freeze all current business with the military regime, and [for TNCs and governments to] refrain from further investment until dialogue can be held with a democratically elected government (Shwe Gas Movement 2007b).

The SGM was initiated in 2002 by the All Arakan Student and Youth Congress (AASYC), an exiled Arakanese group with offices in Bangladesh and Chiang Mai and Mae Sot in Thailand. It is largely the Buddhist Arakanese from Arakan State who have been at the forefront of the Shwe campaign.[385] As Amnesty International points out, however, the Muslim Rohingya people of northern Arakan State face perhaps the severest discrimination in Burma (Amnesty International 2004a). Being marginalised even more than most minorities in largely Buddhist Burma, the Rohingya are effectively denied Burmese citizenship. Asia Watch has documented the systematic targeting of Rohingya for forced labour and rape (Asia Watch 1992), while ALTSEAN-Burma has described the situation as 'slow-burning genocide' (ALTSEAN-Burma 2006). The detrimental effects of increased militarisation due to the Shwe Pipeline would therefore fall disproportionately on this community. The Arakan Rohingya National Organisation (ARNO) has lent its voice to the campaign (ARNO 2004) but, according to another activist, there is 'friction between Muslim Rohingya and Buddhist Arakanese causing difficulties'.[386] Despite common opposition to the project and many other examples of multi-ethnic cooperation there remain residual ethnic cleavages that the Burmese military have traditionally exploited, following in the footsteps of the English colonial administrations (Fink 2001, 20, 54; Lintner 1999; Schober 2007, 58-60; Smith 1999). Nevertheless with the pipeline crossing the whole of Burma into China, activists saw it as a potential unifier, at least within the activist community: 'the Shwe Pipeline is now an opportunity to bring together Arakanese, [Burman] Burmese and Shan activists'.[387] As an indicator of this emerging multi-ethnic cooperation Sai Sai, the Shan

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[385] Patrick (2007, 30 January). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

[386] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

[387] Patrick (2009, 2 January). *Interview with author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

coordinator of Salween Watch, attended meetings with the SGM in Chiang Mai in 2008 and 2009, indicating increased cross-campaign cooperation as well.[388]

With the AASYC at the vanguard of the campaign from the beginning San Ray Kyaw, an AASYC Central Executive Committee member, contrasted the development of the Shwe campaign with the Yadana campaign, which was slow to initiate transnational links:

> We learnt from the Yadana campaign. There is [now] cooperation between activists in Bangladesh, India, Burma, Thailand and Korea before [the Shwe project even] gets underway.[389]

Campaign committees were set up in all these countries and also the US with ERI participating but allowing the ethnic groups to drive the process.[390] Nevertheless, some ERI activists were regularly involved in SGM meetings in Thailand while others helped set up the committee in South Korea with Ka Hsaw Wa himself travelling to Yunnan to help establish the campaign there with alumni of the EarthRights Mekong School.[391] In mid-2005 roundtable talks were held in Thailand with representatives from groups in all participating countries, including a Harvard Law School chapter of ERI (Arakan Oil Watch 2008b). Due to the travel involved, it was not until 2008 that representatives of all the core SGM members were in the same room again, with a strategy planning workshop bringing together members from India, Bangladesh, Thailand and South Korea.[392] Despite the increased use of globalising communication technologies, activists

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[388] Jockai Khaing (2009, 2 January). *Interview with author.* Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand. Sai Sai (2009, 9 January). *Interview with author.* Shan Sapawa Environmental Organization (Sapawa) and coordinator of Salween Watch and Burma Rivers Network (BRN). Chiang Mai, Thailand. Wong Aung (2009, 6 April). Interview with author. Global Coordinator, Shwe Gas Movement (SGM). Chiang Mai, Thailand.
[389] San Ray Kyaw (2005, 11 January). *Interview with author.* Central Executive Committe Member, All Arakan Students and Youth Congress (AASYC). AAYSC Offices, Chiang Mai, Thailand.
[390] Angela (2005, 10 January). *Interview with author.* Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand. Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.
[391] Ka Hsaw Wa (2009, 9 January). *Interview with author.* Co-Founder/Executive Director EarthRights International (ERI). ERI Office, Chiang Mai, Thailand; Naing Htoo (2004, 21 October). *Email to author.* Program Coordinator, EarthRights International (ERI). Chiang Mai, Thailand. Smith, M. (2008, 10 April). *Email to author.* Project Coordinator (Pipelines and Mining), EarthRights International. Chiang Mai, Thailand.
[392] Patrick (2008, 11 April). *Email to author.* Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand. Smith, M. (2008, 10 April). *Email to author.* Project Coordinator (Pipelines and Mining), EarthRights International. Chiang Mai, Thailand.

felt that face-to-face meetings were essential for maintaining coherence and enthusiasm in the campaigns.

Soe Myint of Mizzima News argued there was no shortage of volunteers for the campaign committee in India as many NGOs in India's northeast opposed the pipeline, seeing little benefit for local communities in both Burma and India.[393] Kyaw Han, president of AASYC, also emphasised the lessons learnt from the Yadana campaign, specifically that promises to the communities around the Yadana Pipeline had been broken with the communities reaping few benefits and promises of electricity to local communities remaining unfulfilled.[394] With Arakan State's per capita electricity consumption the lowest in Burma there is a desperate need for greater electricity provision but the military has no serious plans for domestic consumption with most of the energy to be exported (see Table 7-1). Kyaw Han further argued that 'Arakan State has no public knowledge of the pipeline, even compared with [Tenasserim Division prior to] the Yadana project'.[395]

This result corresponds to the view expressed in an interview with a local activist conducted undercover by an Al Jazeera correspondent:

> Some educated people are interested but most of the people in our state are not educated, so they don't discuss it. Even when the people do discuss it, they are scared (Al Jazeera 2008).

As a result of the lessons learnt and shared by activists in the Yadana, Salween and Shwe campaigns – some of whom had been involved in all three – the strategy in the Shwe campaign focused on

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[393] The campaign committee for India was set up the day before I interviewed Soe Myint at the Mizzima offices in New Delhi. Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.
[394] During the visit to the Mizzima offices I also conducted a phone interview with the Kyaw Han, an Arakanese leader normally based in Bangladesh who spoke from his mobile on his way to the New Delhi airport. Kyaw Han (2004, 24 December). *Phone interview with author*. President, All Arakan Students and Youth Congress (AASYC), based in Dhaka, Bangladesh. Undertaken from Mizzima Office, New Delhi, India.
[395] Ibid.

> approaching companies and governments asking [them] not to do business in Burma [but the activists] don't approach [the] Burmese regime as they have made it clear they will proceed whatever the concerns.[396]

San Ray Kyaw likewise emphasised that they attempt to 'stop [the project] through other means than contact with the SPDC'.[397] The campaign therefore originally targeted the TNCs GAIL and ONGC in India and Daewoo in Korea.[398] When it became clear throughout 2006-7 that the gas would be sold to China rather than India and that a pipeline would be built to Kunming, the focus of activists shifted eastwards and the Chinese TNCs, CNOOC and PetroChina were also targeted. As discussed in Chapter 4, local residents near Kyauk Phyu in Arakan State had demonstrated their opposition to the Chinese TNCs and an ERI activist later argued that the crackdown on Tibetan protesters by China in the lead-up to the 2008 Beijing Olympics was also used by the SGM to apply further leverage.[399]

The other Arakanese organisation that was a core member of the SGM was Arakan Oil Watch (AOW), a small group with only three staff which, since the early stages of the Shwe campaign in March 2005, produced the Shwe Gas Bulletin on a bimonthly basis (Arakan Oil Watch 2008b). These publications were an essential conduit for disseminating information throughout the region via email and hard copy.[400] The main author of the report was Jockai Khaing, an Arakanese Buddhist refugee who arrived in Chiang Mai in 2000. Initially a democracy activist, he became involved with the SGM as the project gained publicity in the mid 2000s.[401] Like most activists in the Burma campaigns, he was committed to nonviolence:

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[396] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

[397] San Ray Kyaw (2005, 11 January). *Interview with author*. Central Executive Committe Member, All Arakan Students and Youth Congress (AASYC). AAYSC Offices, Chiang Mai, Thailand.

[398] Soe Myint (2004, 24 December). *Interview with author*. Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India.

[399] Smith, M. (2008, 10 April). *Email to author*. Project Coordinator (Pipelines and Mining), EarthRights International. Chiang Mai, Thailand.

[400] Patrick (2007, 30 January). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

[401] Jockai Khaing (2009, 2 January). *Interview with author*. Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand.

> I think that it will be difficult for me to do something against … Buddhism. I like the philosophy of nonviolence. I think that nonviolent action is the best way to resist against anything.[402]

In early 2008 Jockai travelled to China and met with Chinese NGOs for discussions on the way forward on the China strategy.[403] AOW later published a report that documented the protests in Arakan and argued that

> without the rule of law, accountability and transparency mechanisms in Burma, Chinese and other companies operating in the country will be complicit in military abuses and conflict (Arakan Oil Watch 2008a, 3).

As well as working with AOW, Jockai had worked closely for many years with ALTSEAN-Burma, which used the Shwe project as well as the Salween and Yadana case studies in its security literacy training.[404] This linkage provides further evidence of the networks created between organisations and activists from different campaigns that are linked into broader justice and human rights movements (Chatterjee and Finger 1994, 76; della Porta and Mosca 2007).

Apart from the regular Shwe Gas Bulletins, the main publication of AOW was Blocking Freedom (Arakan Oil Watch 2008a). The development and enhancement of communication skills, such as desktop publishing, by activists over the duration of the campaigns was a key driver in the increasing sophistication of the information dissemination. As an activist noted: 'doing the Shwe Gas Bulletins really helped with our ability to put together Blocking Freedom'.[405] The other main report published by the wider SGM entitled Supply and Command (Shwe Gas Movement 2006) once again demonstrated the benefits to environmental movements of inexpensive desktop publishing and was driven primarily by AASYC with support from other groups. While the report lists ecological concerns such as the destruction of mangroves and rainforests (Shwe Gas

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[402] Jockai Khaing (2007, 19 December). *Email to author*. Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand.
[403] Jockai Khaing (2008, 29 May). *Email to author*. Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand.
[404] Ball, D. (2008, 21 January). *Email to author*. Teacher on 3 Day 'Security Literacy Training for Burma Activists' Intensive. Chiang Mai, Thailand. Hudson, M. (2007, 30 November). *Email to author*. ALTSEAN-Burma Burma Senior Training Officer SLT. Bangkok. Jockai Khaing (2007, 19 December). *Email to author*. Pseudonym for activist with Arakan Oil Watch. Chiang Mai, Thailand.
[405] Patrick (2009, 2 January). *Interview with author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

Movement 2006, 38-39), much of the report focuses on the ongoing human rights abuses in the region such as forced labour and land seizure that have resulted from increased militarisation and the entrenching of the military regime through gas revenues. These issues are also connected by activists, with one arguing that mangrove swamps have been disappearing at an accelerating rate in the region since the mid-1990s when the military started confiscating coastal land to create shrimp farms to enrich the local battalions.[406] An article in the Bangladesh Independent in the same year, which was co-authored by Mizzima News, also highlighted this destruction to the ecosystem.

> Invaded by steadily encroaching fisheries and illegal logging of species, mangrove areas in the country's coastal region, especially in the … Irrawadday [delta], have received the most awesome blow to be depleted 80 percent over the past seven decades (Independent Bangladesh 2005).

The damage to these areas has some gradual impacts on local communities, but it can also be devastating with the ASEAN secretary-general blaming this mangrove destruction for the enormous death toll in Burma from Cyclone Nargis in 2008 (Kinver 2008).

Central components of the original transnational campaign, and ones that grew in importance over time in conjunction with the role of China, were several International Days of Action against the Shwe project. While the Shwe Gas Bulletins, Supply and Command and Blocking Freedom were available and distributed around the region in hard copy, the main online medium of information dissemination that greatly facilitated these events was the SGM website (Shwe Gas Movement 2005b). The internet has revolutionised communications and the dissemination of information for activists both from within and outside Burma as it has for other social movements (Eschle 2005, 21; Klein 2001). Although Northern activists assisted with the setting up of the site, it was predominantly local groups such as the AASYC that provided much of the information and research.[407] As with most projects in Burma, the issues of human rights and environmental protection are closely related and the website cited threats to endangered

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[406] Patrick (2005, 11 January). *Interview with author*. Pseudonym for activist with Burma NGO based in Chiang Mai with Thai and foreign employees. Lanna Cafe, Chiang Mai, Thailand.
[407] San Ray Kyaw (2005, 11 January). *Interview with author*. Central Executive Committe Member, All Arakan Students and Youth Congress (AASYC). AAYSC Offices, Chiang Mai, Thailand.

species and Burmese rainforests juxtaposed with threats to the Arakanese way of life, land confiscation and forced labour.

The first International Day of Action was held a few months after the launch of the site in October 2005. Through email and internet promotion Burmese exiles and activists coordinated simultaneous protests outside Daewoo's head office in South Korea and South Korean embassies across the world to protest Daewoo's involvement with the Burmese regime (ERI 2005c). Despite the project being in its infancy at this time, the campaign had spread more widely than at the same stage of the Yadana project with significant international involvement (RaKhaRoMa 2005; Shwe Gas Movement 2005a). Further International Days of Action were held in April and November 2006 and March 2007 (ALD 2006; Shwe Gas Movement 2007b). Prior to the March 2007 protests the campaign received a welcome boost from Human Rights Watch which supported the event and

> urged companies with interests in Burma's oil and gas deposits to suspend activity until they can credibly demonstrate that their projects can be carried on without abusing human rights (Human Rights Watch 2007b).

The transnational campaign also gathered favourable international media attention around this time with reports in The New York Times (Perlez 2006) and Al Jazeera:

> While the gas goes abroad and profit goes to the military, locals live without electricity for all but two hours a day …. In this oil and gas-rich area, once the sun goes down and the region's resources are piped across the border to China, the locals will once again be left in the dark (Al Jazeera 2008).

This attention from global organisations provided publicity for the protests throughout the North and South, far beyond the existing Shwe network.

The international days of protest were effective in raising consciousness in many countries but, as discussed in the previous chapter, South Korean activists became central players due to the large involvement of Daewoo International in the Shwe project. Protest movements have steadily grown within South Korean society over the last few decades with various social

movements challenging authoritarian governments from the 1960s until the transition to civilian government and 'tentative democracy' in the 1980s (Ranald 2002, 188). After the end of the conservative Kim Young Sam government in December 1997 there was a rapid expansion of civil society which joined the already active union sector and Buddhist community.[408] Environment groups existed in South Korea in the 1970s, but their activity increased in the 1980s with the formation of Korean Federation for Environmental Movement (KFEM), the largest and most active environmental organisation in Korea (Lee 1999, 92-93). This group and the Korean House for International Solidarity (KHIS) became partner organisations of the Shwe Gas Movement (SGM) and participated in several International Days of Action.[409] While having environmental concerns a central focus of these groups was human rights with Mikyung Choe, the executive director of KHIS, joining the Shwe campaign because 'human rights violations by companies, especially TNCs, are increasing more and more [so] one of KHIS's main [activities] is monitoring Korean companies abroad'.[410]

Despite a history of authoritarianism Choe argued that South Korea had been transformed, largely as a result of the civil society sector, into a more open democratic society for activists to operate in. She and other activists felt little need to self-censor although she acknowledged that plainclothes police detectives turned out for every KHIS demonstration. Furthermore there is a diversity of media, although Choe argued that the 'progressive media reports [KHIS activities] fairly and the conservative media don't'.[411] Although democratic institutions and organisations have expanded rapidly in South Korea in the last decade (Ranald 2002, 18), activists argue greater transparency is required over the activities of TNCs.

A key argument against the involvement of TNCs in Burma is their complicity in the Burmese military's oppression of its own people. In addition to its involvement with the Shwe project, NGOs suspected that Daewoo International was sending military hardware to Burma in violation

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[408] Woo, J. (1996, 3 July). *Interview with author.* Ven Jung Woo, Vice-President of Buddhist TV Network (BTN), Seoul Korea. Dharamsala, India.

[409] Naing Htoo (2004, 21 October). *Email to author.* Program Coordinator, EarthRights International (ERI). Chiang Mai, Thailand.

[410] Choe, M. (2006, 25 October). *Email to author.* Executive Director, Korean House for International Solidarity (KHIS). Seoul, South Korea.

[411] Ibid.

of South Korean law. In an open letter to the government and media outlets questioning Daewoo's military links with the Burmese regime, KHIS and twenty five other NGOs argued that the government of South Korea kept

> silent about the Burmese junta's human rights violations and actions against democracy, and [lent] support to the regime under the slogan of energy security (Korean House for International Solidarity 2006, 2).

The connection between Daewoo's interests in the Shwe gas deposits and its arms trade with Burma emerged throughout 2006-07 when fourteen high-ranking officials from Daewoo and associated companies, including Daewoo International President Lee Tae-Yong, were convicted on charges relating to illegally exporting production facilities and weapons technology to Burma while fabricating export documents (DVB 2007; Shin-who 2006; Yeni 2006). Lee Tae-Yong was fined over $50,000 while Lee Dukgyu, Daewoo's executive director, was given a suspended one year jail sentence. While activists supported the conviction, the leniency was contrasted with the impacts of the offences: 'These sentences should more closely reflect the seriousness of the crime. Burmese civilians struggling for democracy are being killed by weapons sold to the Burmese army' (Shwe Gas Movement 2007a). The SGM also argued that 'such lenient sentencing will only invite similar corporate crimes in the future' (AP 2007a). Mikyung Choe argued that this was a longstanding problem in South Korea: 'We Korean NGOs always condemn the Korea judicature [for being] very lenient to business and [companies]'.[412]

The court case did demonstrate, despite the relatively lenient sentencing, that the rule of law is ascendant in democratic South Korea. Conversely, the case also demonstrated the lack of effectiveness of voluntary CSR commitments. In Daewoo International's 2005 Annual Report the corporation's rhetoric was one of ethics, social justice and transparency:

> With the four principles of profit-oriented management, transparency management, ethical leadership, and social commitment as the core foundations of Daewoo International, we strive to establish customer satisfaction and complete trust as the core values associated with our company [emphasis added] (Daewoo International 2006, 7).

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[412] Choe, M. (2007, 22 November). *Email to author*. Executive Director, Korean House for International Solidarity (KHIS). Seoul, South Korea.

In 2006 Lee Tae-Yong announced that the Daewoo company slogan was 'Clean and Good Company', assuring shareholders that a 'transparent and ethical management system will be addressed and implemented' (Tae-Yong 2006, 5). Against the background of the subsequent convictions the argument from business leaders, noted by Zarsky, that global ethical standards are not needed because TNCs 'drive up local standards' in a 'race to the top' appears somewhat hollow (Zarsky 2002, 50). Nevertheless, activists do see some benefit in TNCs adopting CSR terminology as they can be employed in the public sphere:

> I think the closest to any solution for international advocacy has been to hold a fairly soft approach, but focus on the environmental and social responsibility jargon by some of the involved corporations and use it against them.[413]

Despite small gains this approach is not necessarily successful, however, as the fundamental logic of corporations is to maximise shareholder returns. In an attempt to reassure shareholders of the ethical leadership of Daewoo, Lee Tae-Yong resigned as head of the company when he was indicted and his deputy, Kang Young-Won, took over. Less than three weeks later, however, shareholder profits once more took precedence when Kang Young-Won travelled to Naypyidaw 'to discuss matters of mutual cooperation' with Burmese government officials including the Minister of Energy, Brigadier General Lun Thi (DVB 2007).

Conclusion

This chapter examined the transnational campaigns against the four transnational energy projects and found that, as with the local campaigns in Chapter 4, there were substantial differences in the intensities of the campaigns. The intensity of transnational activism in the TTM dispute was considerably less than that of the other three campaigns in this chapter. The common factor in the other three campaigns was that the projects all originated from Burma, whereas the impacts of the TTM project were almost entirely within Thailand. Most of the activism in this chapter therefore involved actions aimed at the Burma-centred projects. In

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[413] Patrick (2007, 3 May). *Email to author*. Pseudonym for activist with Burma NGO with Thai and foreign employees. Chiang Mai, Thailand.

contrast the extent of local activism in Burma in Chapter 4 was strictly limited and most of the activism was undertaken in Thailand in the TTM and Yadana campaigns. These findings indicate that, while there appears to be an inverse relationship between the level of authoritarian governance and the level of local activism, with increasing authoritarianism resulting in less local activism, there appears to be a direct relationship between the level of authoritarian governance and the level of transnational activism, with increasing authoritarianism resulting in greater transnational activism. This increased transnational activism has created an activist diaspora, which is characterised by an increasing multi-ethnic cooperation not found in the mainstream ethnic exiled communities.

The campaigns examined in this chapter were dominated by transnational coalitions, which are largely comprised of Southern activists and organisations but are also helped by Northern activists with a focus on justice and strong connections to the South. Although the main aims of these coalitions – for the projects to be abandoned – have not been achieved, due to powerful opposing forces in business and government, the organisations have been successful in effectively stalling progress on most of the Salween Dams with extremely limited resources. Despite these set backs and evidence of their adverse impacts on local communities, TNCs and business interests still pursue these projects. In addition to their involvement with the Shwe Pipeline, Daewoo International have provided even greater support for the Burmese military regime by providing military hardware that is likely to be used in the repression of ethnic minorities.

While some of the transnational activism analysed above is strongly influenced by local cultural factors, these influences may be abandoned in favour of more universalist concepts such as human rights which are then taken beyond national governments to institutions such as the UN. Despite this approach, the adoption of the human rights discourse also lends support to the cultural particularism expressed by some groups by promoting the protection of indigenous knowledge, culture and environments.

This final chapter on the case studies of this thesis has demonstrated that transnational activism, while having similarities to local activism, can sometimes operate using different strategies, applying different analytical perspectives and, using the technologies of globalisation, create more far-reaching and effective coalitions and networks using limited resources. The following chapter now draws together the various strands of this thesis and presents the findings of the core research questions.

PART 3 – FINDINGS AND CONCLUSION

Chapter 7 – Environmental Politics in the South

Major Findings

Through an examination of the local and transnational campaigns against transnational energy projects based in Thailand and Burma this dissertation has provided the empirical evidence to determine several key conclusions regarding the environmental activism that emerges in response to major development projects in the South. To fully understand this relationship a complementary analysis of the political regimes, business interests and environmental security associated with the projects was undertaken. The results suggest that the nature of the political regime in a country, its relationship to both local and transnational business interests, and the resultant impact on environmental security for marginalised communities in the vicinity of the projects, will significantly impact on both the level of activism at both local and transnational levels and the issues that are focused upon.

Although the divide between the local (national) and transnational realms is becoming 'increasingly artificial' (Keck and Sikkink 1998, 4), the distinction has been made throughout this dissertation to isolate activities that were culturally significant in particular localities and to identify differences between approaches aimed at local and transnational audiences. As a result local activism was defined as being where activists operated for a domestic audience primarily in their home country which was also the physical location of the project. All other activism was defined as transnational. Although this division proved useful the results also emphasised the sometimes fuzzy boundaries that exist between local and transnational activism, particularly in the Thai-Burmese border region.

The six major findings of this dissertation set out below are drawn from the theoretical model discussed in Chapter 2, the overview of environmental politics in Thailand and Burma in Chapter 3 and the analysis of the local and transnational activism undertaken in response to the energy projects in Chapters 4 to 6. These findings also result from investigations directly related to the

six research questions posed in the introduction. Although the findings from various questions sometimes overlap, they also provide specific conclusions.

Authoritarian Governance and the Extent of Environmental Activism in the South

> Does authoritarian governance in the South impact on the extent of environmental activism at local and transnational levels?

In addressing the first research question, this dissertation finds that the extent of local or transnational activism in environmental campaigns against transnational energy projects appears to be linked to the degree of authoritarianism of the political regime in the home country where the projects occur (see Table 7-1). The degree of authoritarianism in the two core countries, Burma and Thailand, is also closely linked to living conditions with more authoritarianism in Burma resulting in more precarious living conditions and greater insecurity. Nevertheless it is the degree of authoritarianism that is the primary causative factor in the level of activism in this thesis. In Chapter 3 the political regimes of Burma and Thailand were analysed with Burma's military junta since 1988 qualifying as a traditional authoritarian regime, with few sites of competition. Following a return to democratic rule in 1992 politics in Thailand has been far more open, despite fifteen months of traditional authoritarianism following a military coup in September 2006. Outside of these times of traditional authoritarianism, Thailand experienced a significant degree of competition in political discourse but also remnants of authoritarian rule. Many elected Thai governments would therefore qualify as competitive authoritarian regimes, although different administrations impacted on the degree of liberalism in political spaces with the government of Chuan Leekpai under the 1997 Constitution improving sites of competition while the government of Thaksin Shinawatra moved to close these sites down. Nevertheless, the relative openness of the political regime in Thailand compared with Burma had implications for both local and transnational activism.

In Chapter 4 local activism takes place almost entirely in Thailand against the Thai-based activities of the Yadana and Trans-Thai-Malaysia (TTM) projects. The transnational campaigns

in Chapters 5 and 6 take place in Thailand and around the world but are focused almost entirely on the three Burma-based projects. A tabulated interpretation of this outcome is provided in Table 7-1 where the Thailand-based projects have high levels of local activism and the Burma-based projects have high levels of transnational activism. The Yadana project, which had significant operations in both Thailand and Burma, therefore experienced high levels of local and transnational activism.

Project	Level of Local Activism	Level of Transnational Activism
Yadana Gas Pipeline Project (Thailand/Burma)	High	High
Thai-Malaysian Gas Pipeline Project (Thailand)	High	Low
Salween Dam Projects (Burma)	Low	High
Shwe Gas Pipeline Project (Burma)	Low	High

Table 7-1 – Relative Intensity of Local and Transnational Campaigns

The evidence from the case studies of Burma and Thailand suggest four conclusions regarding the relationship between the extent of activism and the nature of political regimes in the South. First, there appears to be a direct relationship between authoritarianism and the extent of human rights abuses and environmental destruction linked to development projects, particularly transnational energy projects, in the South. Under traditional authoritarian regimes these adverse impacts are therefore likely to be greater than under hybrid regimes. Second, there is an inverse relationship between authoritarianism and the ability of local activists to voice their concerns through protest and various media, with increasing authoritarianism resulting in fewer outlets for dissent. Compared with traditional authoritarian regimes, therefore, competitive

hybrid regimes offer activists significant opportunities for dissent even if they face restrictions not encountered under democratic regimes.

Third, these local restrictions under traditional authoritarian regimes increase the importance of developing transnational networks and coalitions to undertake transnational campaigns. These regimes are therefore likely to create activist diasporas comprised of expatriates who engage in activism transnationally from outside their home country. Activists leave their local authoritarian environments for transnational settings, creating transnational networks of exiled activists. In the case of Burma, expatriate activists escaping authoritarianism under the Burmese military are distributed throughout the world but are particularly active in Thailand, India, Bangladesh and the liberated area of the Thai-Burmese border region, beyond the reach of the tatmadaw. In addition Burma's activist diaspora transcends ethnic divisions and it therefore provides cohesion within the activist community that does not exist in the broader exile community. As 'divide and conquer' has been one of the Burmese military's main strategies in neutralising opposition by ethnic minorities the current multiethnic activist diaspora may contain the seeds of a more potent future opposition movement that promotes democracy, human rights and environmental protection in Burma.

This activist diaspora, despite the difficulties it poses for activists, also provides opportunities. Training that would not be accessible in local settings may be available. Improved accessibility to other transnational activists and the media in cosmopolitan environments also creates opportunities for developing activist strategies and tactics and facilitating communication of messages to a wider audience, particularly through increased proficiency in English, the lingua franca of transnational activism and media. In addition, most activists don't petition the Burmese regime directly as previous experience demonstrates they are unlikely to influence decision-making processes. They therefore focus their energies primarily on transnational activities, hoping to influence international businesses, governments or publics to support their cause. These transnational networks may also form under more liberal or competitive regimes, but greater opportunities and outlets for dissent at home generally focus activists into local modalities. In the case studies here there are widespread human rights abuses occurring in

Thailand, but the more competitive regime encourages the vast majority of Thai activists to seek redress at home rather than abroad, limiting the transnational activism that takes place.

Fourth, the evidence therefore suggests a distinctive relationship between the level of authoritarian governance and the predominance of local or transnational activism under hybrid or authoritarian regimes. There appears to be an inverse relationship between the level of authoritarian governance and the level of local activism, with increasing authoritarianism beyond a tipping point resulting in less local activism, but a direct relationship between the level of authoritarian governance and the level of transnational activism, with increasing authoritarianism beyond a tipping point resulting in greater transnational activism (see Table 7-2).

Regime Type	Level of Authoritarianism	Adverse Impact on Human Rights and Environment	Local Activism	Transnational Activism
Hybrid (before tipping point)	Low* (1, 2, 3, 4)**	Low* (1)	High (2, 4)	Low (3, 4)
Authoritarian (after tipping point)	High (1, 2, 3, 4)	High (1)	Low (2, 4)	High (3, 4)

* These values are indicative only, being relative to traditional authoritarianism, and are not intended to imply that hybrid regimes suffer only from insignificant authoritarianism or that projects under these regimes cause little adverse impacts.
** The relevant conclusions discussed in this section are in brackets

Table 7-2 – Local and Transnational Activism under Various Regimes

This relationship arises because, although the desire to express dissent increases as authoritarianism increases, so do the personal costs arising from expressing that dissent. Under hybrid competitive authoritarian regimes, before the tipping point, there is sufficient authoritarianism to stimulate high levels of local activism but not enough to suppress it. Activists therefore focus on local activism as there are opportunities to mobilise populations and

governments are somewhat responsive to public pressure due to facing elections. In the case of Thailand, as the government became more authoritarian under Thaksin it provoked greater local activism. Transnational activism over Thailand therefore remained low as activists concentrated on effecting change locally.

As sites of competition are closed down and authoritarianism increases beyond a tipping point to create a traditional authoritarian regime, however, local protests dissipate as increasing repression results in the costs of activism becoming too great in terms of personal sacrifice. In Burma the regime passed this tipping point of authoritarianism during the bloody crackdown of 1988, resulting in minimal local activism since that time. Public displays of defiance are therefore extremely rare and when this has occurred, such as during September 2007, it has resulted in a violent and brutal response from the military that has eventually suppressed dissenting voices. This authoritarianism, while suppressing opposition at home, actually appears to stimulate transnational linkages and activism through the activist diaspora, indicating that authoritarian regimes may actually be fuelling the growth of the global justice movement (GJM) in the South by expanding transnational networks of activists. Under competitive authoritarianism in Thailand the level of repression was generally less than that found in Burma and it therefore did not reach the tipping point of authoritarianism at which local protests dissipated.

Environmental Security and the Philosophies and Practices of Environmental Activists

> Does environmental insecurity resulting from authoritarian governance and transnational energy projects impact on the issues focused upon by environment movements in the South and the philosophies and practices that they employ?

In answering the second research question this dissertation finds that environmental insecurity and precarious living conditions resulting from authoritarian governance impacted on the issues

focused upon by environment movements in the South and their associated philosophies and practices. While issues of sustainability were evident in the four environmental campaigns in this thesis they were more focused on issues of livelihoods, social justice and human rights and were therefore emancipatory in their outlook.

In addressing this question this dissertation adopted a definition of environmental security drawn largely from Barnett who argues that environmental security should be defined as the way in which 'environmental degradation threatens the security of people' (Barnett 2001, 12). This interpretation of environmental security is derived from critical theories of international relations and green theory and is closely aligned with the concept of human security. Also included within this broad definition is the concept of energy security (Doyle 2008a). Within the case studies examined here, the concept of energy security was employed by many proponents in energy importing countries such as Thailand, in the context of national energy security, to justify support for the energy projects. From a critical perspective, however, energy security relates more to the ability of individuals in marginalised communities to secure sufficient access to energy for their personal needs (Simpson 2008b, 210).

The evidence in this thesis suggests that transnational energy projects in the South that are justified through the discourse of national energy security tend to favour large business interests over those of the general population, and particularly over those of marginalised indigenous or ethnic minority communities in the vicinity of the project. Far from providing environmental security to these communities, these energy projects appear to accentuate their marginalisation and increase their insecurity while delivering wealth to business and political elites in both the North and South. The converging interests of political and business elites in both Thailand and Burma have resulted in development practices and energy projects that are inappropriate for their local environments and communities and which often exacerbate existing civil conflict. Genuine participation in the development process is limited in both countries, although as in most spheres the situation in Burma is more severe.

In Burma environmental destruction relating to energy and development projects is rampant with environmental impact assessments (EIAs) rarely undertaken. Human security in Burma is also far more tenuous with egregious human rights abuses such as forced labour and systematic sexual assault commonly accompanying these projects. Burma often inhabits the lowest ranks in measures of human development, corruption and democracy and the precarious living conditions and suffering of ethnic minorities in Burma's borderlands are exacerbated by the brutality and neglect of the military regime. Development projects in these border regions 'are only participatory inasmuch as they are financed predominantly through forced labour and the taxation of the rural populace' (Lambrecht 2004, 172).

While other aspects of environmental security in these ethnic minority communities deteriorate, there is little evidence of improvements in energy security for local communities. Six years after completion of the Yadana Gas Pipeline the promises of improved access to electricity for local communities remain unfulfilled with the regime's own figures showing that the per capita use of electricity in Tenasserim Division, through which the pipeline travels, was the second lowest in Burma, with usage in Rangoon 114 times higher (Simpson 2007, 545). The other projects in Burma are still in the planning or construction stage but in Arakan State, the home of the Shwe gas project, the per capita electricity consumption is the lowest in Burma and there is a desperate need for greater electricity provision, but there are no serious plans for this sort of development with most of the energy to be exported. Hydropower projects in Burma have provided little for local communities in the past (KDRG 2006) and, with the regions hosting the Salween Dams still being racked by civil conflict, there is little evidence that any of these projects will provide increased energy security to local communities.

Rather than enhance the security of ethnic minority communities in the vicinity of the projects, these projects appear to have had the opposite effect. The actions of the SPDC suggest that their motivation for undertaking the projects was primarily to generate foreign exchange for the purchasing of military hardware and the enrichment of the upper echelons of the military. A strengthened military under the current leadership and political regime could only increase insecurity within these communities, but the activities of the Burmese regime not only

threatened the security of local communities. A report commissioned by Havel and Tutu argued that the regime's actions 'not only oppress its own people but bring substantial transnational destabilizing effects which threaten peace and security in the entire region' (Havel and Tutu 2005, 16).

In Thailand, with a more open political system and environmental laws in place, there are generally less serious environmental and human rights issues related to development proposals. Nevertheless, projects are often pursued and undertaken without regard for legal requirements, and opportunities for redress are limited and often dependent on the nature of the contemporaneous political leadership. The Muslim villagers opposing the TTM project felt aggrieved that their voice was ignored and that their livelihoods were threatened by pollution accompanying the project and the associated industrial development. The increased presence and harassment by the police and military around the project, particularly in the context of the imposition of martial law in the neighbouring southern provinces, exacerbated their feelings of insecurity and marginalisation. These feelings were intensified when the gas separation plant was built on community owned wakaf land that had been donated in an Islamic religious ceremony. While security in the vicinity of the TTM is not as precarious as it is around the projects in Burma, the net effect of the TTM project appears to be an increase in human and environmental insecurity for the local Muslim villagers.

This increase in environmental insecurity impacted on the issues focused upon by the environment movements and the philosophies and practices that they employed. The goal of emancipation which underpinned these movements resonates within the intellectual traditions of critical security studies (Booth 2005, 11-12), environmental politics (Doyle and Doherty 2006, 883) and Engaged Buddhism (Queen and King 1996). Ecological issues were significant but not of primary importance above and beyond justice perspectives. Nevertheless, achieving justice for communities, primarily for ethnic minorities in Burma and Muslim fisherfolk in southern Thailand, was intimately linked to issues of ecological health. In general, however, more severe authoritarianism and more precarious living conditions resulted in a greater focus on human rights and justice. The campaigns against the projects in Burma, with more poverty

and marginalisation, therefore focused more specifically on these issues as do other campaigns undertaken within a postcolonial milieu (Torgerson 2006, 717; Williams and Mawdsley 2006, 662). The opening paragraph of the main publication of the Shwe campaign argues that 'the sale of the gas … will further entrench the military … [and the] already abysmal human rights situation is set to worsen' [emphasis added] (Shwe Gas Movement 2006, 2). Likewise, in the transnational Yadana campaign the core publication by EarthRights International (ERI) noted

> that the Burmese military is still providing security to the gas pipelines; that the military still commits human rights abuses against the local villagers; and that civilians continue to be conscripted as porters for units patrolling for pipeline security [emphasis added] (Giannini et al. 2003, i).

This concern over militarisation infuses even nominally ecological analyses with the aim of a report by the Karen Environmental and Social Action Network (KESAN) which focuses on biodiversity near the Wei Gyi Dam site being 'to document and expose the severe threats faced by this stretch of the Salween, both from large dams and ongoing militarization' [emphasis added] (KESAN 2008, 6). More attention in the campaigns is, however, given to specific human rights concerns such as the impact on internally displaced peoples (IDPs) in the Salween region from both clearing the reservoir zone and through village relocations forced by the military as part of its four cuts campaign against insurgents (KRW 2004a, 42).

On the Thai side of the border during the Yadana protests, under a more competitive authoritarianism, issues of forest ecology were prominent but, equally importantly, activists linked business dealings with the Burmese military to the suppression of human rights in Burma and the delaying of democratic reform. Relatively affluent local activists from the Kanchanaburi Conservation Group (KCG) were initially focused on preservation of the forest but through the activism their awareness of linkages to wider social and political issues tended to radicalise their approach. As evidence from environment movements in the North suggests, activism itself becomes a transformative process whereby NIMBY local environment groups in the South may become social movement actors (Doherty 2002, 185; Wall 1999, 25).

A similar transformative process also characterised the campaign against the TTM in Thailand. In this campaign most local Muslim villagers were less affluent than the activists from Kanchanaburi and initial concerns were predominantly associated with the threatened industrialisation of the region and the resultant impacts on livelihoods, ecosystems and the villagers' way of life. As the campaign progressed, however, they began to view the project both as an attack on their religion and as part of a wider pattern of globalised capitalism. The villagers argued that they had been marginalised within the decision-making processes of the predominantly Buddhist Thai government but compared with the allegations of torture, forced labour and systematic rape that accompanied the projects in Burma these protests were more closely related to the environmental campaigns that take place in the North.

It is the precarious living conditions and authoritarian governance, both largely absent in the North, that result in a particular focus on human rights and justice in the environmental movements of the South which also places them within the growing global justice movement (GJM). Some Northern writers have argued that 'the environment' has been mistakenly sidelined within the GJM (Rootes 2006, 779), due partly to 'left wing activists [who] retain lingering suspicions of environmentalism' (Carter 2007, 164). These arguments are characteristic, however, of attempts to make clear distinctions between 'the environment' and everyday existence in the South, where no such clear distinction exists. As Doherty notes, environmental struggles in the South are often 'struggles for democracy and against the unequal distribution of power' (Doherty 2007, 80). Environmental organisations and movements in the South therefore see no conflict in pursuing human rights in conjunction with environmental justice.

As a result of these concerns, democracy and justice are key philosophies and practices within these movements. Within formalised environmental organisations these concerns appeared most prominently within ERI where action was taken to redress the inherent disparity in power

relations between Northern and Southern activists in areas such as formal education and expected remuneration.[414] As co-founder Redford argued,

> the lawyer or US-trained PhD does not get a higher salary or bigger title than the Burmese field staff who speaks 4 languages and can get to the regions that we are working on. We have a complex salary structure that values relevant life experience and educational/job experience equally.[415]

Activists in these movements also perceive, sometimes through their experience in violent conflict, that nonviolent activism is the only likely path to achieving their goals.[416] Although nonviolence takes a pre-eminent role in the environmental campaigns, the repression faced by ethnic minorities in Burma means that exiled activists often remain networked to ethnic minority insurgent groups within Burma. Despite adhering to nonviolence themselves, some Northern activists based in the South understand these linkages and feel that they can't legitimately criticise armed struggle against an authoritarian regime because of what one activist described as a 'cushy' upbringing in Australia.[417]

While justice and human rights in general become significant issues in the face of precarious living conditions and authoritarian governance, women's issues also come to the fore. Women in these campaigns have particularly highlighted the adverse impacts of the projects on women, particularly ethnic minorities in Burma but also in Thailand. The introduction of women's issues into the Yadana campaign provided symbols of femininity in league with the forest against the brute masculinity of the mechanised excavators, evoking the women of the Chipko movement in India that Shiva argued had been 'fuelled by the ecological insights and political and moral strengths of women' (Shiva 1989, 67). Inferences of feminine essentialism have also found parallels in women's movements elsewhere in the South (Blondet 2002) although, as Porter argues, bringing women's issues or concerns into campaigns does not necessarily indicate a

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[414] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.

[415] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

[416] Ka Hsaw Wa (2004, 14 January). *Interview with author*. Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand.

[417] Catherine (2005, 10 January). *Interview with author*. Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

feminine essentialism, but simply that 'as prime caretakers, women tend to prioritize education, health, nutrition, childcare, and human welfare needs' (Porter 2003, 249).

As demonstrated in Chapter 4 there is only significant local activism under more competitive regimes and as a result Thailand provided the key case studies for the philosophies and practices that activists adopted in these local campaigns. This chapter demonstrated two approaches to influencing development decisions. The first form of activism was registering dissent through protest actions, while the second was engagement with the state and business through public participation in state-sanctioned fora which occurred primarily at a local level. Protest was undertaken in all campaigns involving Thailand, but the extent of this protest was heavily dependent on the political openings available within formal public fora and the two forms of activism sometimes converged due to dubious participation regimes. State-sanctioned fora in this context included consultative processes whereby participation from the public was sought in development decisions, primarily through processes linked to Environmental Impact Assessment (EIA). Within the environmental movement there is broad consensus that environmental justice and ecological rationality are only achievable by strengthening democratic forces and increasing community involvement in decision making (Beck 1999, 152; Dryzek 1999; Giddens 1998; Mason 1999; Mitchell 2006). Despite some advances in the public participation of policy development, truly effective participatory governance remains, however, elusive (Reddel and Woolcock 2004). In theory, EIA could be a step in society's path towards ecological rationality (Bartlett 2005; Dryzek 1987), but it has also been employed as a strategic state response to neutralise protests and other forms of activism, providing 'legitimising cover for business as usual' (Dryzek 2005a, 82). The measure of a particular EIA process on the continuum between these two poles is its transparency and the ability of the public to participate freely and influence the state's decisions.

Despite attempts by activists to accommodate government processes, the few occurrences of EIA public participation in these case studies illustrated the gap between theory and practice. In the Yadana campaign most of the environment groups left their forest protest when Prime Minister Chuan established a public hearing, which found in favour of the developers, while in

the TTM campaign the first major protests only occurred when villagers and activists were unable to attend public hearings for the project due to roadblocks. Genuine opportunities to participate in development decisions would therefore provide opportunities for activists to voice dissent without necessarily engaging in open protest. These opportunities remained limited, however, and therefore activists often resorted to protest activities.

Social Movements and Emancipatory Governance Groups (EGGs)

> Are environmental activists in the South likely to be social movement activists
> and participants in emancipatory governance groups (EGGs)?

By answering the third research question, and based on the evidence from these four campaigns, this thesis contends that most environmental activists and groups in the South are social movement actors as they satisfy the three characteristics defined by della Porta and Diani (della Porta and Diani 2006, 20-23). First, they are involved in conflictual relations with clearly identified opponents. These campaigns were similar to others in the South in that they were intimately tied to a specific case of environmental degradation or resource use conflict (Kalland and Persoon 1997, 7), but in all the campaigns activists also challenged the dominant social, economic or political structures of their society. In the three campaigns that involve Burma activists oppose the authoritarian military regime that currently rules the country in favour of democratisation and improved human rights. Activists also campaign against the local and global business interests involved with the energy projects that they see as sustaining and entrenching the regime. In Thailand activists have been able to mount local campaigns against both the Yadana and TTM projects and by doing so they have explicitly challenged the close relationship between business and government that they see as undermining democratic governance.

Second, the environment movements in these case studies were comprised of individuals, groups, NGOs and coalitions which were primarily linked by informal networks. Although local activism in Burma is limited, most of the campaigns examined here incorporate multilevel and

multiscalar activities with individuals being networked to small groups, formal organisations and transnational coalitions. Activists such as Pipob Udomittipong have played diverse roles at different levels across the various campaigns, having been an independent environmental consultant, a former member of the local group KCG, a former employee of the transnational organisation ERI and a member of the Advisory Committee of the transnational coalition Salween Watch. His personal networks included journalists within the English language print media in Thailand and his mentor, Sulak Sivaraksa, for whom he has worked in organisations such as the Spirit in Education Movement (SEM) and the International Network of Engaged Buddhists (INEB).[418] Without the networks that are formed by these diverse activities, these environment movements would be unable to mount the complex multiscalar campaigns examined throughout this thesis.

Third, the activists in these campaigns shared a distinctive collective identity, based on the green ideals of democracy, sustainability, justice and nonviolence (Carter 2007, 47-48). These ideals were repeatedly expressed in published reports and interviews with activists. In addition to this fundamental agreement, activists also developed shared ideas or practices which were established through collective action. In the TTM campaign, therefore, local villagers became politicised through the project's existence and began to see their Muslim identity as important in the wider struggle by Muslims during the War on Terror (Funston 2006, 87-88). They appealed for their human rights to be respected and began 'talking as Muslims rather than as poor people'.[419] This activism was itself a transformative process, particularly for those with no similar previous activity, as they engaged in political processes and learnt to organise and give voice to their interests. The consequences of this activism appear to correspond with Doherty's conclusions regarding localised political transformation in the North which often leads local activists to a more critical view of state authority (Doherty 2002, 199-202).

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[418] Pipob Udomittipong (2005, 3 January). *Interview with author*. Activist with Salween Watch and translater for Prachatai (formerly of EarthRights International). Chiang Mai, Thailand.
[419] Varaporn Chamsanit (2006, 3 February). *Interview with author*. Formerly journalist with The Nation in Bangkok and human rights activist in Thailand. ANU, Australia.

In all the campaigns in this thesis there were also public protests which Doherty and Doyle argue is a fourth key characteristic of social movements (Doherty 2002, 7; Doherty and Doyle 2006, 702-03). Some protests, such as those over the TTM project in Had Yai and Chana district of Thailand, were largely local but others, such as the International Days of Action against the Shwe and Salween projects, were truly transnational and even global in their reach. Opportunities for public protest and all forms of dissent are strictly limited in Burma itself with the military brutally crushing pro-democracy protests in 1988 and 2007. Some minor protests in the case study campaigns were, however, undertaken with ERI co-founder Tyler Giannini arrested in Rangoon after a small protest by foreigners in 1998 and other protests undertaken against the Salween Dams in the liberated area of eastern Burma controlled by the KNU. The authoritarianism which restricted these protests did not necessarily quash social movement activism per se, but rather resulted in this activity shifting to Burma's borderlands and beyond where social movement activism was less constrained to create an activist diaspora.

These social movement activists in the South were, if members of any group, likely to be participants in emancipatory governance groups (EGGs). The concept of these groups refines the orginal model by Doyle and Doherty which divided groups into either emancipatory groups (EGs) or part of the environmental governance state (EGS). As set out in the introduction to Chapter 2 the original model tends to underestimate the constructive governance role that EGs can play by limiting the concept of governance to a neoliberal post-materialist form within an EGS. Environmental groups such as ERI, as well as other emancipatory actors, have demonstrated through their engagement with local, national and global bodies that actors do not need to adhere to neoliberal values to contribute to environmental governance. EGGs, unlike groups within the EGS, adhere to the four core green pillars of environmental politics: democracy, sustainability, justice and nonviolence (Carter 2007, 47-48). Adhering to these core green concepts can therefore be considered the defining feature of EGGs. Despite adoption of these values by EGGs in both the North and the South there remain significant differences in approach or emphasis relating to these values due to differing political, cultural and environmental settings which has sometimes resulted in conflicts between Northern and Southern activists.

Cultural Influences on Local and Transnational Activism

> How do local cultural factors impact on the philosophies and practices of
> environmental activism in the South and is there a difference between the
> impacts on local and transnational campaigns?

In addressing the fourth research question, this thesis found that environment movements in the
South resonate with local cultural or religious influences that represent a form of identity politics.
It is clear that these influences shaped some of the tactics in the campaigns at the local level
and that local cultural and religious symbols were employed by activists in the pursuit of their
goals. With Buddhism being the dominant religion of both Thailand and Burma, the practice of
Engaged Buddhism, either by lay activists or activist monks within the sangha, featured
prominently in environmental activism despite a diversity of minority religious and cultural belief
systems. Buddhism was used both strategically as a cultural symbol and tactically during street
protests, although often the state, including the Thai monarch and Burma's generals, competed
for a hegemonic Buddhist legitimacy.

Activists saw the state as appropriating and subverting the true message of Buddhism and in
the Yadana campaign this struggle for legitimacy resulted in the ordination of trees by Buddhist
monks and led activists to use the symbol of the monarchy, in a poster of the queen, to validate
their protests. Engaged Buddhist activists framed the project as being contrary to a variety of
Buddhist values, but particularly appropriate development through Buddhist Economics (Payutto
1994; Simpson 1999; Sulak Sivaraksa 1988).[420] During the forest protest numerous tactics and
strategies were used but the overarching principle of the campaign was one of nonviolence.
Buddhism was not necessarily the sole influence on the practice of nonviolence at the site but

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[420] Sulak Sivaraksa (1998, 20 September). *Interview with author*. Thai social activist and co-founder International
Network of Engaged Buddhists (INEB). Bangkok, Thailand.

two of the leading activists, Sulak Sivaraksa and Phinan Chotirosseranee of KCG, emphasised the Buddhist heritage of their chosen forms of nonviolent activism.[421]

While Buddhism was frequently employed, Muslim villagers in the south of Thailand fighting the TTM Pipeline increasingly framed their opposition through their Islamic identity, placing the local marginalisation of Muslims into the larger context of a global attack on Muslims in the War on Terror. Environmental activism is a transformative process and this activity contributed to the villagers' rising awareness of their Muslim identity, which then became a campaign tool. In the Salween campaign the indigenous knowledge and animist beliefs of the Karen were also emphasised in opposition to an unresponsive military intent on destroying their culture (KRW 2004a, 60). In these cases activists and communities, while strategically employing the symbols of their culture and religion, also see the radical essence of their beliefs as a bulwark against the authoritarian tendencies of governments and complicit business interests. Despite the global reach and essential transnationalism of Islam and Buddhism, communities have used these religions throughout the campaigns as a local symbol of differentiation.

While religious belief systems provided these points of differentiation, other culturally specific forms of activism also resulted in novel forms of resistance. While irony is used in many social movements, The Moustache Brothers employed irony as both rhetorical form and philosophical content in their specifically Burmese a-nyeint satire (Aung San Suu Kyi 1997, 40-41; Szerszynski 2007, 348). In their improvised performances they demonstrated their opposition to the Burmese military and their support for Aung San Suu Kyi and her ban on all foreign investment, including the Yadana project.[422] Despite being aware that they were likely to be arrested they nevertheless continued to perform, leading to over six years of incarceration for two of the troupe. Doherty has indentified manufactured vulnerability as a tactic during protests in the North (Doherty 1999), but this demonstrated the wide gulf in consequences between

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[421] Phinan Chotirosseranee (1998, 5 October). *Interview with author.* Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand. Sulak Sivaraksa (1998, 25 January). *Interview with author.* Thai social activist and co-founder International Network of Engaged Buddhists (INEB). Schumacher College, Devon, UK.

[422] Par Par Lay and Lu Maw (2003, 15 December). *Interview with author.* 'The Moustache Brothers'. Residence, 39th St. Mandalay, Burma.

manufactured vulnerability in the North and the South, resulting as it did in torture and hard labour.

Although culturally specific symbols were central to the campaigns of activists at a local level, these were not so significant within transnational campaigns. The essentialising of religious and cultural symbols still appeared, but in transnational campaigns appeals to the international community were often couched in more universalised concepts such as human rights and democracy (DeLaet 2006, 10-11). While activism was still influenced by, and celebrated, local cultural factors, these influences were also sometimes abandoned to adhere to a rationalist bureaucratic framework and adopting a rights-based approach. Despite this perspective, the adoption of the human rights discourse also lent support to the cultural particularism expressed by some groups in the form of rights for the protection of indigenous knowledge and environments.

This rights-based approach has been successful in campaigns in other parts of the world, particularly in women's movements who have had similar experiences (Cornwall and Molyneux 2006, 1183; Mendez 2002; Tsikata 2007, 215). Transnational campaigns often, therefore, take these perspectives beyond national governments to global governance institutions, particularly the UN. One example was the co-authoring by Phinan Chotirosseranee, Sulak Sivaraksa and others of a shadow report for the UN Human Rights Committee that documented the 2002 crackdown of TTM protesters by the police (Pibhop Dhongchai et al. 2005, 44). This report reflected the growth of Phinan's activism which had originally been focused on the local environment and drew heavily on Buddhism. Her activism contributed to her politicisation through which her sphere of interest increased to include principles of international law, with the report arguing for the existence of severe violations of the International Covenant on Civil and Political Rights (ICCPR) in Thailand (2005, 14). Despite employing legalistic language the activists who contribute to these reports maintain a strong linkage to their local cultural and religious heritage which provides an obstacle to the 'dangers of policy professionalisation' for activists (Christoff 2005, 301).

Organisational Structure and Composition and Achievement of Goals

> Does the organisational structure and composition of environmental groups
> in the environment movements of the South impact on their ability to both
> achieve their goals and contribute to effective environmental governance by
> improving environmental security for marginalised communities?

In addressing the fifth research question this dissertation examined the structure and composition of several organisations at a variety of scales and found that the ideologies and philosophies that underpinned the organisations impacted upon their organisational structure, which in turn influenced their ability to achieve their goals and contribute to effective environmental governance. Most environmental groups in the South are social movement actors whose aims and goals are closely linked to the green ideals of democracy, sustainability, justice and nonviolence and therefore qualified as environmental governance groups (EGGs). As a result, while most organisational goals had an ecological component they were generally allied to more central concerns over achieving justice for marginalised communities, which often brought them into conflict with powerful government and business elites.

The smallest of the groups analysed was the informal local environment group, KCG. Despite its NIMBY origins, this group politicised the make-up of the organisation through a conscious attempt to achieve a flat, largely consensus-based decision making structure. Although the group elected a president the role was more like that of a spokesperson and to achieve a gender balance the role was shared between a woman and a man. Phinan Chotirosseranee, who was co-president, played a prominent role within the Yadana campaign and believed that by maintaining a democratic, just and cooperative structure the group would be more able to challenge the injustices related to the Yadana project effectively.

In Chapter 5 a more in-depth analysis was undertaken of ERI, which offers a valuable case study as it straddles the two core countries and is a key actor in all the Burma campaigns in this thesis. It also provides an exemplar of a transnational EGG forming due to close personal networks between Northern and Southern activists. Organisations based in the South often

demonstrate concerns that are closely aligned to postcolonial societal critiques (Doherty and Doyle 2006, 707; Torgerson 2006, 717), a critique that is often contested by organisations in the North (Routledge 2003, 335). ERI's approach is closer to the former, being consciously part of the global justice movement (GJM) with a focus on human rights and the environment and making genuine attempts to employ its activist philosophy within its own organisation. In tandem with its fieldwork in the civil conflict zones of Burma's forests, ERI has undertaken precedent-setting litigation against TNCs in US courts, demonstrating some of the benefits available to emancipatory NGOs with expertise in both the North and South. Their relative success in these activities may indicate that by addressing justice issues within their own organisational structures environmental organisations can become more effective actors in influencing the behaviour of TNCs and large business interests, even ones supported by powerful governments.

Transnational EGGs that cohabit North and South must be conscious of the potential for acute differences in foci between activists from the affluent and less affluent worlds (Doherty 2006). Being founded by activists from the North and South ERI has been confronted by North-South dilemmas from its inception but it appears to have negotiated this divide better than most. It maintains offices in Thailand and the US and runs two activist schools in Southeast Asia, while having also established operations in South America, resulting in multi-ethnic, multi-lingual activities that sometimes involve 'dozens of languages'.[423] Research on international solidarity work similar to ERI's has found that centralised organisations with greater resources tend to reinforce power imbalances among organisational participants (Smith and Bandy 2005, 11). The founders and staff of ERI are therefore extremely conscious of the potential for North-South difficulties, including perceptions of 'Northern imperialism' that are sometimes elicited through use of the environmental symbol. As a result, despite ERI adopting the formality of an NGO rather than the informality of a group, I argue that ERI is introspective in its organisation. Doyle uses the introspective categorisation only for informal groups (Doyle 2000, 34), but I argue it can also be applied to emancipatory formalised NGOs, such as ERI.

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[423] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

It is clear that ERI's organisational formality was necessary to undertake its activities in very diverse settings including the jungle borderlands of Burma and the federal courts of the US. Doyle argues that non-introspective groups 'are often not conscious of their political form, their structure or their ideology' (Doyle 2000, 34). ERI have demonstrated that they are very conscious of all three of these elements, as well as societal power imbalances and particularly potential North-South tensions. Within the constraints of being a large transnational organization, ERI places a strong emphasis on consensus decision making and an effective lack of hierarchy with 'all employees [considered] equal, no matter what their position'.[424] This approach reflects the core green belief of a natural relationship of equality across individuals and, therefore, as Dryzek puts it, 'hierarchy … is recognized and condemned' (Dryzek 2005b, 216). There is also a genuine commitment to diversity.

> Diversity is about building power [and this] north-south collaboration … will enable local communities to rise up and resist corporate powers, because we have what they don't – diversity and the power that comes from that.[425]

While expanding its activities significantly since its modest origins in 1995, ERI attempts to ameliorate structural power imbalances between its Northern and Southern activists by recognising the importance of Southern management in Southern issues. The increased management of the Southeast Asian nodes of its organisation by ethnic minorities is paralleled by ERI's collaboration with many ethnic minority activist groups and NGOs throughout the region, increasing its legitimacy in the eyes of the marginalised communities of Burma's borderlands. It has also ensured that 'local' environment groups take the lead in campaigns against projects such as the Salween Dams and Shwe Pipeline, concentrating its own efforts on training and its broader strategies rather than on 'banner campaigns' as it did during the early years of the Yadana campaign. Unlike some other transnational environmental organisations, ERI focuses more on 'solidarity work' rather than being 'issues based'.[426] In addition to co-founder Ka Hsaw Wa's central role as a Karen exile, the organisation has made significant

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[424] Angela (2005, 10 January). *Interview with author.* Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand.
[425] Redford, K. (2008, 21 January). *Email to author.* Co-Founder/Director EarthRights International (ERI).
[426] Catherine (2005, 10 January). *Interview with author.* Pseudonym for Assistant Director, Southeast Asia Office of EarthRights International (ERI). ERI Office, Chiang Mai, Thailand.

efforts in achieving equity between its Northern and Southern activists to redress the inherent disparity in power relations in areas such as formal education, English proficiency and expected remuneration.[427] Language and cultural sensitivities are therefore prerequisites for any employment with the NGO and all staff undertake further training in this area. ERI has also made a conscious attempt to achieve gender equity within its structure, reflecting an organisational commitment to its broader campaign supporting women through the Burma Women's Rights Project. Its approach to its campaigns and networks with other groups within the GJM provides an important insight into the operation of transnational green politics and makes a significant contribution to the emancipatory discourse of the transnational green public sphere (Torgerson 1999, 19-20).

Some of ERI's activities may appear conservative or mainstream but in other important aspects, including its approach to its activities and organisation, it retains a radical edge. It has confidence in the 'power of law' and its aims are reformist in a traditional sense, aiming not to subvert capitalism, but to 'make it more just and fair'.[428] In their awareness of cultural sensitivities and focus on lack of hierarchy within the organisation, however, they demonstrate introspective and emancipatory characteristics. ERI demonstrates that formalised NGOs that engage in legal practice as part of their strategy – one of the most conservative areas an NGO can operate in – can also claim status as a social movement organisation if their philosophy and organisational structure reflects core green values (Doherty 2002, 148-49).

ERI's internal politics are therefore indicative of its broader campaigns for justice in the South in coalitions with local groups and networks. ERI is firmly entrenched, therefore, within the green public sphere as an EGG, which, being closely related to EGs, operate 'through grassroots networking, develop shared techniques, strategies and repertoires of action alongside more localised networks and groups' (Doyle and Doherty 2006, 883). As noted above, environmental groups such as KCG and ERI are quite capable of engaging in a positive and constructive form of environmental governance which contradicts the neoliberal focus assigned by Doyle and

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[427] Giannini, T. (2004, 21 January). *Interview with author*. Co-Founder EarthRights International. Lecturer in Law, Human Rights Program, Harvard Law School. Chiang Mai, Thailand.
[428] Redford, K. (2008, 21 January). *Email to author*. Co-Founder/Director EarthRights International (ERI).

Doherty. The concept includes those EGGs working at both local and global levels who adopt a sensitive, localised and interactive form of emnvironmental governance (Kutting and Lipschutz 2009; Litfin 2009).

Although the specific goals of ERI to halt the Yadana project and bring protection for human rights and the environment to Burma were not fulfilled, from small beginnings ERI has played a significant role in promoting these and broader goals of democracy and human rights around the world. Co-founder Katie Redford considers the establishment of the EarthRights Schools and the litigation success in the Unocal case to be ERI's most important achievements that reflect these aims and goals.[429] These accomplishments have empowered marginalised communities in the South in three important ways. First, the schools offer information and education on the effects of globalisation in the South and provide crucial training and tools for managing or challenging the associated processes. Second, the court settlement provided significant resources to improve the health, well-being and security of ethnic minority communities in the Thai-Burmese border region. Third, the precedents set in the court case will also encourage other TNCs to reconsider their engagement with authoritarian regimes or conflict zones in the South, or at least oblige them to consider the potential for significant future costs. These achievements appear to be a direct result of the approach adopted by ERI in all its activities and in its organisational structure. The ERI case study demonstrates that EGGs that traverse the North and South, with expertise in both worlds, can be more effective in challenging the power of business and TNCs than those based solely in one world.

ERI's organisational philosophy and practices and its progress towards its justice goals also provides some indication of links between practicing equity and justice within an organisation and the achievement of justice in the wider sphere. The quest for equity between its Northern and Southern activists appears intimately related to its success in both achieving its organisational aims and improving environmental security for the marginalised communities of Burma. This linkage, which could be employed by other transnational NGOs with a focus on human rights and the environment, suggests that promoting justice within the organisation can

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[429] Ibid.

make a substantial contribution to achieving broader organisational goals and ameliorating the effects of marginalisation on communities in the South.

A feature of ERI's collaboration with Burma's activist diaspora discussed in Chapter 6 was the formation of transnational networks and particularly coalitions where pooled transnational resources and expertise provided more coordinated campaigns against the transnational energy projects. While networks are based on loose connections, coalitions are generally more formalised with permanent members. The existence of transnational coalitions is an area that has been overlooked by most studies on environmental activism (eg. Doherty 2002; Doyle and McEachern 2008), although other studies have demonstrated their growing importance for more general transnational activism (Bandy and Smith 2005; Carter 2007, 162). Coalitions in the GJM have received some attention, but they have generally not been based in the South (Faber 2005; Yanacopulos 2005b). Nevertheless, transnational coalitions in environment movements in the South have been growing rapidly and have been expedited by the increasing availability of inexpensive communications technologies as demonstrated by their relative absence in the Yadana campaign and their prevalence in the later Salween and Shwe campaigns. They are also a signifier of the growing sophistication of these campaigns. Yanacopulos has argued that coalitions afford economies of scale (Yanacopulos 2005a, 259), and the coalitions of the Burmese activist diaspora opposing these projects worked effectively by pooling their minimal resources and exploiting the growing availability of these technologies.

These transnational coalitions are largely comprised of Southern activists and organisations but they also receive assistance from Northern environmental activists and organisations with a focus on justice and strong connections to the South. While these Northern actors demonstrate a cooperative relationship with Southern groups, more traditional Northern environmental organisations persist in prioritising conservation issues over human rights and are considered part of the environmental governance states (EGS). Within environment movements there have been many North-South conflicts over differing priorities with Northern conservation groups such as the New York-based Wildlife Conservation Society (WCS) at odds with Burma's activist diaspora over engagement with the Burmese military regime and therefore remaining outside of

the justice oriented coalitions of this thesis. Justice oriented networks or coalitions of the South are likely to be more enduring than those that are focused more exclusively on ecological grounds, although 'Northern environmentalists often tend to interpret southern movements as ecological ones' (Pieck 2006, 310). Although the immediate goals of the coalitions in this thesis to halt their respective projects have not been achieved, largely due to powerful opposing forces in business and government, they have been effective in publicising issues of environmental justice and human rights in relation to the projects. As a result, these coalitions have been successful in forcing a Thai EIA to be undertaken for the Hut Gyi Dam and have helped stall progress on this and other projects with extremely limited resources.

Although Burma's activist diaspora is simply comprised of those Burma exiles engaged in the aforementioned movements its multi-ethnic character, and its emphasis on cooperation across ethnic boundaries, sets it apart from much of the exiled community, which is still riven by ethnic friction. The increasing level of cooperation between ethnic based green groups over projects such as the Salween Dams and the Shwe Gas Pipeline highlights a level of cross-ethnic collaboration rarely seen either inside or outside Burma and is fed by conscious policies such as the multi-ethnic intake of the Burma EarthRights School. The resulting cooperation could ultimately stimulate a more potent movement for achieving long term improvements in security for Burma's marginalised ethnic minorities.

A final but important element in the composition of environment groups and movements in the South across all scales is the centrality of the participation in leadership roles of women who have helped raise the priority of women's issues in the campaigns. Doyle notes that women are predominant at the informal level of the environment movement in the North (Doyle 2000, 33), but women have also played central roles in social movements of the South (Desai 2002, 32-33; Doyle and Simpson 2006, 762; Mies and Shiva 1993; Shiva 1989). Part of the reason for this high representation of women is that they are often dealing with issues that impact on areas that women are often responsible for in their role as carers, such as health, family and community (Doherty 2002, 202). Women's participation in these movements therefore often focuses the campaigns on women's issues, the concerns and issues that particularly face women within

marginalised communities and in civil conflict. As well as the KCG, therefore, Phinan Chotirosseranee set up the Kanchanaburi Women's Group which drew attention to the plight of ethnic minority women affected by the Yadana project in Burma.[430] Likewise Wandee Suntivutimetee set up the Salween News Network, writing and publishing a regular magazine that tackled sensitive issues in the Salween Dam region in Burma such as systematic rape and women as IDPs from civil conflict.[431] As women's security is central to achieving broader justice goals (Porter 2007), having women in these leadership roles in these campaigns therefore ensured that the broader goals were more likely to be achieved.

Activism and Corporate Power

> How does the role that transnational and large business interests play in
> supporting both authoritarian governance and transnational energy projects
> impact on environmental activism in the South?

In addressing the sixth and final research question, this thesis has found that EGGs which have a focus on environmental security in the South are likely to oppose large scale energy projects in the South. Due to 'gobalisation from above' these projects are likely to favour large business interests over those of the general population and particularly those of marginalised ethnic minority or indigenous communities. Far from providing environmental security to these communities, these projects appear to accentuate their marginalisation, furthering their insecurity, while delivering wealth to business and political elites in both North and South.

Analysis of the power deployed by capital and authoritarian regimes can assist in explaining why major development projects that appear to be inappropriate for local development needs continue to be pursued, despite ongoing opposition by local and activist communities. Large business interests, in the form of international financial institutions (IFIs), local business interests

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[430] Phinan Chotirosseranee (1998, 5 October). *Interview with author*. Co-President, Kanchanaburi Conservation Group (Translator: Ellen Cowhey) Children Village School, Kanchanaburi Province, Thailand.
[431] Wandee Suntivutimetee (2005, 11 January). *Interview with author*. Editor, Salween News Network. Chiang Mai, Thailand.

and transnational corporations (TNCs), play a key role in the support of both authoritarian regimes and transnational energy projects throughout the South. Through conditional loans and foreign direct investment, these actors have been central to the propagation of neoliberal economic globalisation in the societies of the South. In both Thailand and Burma large business interests are powerful and extremely influential in the formation of public policy and there is a strong symbiotic relationship between these business interests and political elites, although the mechanisms through which this power operates varies with the nature of the regime.

In Thailand this relationship reached its apogee with the electoral success of Thai billionaire and prime minister, Thaksin Shinawatra, and his party, Thai Rak Thai (TRT), Thailand's most significant consolidation of domestic capital in a political party. Thaksin undertook the privatisation of state assets, except in the areas in which he had a direct commercial interest (Brown and Hewison 2004, 9), with the first privatisation being a third of the Petroleum Authority of Thailand (PTT) which was a partner in both the Yadana and TTM Pipeline projects. The sale entrenched cronyism, however, as large holdings were issued to government ministers' families and friends. The issue price was also undervalued as it quintupled over two years, with other privatisation projects following the same pattern (Pasuk Phongpaichit and Baker 2004, 120-21). In addition to Thaksin's encouragement of 'loyal' sectors of the military into lucrative economic activities (Beeson and Bellamy 2008, 124), these activities linked the interests of the state directly to the interests of business and TNCs, neutralising opposition to his authoritarian tendencies. While some aspects of Thaksin's privatisation agenda, including the Electricity Generating Authority of Thailand (EGAT), were eventually successfully challenged by activists the broad neoliberal philosophy which supported large business interests linked to TRT and the subsequent People's Power Party (PPP) remained dominant and consolidated the links between capital and politics.

In military-run Burma, large business interests are intimately intertwined with the upper echelons of the military, with privatisations since the early 1990s only entrenching the country's wealth in the hands of military elites and their domestic and international supporters:

> Considering the current political context in which the SPDC single-handedly conducts these development projects, without the proper participation of the local population and domestic stakeholders, one can assert that the environmental endowment of Burma is being handed over to SPDC-owned enterprises and foreign investors (Tun Myint 2007, 192).

The convergence of interests between large business interests and political elites in both Thailand and Burma has resulted in the dominant development philosophies closing down debate on development issues and undermining attempts at genuine public participation in the development processes.

In addition to business interests in Thailand and Burma, Northern TNCs can play a central role in perpetuating authoritarian governance, even if the home country of the TNC is democratic. Unocal and Total, of the US and France respectively, partnered the Thai and Burmese corporations in the Yadana Gas Pipeline project. As demonstrated throughout this dissertation, these TNCs have at the very least been complicit in maintaining the Burmese military in power and therefore the persistence of authoritarian governance in Burma. More specifically, the evidence from court cases in the US suggested that, as the International Commission of Jurists put it, 'Unocal knew that forced labour was being utilized [on the project] and that the [corporation] benefited from the practice' (International Commission of Jurists 2008, 37). Unocal was taken over in 2005 by Chevron following Unocal's out of court settlement with Burmese villagers in two cases brought under the Alien Tort Claims Act (ATCA) and California state law and activists argue Chevron could still be liable for further claims. Chevron faces further litigation in the US under the ATCA for its operations in Nigeria while Total also settled out of court in a case brought by Burmese villagers in France. Although there are numerous strategies that EGGs can adopt in challenging the role of business in supporting authoritarianism, ERI has been able to achieve significant legal precedents, media attention and enforced financial support for Burmese villagers through its litigation. This sort of achievement often receives less attention in the literature than more traditional campaigning work. Newell suggests several confrontational strategies that environmental NGOs can use to challenge corporate practices but he omits the deployment of litigation which ERI has used so effectively (Newell 2001, 195-99).

Evidence has also demonstrated that the economic engagement of South Korea's Daewoo International with the Burmese military transcended its business interests in the Shwe project. The conviction of the Daewoo president and other executives for illegally engaging in the arms trade with Burma demonstrated that TNCs which engage in large energy projects with authoritarian regimes are unlikely to limit themselves simply to these activities if the opportunities for further profit arises (DVB 2007; Shin-who 2006; Yeni 2006). This case bolstered the calls of activists both for the prohibition of foreign direct investment (FDI) in Burma and for greater transparency in the activities of TNCs. Despite the contributions of these TNCs to the maintenance of authoritarianism, that they have been successfully prosecuted in their democratic home countries demonstrates the importance of propagating democratic governance. The ATCA only affects US TNCs directly, but the combination of precedents from ATCA court cases and other international cases, such as the one settled by Total, has increased the awareness of TNCs from Northern countries of the likelihood of litigation through engaging with authoritarian regimes, although this threat does not extend to TNCs from China. A co-founder of ERI, which was co-counsel in the Unocal case, argued that

> [t]he deterrence is, for us at ERI, the broadest victory. Companies now have to figure liability into their bottom lines, and hopefully they'll start to realize that it's cheaper to just not commit abuses, rather than commit them and pay for them after the fact.[432]

The evidence in this dissertation suggests that, through their partnerships with political elites in these countries of the South, domestic business interests and transnational capital have supported both transnational energy projects and the authoritarian governance that often accompanies them. As demonstrated by the Unocal case, the involvement of TNCs in perpetuating this authoritarian governance, particularly in Burma, provided a central rationale for the transnationalisation of the environmental campaigns against the projects, with activists focusing much of their attention on pressuring TNCs in their home countries rather than focusing on authoritarian regimes themselves.

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[432] Redford, K. (2007, 10 February). *Email to author.* Co-Founder/Director EarthRights International (ERI).

Limitations of Project and Avenues for Future Research

In any study of this size there will be limitations based on the number of case studies undertaken. In this dissertation there were four energy projects examined, but these were primarily related to only two countries, Thailand and Burma. Although three of the projects originated in Burma and only one originated in Thailand there was sufficient material to consider both countries in detail since much of the activism undertaken over the Burma projects occurred in Thailand through Thai activists and Burma exiles who were part of the activist diaspora. Two of the case studies included Burma-based projects that were undertaken to supply Thailand with energy and therefore Thai business and government were also intimately involved in these projects. Nevertheless, while these four projects allowed in-depth analysis of activism relating to Thailand and Burma, comparing only two countries also set limits on the generalisations that could be drawn. As the nature of the political regimes was central to the impact on environmental activism there were, in effect, only examples of traditional authoritarian and competitive authoritarian regimes, although the degree of competition changed over time in Thailand. Fortunately, since this project was undertaken to evaluate these relationships within countries of the South, these types of regime are quite common all across the South, with hybrid competitive authoritarian regimes in particular growing in number.

Future research in this area could therefore examine further examples of these two types of regime, with the associated business influence on the projects and impacts on environmental security, and examine their relationship to various types of environmental activism. Despite the prevalence of these two regimes, there are also more recognisably democratic regimes in the South, although many still retain authoritarian influences. Future research could therefore include these types of regime to investigate whether the relationships elucidated in the findings still hold, particularly those between the level of authoritarian governance and the level of local or transnational activism. While a specific finding was made regarding the level of authoritarianism between competitive authoritarianism and traditional authoritarianism, this relationship may not hold at very low levels of authoritarianism. Fortunately for this research

outcome, although unfortunately for those who actually experience it, authoritarianism in all its manifestations is quite widespread throughout the South.

While a variety of regime types could be examined, other variables that may have influenced the findings in this thesis could also be varied in future research. In particular, while there were a variety of cultural influences within the campaigns, both countries examined here were predominantly Buddhist which had a profound influence on many of the activists involved. Engaged Buddhism therefore provided a significant philosophical underpinning for many actions in the campaigns and contributed to a broad commitment to nonviolence. Nevertheless, Islam was also influential for many local activists opposed to the TTM Project in Thailand and future research could identify whether other campaigns in the South still adhere to nonviolence when these religious and cultural variables are isolated.

Conclusion

Environmental activists who campaign against transnational energy projects in the South often face repression that is a direct result of a symbiotic convergence of interests between large business interests and the most powerful political class. In conjunction with environmental insecurity for local communities these factors play a significant role in determining the nature and extent of environmental activism against these projects at local and transnational levels.

There appears to be a consistent thread running through these energy projects where a disregard for human rights is linked to environmental insecurity and large business interests are complicit in the perpetuation of authoritarian governance under various political regimes. In both Thailand and Burma political and business elites have pursued transnational energy projects that, while enriching these elites, have caused human and environmental insecurity for local communities in the vicinity of these projects. Many of these communities already faced marginalisation, being indigenous or ethnic minorities. It has been, therefore, reciprocity between elites in government and business that have facilitated both the causes of insecurity

and the resultant attempts to silence voices of dissent. The attempts to close down political debate on these energy projects are representative of wider disjunctures in society between the interests of large capital and those in emancipatory governance groups (EGGs) more focused on the core green pillars of democracy, justice, sustainability and nonviolence.

Environmental activists often highlight these issues at their peril with activists in Thailand and Burma facing incarceration and varying degrees of personal risk associated with their activities, although the risks in Burma are far greater as human security is far more tenuous. The importance of undertaking this analysis on Thailand and Burma is, therefore, that in the South there is a greater tendency for the existence of authoritarian regimes, less transparency in the dealings between business and government, and more precarious environmental security for marginalised communities. This persistence of authoritarian governance can occur despite the existence of the formal institutions of democracy. The case study countries therefore provide important lessons on the implications on the nature of political regimes and business power for environmental politics in the South.

An important result of this authoritarianism in Burma was the formation of an activist diaspora in its borderlands and neighbouring countries which is increasingly characterised by cross-ethnic cooperation by activists. Central to the long term success of the Burmese military in maintaining control of Burma has been the promotion of divisive policies that have played ethnic minorities off against each other. By stimulating transnational activism that unites ethnic minorities the Burmese military may be unintentionally sewing the seeds of its eventual downfall, although it will remain the most powerful player in Burmese politics for the foreseeable future. The strategies and tactics within the activist diaspora may well, however, provide valuable lessons for other transnational activists exiled from authoritarian regimes in the South.

The rationale of energy security was often used to justify the energy projects in both Thailand and Burma, but the question over their necessity remains. Thailand currently imports gas from Burma in the west via the Yadana Pipeline while exporting gas to Malaysia in the south via the Thai-Malaysian Pipeline. Both these projects caused dislocation in various local communities

and their environments while business, government and military elites reaped the dividends. The Salween Dams in Burma are designed to supply EGAT and the inefficient and consistently overstated Thai electricity market, but the flow of money from Thai consumers 'will bypass affected and resettled villagers and will instead enrich investors and project developers' (Chuenchom Sangarasri Greacen and Greacen 2004, 539). The Yadana Pipeline has been sending gas from Burma to Thailand since 1999 while, throughout Burma, electricity distribution and reliability outside of Rangoon is something of a regional embarrassment. The ruling Burmese regime uses the foreign exchange earned from this project to prop up the military on which it spends almost half its budget, while education and health spending barely register. While the lessons learnt from the Yadana Pipeline project could be used to mitigate the suffering of local communities in other projects, it appears that collusion between TNCs and authoritarian governments will ensure the same repression and mistakes are repeated.

The motivation behind these projects, despite the discourse of energy security and development, must be seriously questioned. Nowhere in these case studies do we see benefits flowing to local inhabitants who invariably bear the true costs of the projects through increased insecurity and human rights violations. The top-down hierarchical development model, with its attendant over-dependence on centralised and capital-intensive sources of energy, is unsustainable both in the North and the South and it is only by increasing public participation and transparency in decision making with a 'deconcentration and decentralisation of institutional power' at national, regional and global levels that appropriate energy projects will be pursued to provide sustainable and socially beneficial outcomes for the future (Bello 2004a, 115). The seemingly inextricable link between major energy projects, authoritarian governments and human rights violations continues to this day in Burma, Thailand and across the South. It remains to be seen whether emancipatory environment movements of the South can stimulate a paradigm shift within their wider societies from the dominant large-scale energy security discourse of nation states and their elites to a more holistic, small scale and localised environmental security agenda whereby security, for local communities and ethnic minorities throughout the South, becomes a term linked to their well-being rather than their oppression.

These perspectives, founded on the philosophical bedrock of environmental politics, were pursued by environmental actors throughout the campaigns against these transnational energy projects at both the local and transnational level. Activists, groups, networks and coalitions demonstrated a common commitment to human rights and environmental justice and qualified their participants as emancipatory social movement actors and groups as emancipatory governance groups. These actors express an ideology that indicated a collective identity compatible with the four core pillars of green politics. These ideals were not only pursued in the strategies and tactics of campaigns but also in the structure and composition of their organisations with a focus on equity and a lack of hierarchy. Despite some successes in the campaigns, these environment movements have ultimately been unable to achieve their main goal of having these projects abandoned because of opposition by both authoritarian governments and domestic and transnational business interests. Nevertheless, in the South as in the North, actually engaging in activism is itself a transformative process that can provide the foundations for future change through the development of new worldviews, new social networks of activists and sometimes new political leaders.

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