



WATER GOVERNANCE DYNAMICS in the **MEKONG REGION**



Edited by **David J.H. Blake** and **Lisa Robins**

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Social Movement Resistance to "Accumulation by Dispossession" in Myanmar: A Case Study of the Ka Lone Htar Dam near the Dawei Special Economic Zone

Zaw Aung and Carl Middleton

In late 2010, shortly before Myanmar's stumbling transition towards democracy, the military junta government signed a contract with Thailand's Italian-Thai Development Public Co. Ltd (ITD) to build the Dawei Deep Seaport and Special Economic Zone (Dawei SEZ). To be located on the Andaman coast in the Tanintharyi Region of southern Myanmar, and to be connected to Thailand via an eight-lane "roadlink," the project would cover 250 km² and host various heavy, medium and light industries. As the environmental and social implications of such a large-scale project became apparent, however, communities and civil society groups who were potentially affected organized to challenge it (DDA 2014a). In November 2013, as ITD struggled to attract additional international investors for a variety of reasons, including this resistance alongside perceived uncertainties in Myanmar's own political commitment to the project, the Myanmar government ended the company's contract. The Dawei SEZ was simultaneously transformed into a government-to-government project between Myanmar and Thailand, and is currently under construction in a significantly scaled-back form.

The focus of this chapter is a water storage dam proposed at Ka Lone Htar village, located outside Dawei SEZ itself, intended to supply freshwater to the SEZ's industries. If built, the dam would fully submerge the village of 182 households, along with a substantial area of plantations and natural forest. In response to the threat of dispossession and relocation, the Ka Lone Htar villagers successfully mobilized and

resisted the dam. Conceptually, this chapter draws on Levien's (2012) reworked concept of Harvey's (2003) "accumulation by dispossession" (ABD), introduced in section 3, together with social movement theory, in particular as applied to resource mobilization and political opportunity (McCarthy and Zald 2006). Overall, this chapter maps a brief history and overview of the livelihoods of Ka Lone Htar village; the political-economic conditions under which plans for the dam emerged, and the rationale and strategies of the state-private sector alliance that sought to build it; and summarizes the motivations and strategies of the Ka Lone Htar community and a wider civil society network in Myanmar and Thailand that mobilized against the dam and the Dawei SEZ. The arguments in this chapter are evidenced by the results of ethnographic fieldwork and document analysis, as briefly detailed in the following section. Given the extensive plans for SEZs across Myanmar, each of which will be significant consumers of freshwater, this chapter is relevant to ongoing water governance reforms in the country, including the current drafting of a Water Framework Directive and Water Law.

Our findings show that ITD failed to persuade the Ka Lone Htar community to relocate through a voluntary compensation arrangement because the majority have a strong sense of place, forged by the adversity faced while building their lives there. The villagers perceive that they have received little support from the government in the past; backed by a local monk's strong leadership, they are independent-minded and optimistic about their prospects in the current location. Thus, we argue that this necessitated the state's attempt to utilize "extra-economic" means to relocate the village, including coercive meetings, a divide-and-rule strategy, and general intimidation. In Myanmar, under the previous military government, it had been relatively routine to forcibly relocate villages for development projects. In this case, however, the Ka Lone Htar community was able to resist attempts to pressure them into resettlement. They utilized a range of strategies, including at first proposing alternative dam sites, to later opposing the project outright in the media and raising a complaint with the Thai National Human Rights Commission. Throughout, they built networks with other communities affected by the SEZ, as well with civil society groups in nearby Dawei town, nationally, and in Thailand, and acted within a growing public sphere in Myanmar. Also important to the dam's cancellation, however, was that the state-

private sector alliance weakened as the government's confidence in ITD waned, and along with it the state's incentive to deploy further extra-economic pressure. Conceptually, the chapter finds utility in Levien's (2012) reworked theory of ABD, because it allows our analysis to account for the specificity of Ka Lone Htar village, including: its history and its relationship to the market (drawing also on Hall 2012); the contemporary political dynamics between the community, the government, and the Dawei SEZ developers; and the mosaicked forms of property ownership within the village, namely rivers and forest as common pool resources, and plantation land as private property (again drawing on Hall 2012).

We situate this chapter in a "metamorphosing" Myanmar (Egreteau and Robinne 2016). Since the elections in 2010, with the installation of a semi-civilian government, there have been remarkable and rapid changes. Broadly, the economy has transitioned from state socialism to state-mediated capitalism since 1988, and it has increasingly liberalized post-2010. In many ways, however, Myanmar retains traits of illiberalism and authoritarianism (Barney 2012; Jones 2014). While the economy has indeed grown rapidly, as observed by Jones (2014: 151) there remains "a state-linked oligarchic elite which enjoys considerable economic dominance and close relations with military and state officials." Meanwhile, the political system has transformed from a military junta to a form of "disciplined democracy" (Jones 2015) under a hybrid parliamentary regime (Egreteau and Robinne 2016). Public space for civil society and media has broadened, enabling a more active role for nongovernmental organizations (NGOs) and community-based organizations. Alongside the Dawei SEZ, other high-profile campaigns to have emerged in this context challenging large investment projects include the Myitsone Dam on the Ayeyawady (Irrawaddy) River in Kachin State, the Mongton Dam on the Salween River in Shan State, and the Letpadaung Copper Mine in Sagaing region, among others.

Regarding ethnic conflict, President Thein Sein had pushed for a nationwide ceasefire that ultimately was only partially achieved by 2015. Of particular relevance to the Dawei SEZ was the January 2012 ceasefire agreement with the Karen National Union (KNU), given that the road connecting the Dawei SEZ to Thailand passes through its territory. While beyond the scope of this chapter, there is a logic of territorial control linked to the Dawei SEZ, the cross-border road project, and Ka Lone Htar

Dam as the central government seeks to consolidate its influence over KNU areas (Woods 2011; Thabchumpon et al. 2014).

Methodology

This research applied both qualitative and quantitative methodologies. Field data in Ka Lone Htar village was collected through a quantitative socioeconomic survey of 177 families in 156 households, representing a majority of its population. A team of six trained village youth volunteers undertook the survey. Quantitative survey data was entered into Excel, cleaned, and analyzed utilizing descriptive statistical techniques.

These were complemented by: focus group discussions with the members of the Village Development Committee and the youth leaders of the Dhamma Thabin Youth Association; a group meeting with approximately 100 community members; and an in-depth interview with the abbot of the Dama Rakheta Monastery in the village. These interviews detailed the history of the village, the origins and strategies of the social movement, and the interviewees' future aspirations. In addition, four field visits were conducted in Ka Lone Htar village in November 2012, and January, February and November 2013.

Key informant interviews were also undertaken between August 2012 and June 2013 with: civil society groups and individual activists in Myanmar from Dawei town (n=2) and Yangon (n=5); Thai-based civil society groups (n=3); retired government officials in Myanmar (n=3); a representative of the Economic Committee of the National League for Democracy (NLD) based in Yangon; a Dawei-based academic (n=1), and a representative of the Tanintharyi Chamber of Commerce and Industry (n=1). All qualitative interviews were conducted in Burmese or English, and subsequently transcribed and coded for textual analysis.

Conceptualizing accumulation by dispossession

This section briefly summarizes the recent reworking of Marx's concept of primitive accumulation, in particular ABD (Harvey 2003). Marx's concept of primitive accumulation addresses the consolidation of private control over resources and means of production, including the separation of producers from the means of production, and the creation of capitalist relations with the conversion of immediate producers into wage laborers.¹

De Angelis (2001) and others, rereading Marx, have shown how primitive accumulation occurs both as a "historical process that gave birth to the preconditions of a capitalist mode of production" and "as a continuous phenomenon within the capitalist mode of production" (ibid.: 1). According to De Angelis (13), primitive accumulation can occur "any time the producers set themselves as an obstacle to the reproduction of their separation to the means of production."

Hall (2012), through a critical reflection on his own work on agrarian transformation in Southeast Asia, introduces further nuance. He flags a number of considerations to the analysis of primitive accumulation, including the need to define capitalism and its boundaries to distinguish how resources, property and people are "inside" or "outside" of capitalism. In this chapter, we take a definition of capitalism to be the existence of market-dependent social relations, whereby social reproduction depends upon access to the market (Wood 2002 cited in Hall 2012: 7). Hall's (2012) work is significant to this chapter. The Ka Lone Htar community has long been defined by a relationship with the market since its establishment as a mining community a hundred or so years ago, until the present day as a smallholder producer of betel nut and other cash crops. From this history has emerged a mosaic of common property (river, forests) and private property (land for cash-crop production) in the village.

Harvey's (2003) work on global neoliberalism reconstructed Marx's concept of primitive accumulation to propose the concept of ABD. In proposing ABD, Harvey analyzes contemporary continuous forms of primitive accumulation. Levien (2012: 938) recognizes Harvey's ABD as:

a definitive break with primitive accumulation traditionally conceived by unmooring it from the historicism of modes of production and thereby freeing it for application to a panoply of contemporary forms of dispossession of private and social wealth—for SEZs, slum clearances, large-scale agricultural plantations, dams, real estate development, infrastructure projects and all manners of privatizations of natural resources and public wealth—that may have little to do with agriculture and that emanate from, rather than create the pre-conditions for, advanced capitalism.

Responding to critiques of ABD's lack of specificity, Levien (2012: 940) reworked Harvey's original proposition to make it more precise to particular times and places, defining ABD as:

the use of extra-economic coercion to expropriate means of production, subsistence or common social wealth for capital accumulation ... [It is] fundamentally a political process in which states—or other coercion wielding entities—use extra-economic force to help capitalists overcome barriers to accumulation.²

Of relevance to Hall's (2012) recognition of the complexity of property, production and people's relationship to capitalism in Southeast Asia, Levien (2012: 940) writes:

ABD entails the dispossession of multiple property forms, including private property, and may even entail the dispossession of more "traditional" capitalist forms by more "advanced" ones.

Particularly important to Levien (2012) is to utilize the concept of ABD within specific contexts so as to explain *why* extra-economic coercion is necessary over the ordinary operation of market mechanisms under which asset owners would sell voluntarily. In the case of an SEZ in Rajasthan, India, that Levien details, he shows how strong resistance by communities to selling their land, in particular at the scale necessary for the SEZ, necessitated the state's extra-economic intervention on behalf of the project's developers for the project to proceed. Ultimately, differences in power between the affected communities versus the state-project developer alliance ensured affected communities' land dispossession in favor of construction of the SEZ.

As proposed by Polanyi (2002), extra-economic attempts at dispossession can result in societal counter-movements (or double-movements). These counter-movements in essence seek to build and/or maintain institutions for societal protection. De Angelis (2001: 13) suggests that primitive accumulation in its continuous form can be understood as an attempt to dismantle these societal institutions. Thus, the new social movements of the Global South, such as the movement that has emerged at Dawei SEZ, can be understood as progressive social actors involved in political struggles resisting primitive accumulation that consist of "complex class groupings," including disposed small property owners and subsistence producers (Glassman 2006).³ To explain the relative strengths and weaknesses of the social movement resistance to the attempted ABD at Ka Lone Htar, theories on resource mobilization and political opportunity are introduced in a later section (e.g. Meyer 2004; McCarthy and Zald 2006).

History, livelihoods, and market relations in Ka Lone Htar

Livelihoods in Ka Lone Htar village have evolved over time, from the village's origins as a mining village to the present day, where betel nut, cashew nut, and rubber plantations are the main sources of income. In this section, responding to Hall's (2012) insistence on the importance of identifying capitalism and its boundaries, we show how market relations have long shaped Ka Lone Htar village, resulting in a vibrant local economy in the present day. Recognizing the principally market-based production in the village since its establishment, and the mixture of common-pool resources and private property that have supported it, we establish the validity of explaining the plans for the Ka Lone Htar Dam as (attempted) ABD.

We also show how the relative success of the local economy has emerged from the community's own sustained work, with very limited government support. This demonstrates why they feel strongly attached historically and culturally to the village, why the community is innovative and independent, and why most villagers feel they have too much to lose if they were to be resettled. These factors in turn help explain the emergence of the social movement against the dam discussed in a following section.

Ka Lone Htar: A long history of market relations

Ka Lone Htar village is located 35 km from the city of Dawei in Ye Phyu township, Dawei district, Tanintharyi Region. The village is situated within a steep-sided valley covered largely with natural forest, through which the Talaiya River flows. The expansion of the village, described briefly below, can be divided into four periods: establishment as a lead mining village (1881–1948); post-colonial expansion of private mining (1948–62); mining nationalization and the village's decline (1962–88); and the village's revival through agricultural cash-crop production (1988 to the present).⁴

In 1881, during the British colonial expansion into Tanintharyi Region, about fifteen Karen families established the Ka Lone Htar village. At that time a British-owned mining company discovered lead, tin and other mineral deposits there and began mining operations. The mine attracted migrant laborers and the village grew dramatically in size to around 500

households, and a Buddhist monastery was established. Around 1942, independence forces led by General Aung San started reoccupying the Tanintharyi Region, ultimately ending the British mining company's operation. However, following the end of the Second World War and the brief return of the British, the company temporarily restarted its mining business, although by that time the village had shrunk to around 100 households.

Myanmar regained its independence in 1948. The new national government made economic reforms that prohibited 100 percent foreign-owned companies, and as a result the ownership of the Ka Lone Htar mine was transformed to a shareholder system that included people from the village. Production increased and the village size expanded to around 800 households. Soon after independence, however, Myanmar faced internal armed conflict, and Ka Lone Htar was sandwiched between government troops and various armed groups, such as the Communist Party of Burma, government-sponsored militia groups, and finally the KNU. In 1962, the Revolutionary Council led by General Ne Win staged a coup d'état and established a socialist economy. He declared a policy of economic nationalization, leading to the end of private ownership at the Ka Lone Htar mine. As a result, unemployment increased causing massive out-migration. Within a few years, only 13 households remained in the village.

In the early 1970s, the head monk of the Ka Lone Htar monastery began exploring alternative agricultural activities to mining, which the villagers had previously solely relied on. Until that time, the mine owners had not allowed the community to grow crops in the area, in case it might prevent future mining. At the same time, a lead smuggling trade with Thailand also emerged that provided some income, which later transformed into selling lead to the Myanmar government.

In 1988, as Myanmar faced economic turmoil, the country's socialist policies were changed towards state-mediated capitalism (Jones 2014). In Ka Lone Htar, at first, times were hard. Between 1993 and 1995, both men and women were forced to work as porters on the construction of the infamous Ye-to-Dawei railway line. This took months, and they faced severe food shortages at home with no other livelihood activities or income. At the same time, in 1994 heavy rain caused large landslides that blocked the only road linking the village to Ye Phyu township, cutting off access to the village totally, and worsening food shortages. Many in the

community thought that the village would have to be abandoned.

However, under the leadership of the current head monk, and with no assistance from the government, the community decided to clear and rebuild the road. At the same time, the head monk encouraged the villagers to focus on producing cash crops, including betel nut and rubber. Since then, while mining remains a small part of the village economy, the main source of income has become cash crop production and remittances from Thailand. Overcoming these challenges built a strong sense of solidarity in the village.

Village history reveals that the community in its various forms and different eras has been largely defined by capitalist market-based social relations (as per Wood 2002), first as proletarian labor for the British mining company, then later becoming shareholders in the company itself, to most recently as small-scale producers of cash crops based foremost on family labor. This history has unfolded through a mosaic-like landscape of common-pool resources, namely the rivers and the forests, together with locally-defined private ownership of land for plantations. Thus, echoing Hall's caricature (2012: 3), the members of Ka Lone Htar *are not* "a settled peasantry holding land in common, producing for subsistence, and avoiding markets." Instead, the village has been, broadly speaking, "inside" capitalism for a long time, producing for the domestic and international markets, aside from—arguably—a hiatus during Myanmar's socialist period in the 1970s and 1980s. Hence, the proposed dam construction cannot be understood simply as an "enclosure of the commons" and the displacement of "subsistence" production (i.e. primitive accumulation in its historical process form). Instead, it is primitive accumulation in its continuous form, where the community is threatened with dispossession of both common-pool resources and private property that are the villagers' current means of livelihood.

A village doing well

In contemporary Ka Lone Htar there is a range of income sources, with the most important being: betel nut, cashew nut, and rubber plantations; remittances from Thailand; small-scale lead mining; and collection of forest products (table 7.1). No one in the village earns less than US\$2 per day, which can be taken as the poverty line in Myanmar. Affirming their dependence on market relations, community members buy rice, their

staple food, using their income from the above sources, although they do grow some vegetables and raise some livestock for domestic consumption.

Table 7.1: Income of Ka Lone Htar village

	Income level (K million)					Income by Sectors	
	1 to 5	5 to 10	10 to 15	15 to 20	Above 20		
No. of Families	118	42	12	2	3	177	
Population	501	205	46	12	23	787	
Income from plantations	Betel	41.45	41.96	31.50	9.86	33.14	157.91
	Cashew	6.51	8.59	3.60	2.05	1.00	21.75
	Rubber	1.05	1.80	0.00	0.00	0.00	2.85
Income from non-timber forest products (NTFPs)	Cardamom	27.48	17.25	4.78	3.00	2.90	55.41
	<i>Da nyin</i> ¹	16.52	10.56	2.85	1.15	1.00	32.08
	Elephant's foot yam	2.22	1.04	0.90	0.40	2.30	6.86
Small-scale mining	45.07	26.47	0.00	0.00	0.00	71.54	
Remittance	45.55	30.05	3.90	10.00	3.00	92.50	
Other income	145.56	109.96	44.59	11.14	37.70	348.95	
Annual income per family (K mill.)	331.40	247.68	92.12	37.60	81.04	789.79	
Income per head (daily) K	2,264	3,945	6,471	10,301	12,334		
Income per head (daily) US\$	2.66	4.64	7.62	12.12	14.51		

Source: Family data collection at Ka Lone Htar (January 2013); 1 US\$ = 850 Myanmar kyat (K)

Note: ¹The *da nyin* is a type of bean used in Burmese cooking, commonly referred to as a dog fruit in English.

Reflecting instability due to the recent history of conflict in the area, the government has not issued land titles, and land ownership in the village is managed through customary means. The total land allocated to betel nut, cashew nut, and rubber plantations is about 1,335 ha. A further 1,214 ha of natural forest and vacant land are also owned by the community members, in which they have invested their savings intending to transform these areas into plantations in the future. The forests are also important as they provide an abundant variety of NTFPs, which are an important income source (table 7.1).

Water from the Talaiya River is used for plantations mostly by those who live nearby. Those whose plantations are further away use groundwater. As the river is fast flowing, wild-capture fisheries are of secondary importance. The river's clean water and groundwater is important, however, because betel nut trees require large volumes of clean water. The river has also been important for lead mining in the village.

There are numerous examples of the community members supporting their own social development, without significant support from the government. For example, regarding road infrastructure, in the past larger vehicles could not travel easily between Ka Lone Htar village and Ye Phyu township located 20 km away, which took half a day to travel on foot. The community refurbished a six-mile stretch of road by themselves to connect to the main road. Nowadays, riding motorbikes imported from Thailand that most families own, they can travel to Ye Phyu town within half an hour.

In another example, in 2001 the community started its own microcredit scheme initiated with small seed funds from two community-based social organizations founded under the patronage of the village monastery. The funds have grown significantly over the years, and the reserves are currently around K30 million (US\$35,000). Community members who are members of this scheme can borrow to expand their plantations up to a maximum of K500,000 for a period of one year with a 5 percent interest rate, which is significantly cheaper than that charged by private money-lenders. Annual meetings between all members encourage transparency.

Compared to national poverty data and also in contrast to the surrounding area (DDA 2014a), Ka Lone Htar village is well above the national poverty line. Furthermore, it has significant potential for further growth. Interviewed community members in Ka Lone Htar emphasized their self-reliance, improved economic conditions and the village's promising future, which they consider to have been due to their own hard work, achieved without government support.

Dawei SEZ and Ka Lone Htar

In this section, the origin and evolution of the Dawei SEZ is first described, and the project's private-sector and state proponents identified. Of particular significance, while initial support for the project was ensured during Myanmar's military junta government, under President Thein Sein support appeared to wane for the project's lead private-sector developer,

Thailand's ITD. This weakening state-private sector alliance explains why government-led extra-economic measures supporting ITD's plans for the Ka Lone Htar Dam, while first deployed, subsequently weakened. ABD proceeded in part at the Dawei SEZ itself in the form of land dispossession, the details of which are beyond the scope of this chapter, but in Ka Lone Htar village the dam project was eventually suspended without any construction. However, the village was not materially immune from the dam's impacts, in particular from land speculation within its administrative boundary in "anticipation" of the project's development (Cross 2015).

As explained in a later section, the Ka Lone Htar community's resistance to resettlement due to their strong attachment to the village and anticipated lack of opportunity in any resettlement program explains why the state was required to deploy extra-economic force rather than attempt normal economic means, such as a voluntary compensation program, in the first place. However, a well-established practice of forced displacement for so-called development projects made routine since the authoritarian military period must also be considered a factor in the state's behavior towards the community. Yet, Myanmar's new democratic political context allowed the community to organize and network and thus to challenge these past routines, although not without risk. There follows a brief analysis of the Ka Lone Htar social movement from the perspective of resource mobilization and political opportunity theory to help understand why the social movement appeared successful in its goals.

Emergence and evolution of Dawei SEZ

The Dawei SEZ emerged under a series of exceptional political circumstances in Myanmar. The project was initiated by a Memorandum of Understanding (MoU) between the governments of Myanmar and Thailand, signed in May 2008 a few days after Cyclone Nargis, which caused the deaths of more than 140,000 people in Myanmar. One month later, the Myanmar Port Authority signed an MoU with ITD for it to survey the site. In November 2010, five days before the 2010 general election that heralded the transition to Thein Sein's government, the military junta government and ITD signed a build-operate-transfer framework agreement, allowing ITD to start infrastructure construction under a 60-year concession agreement.

The original plan for the Dawei SEZ entailed a 250 km² industrial zone, encompassing: a deep seaport and dockyards; an oil refinery complex; steel mills; fertilizer and petrochemical plants; a pulp and paper processing plant; medium and light industry factories; and electricity generation for use at the Dawei SEZ and for export to Thailand. Demand for fresh water at the Dawei SEZ was to be provided via the Ka Lone Htar Dam on the perennial Talaiya River, intended to store 500 million m³ of water, which would require a surface area of between 7 to 12 km² (Panya 2011; DDA 2014a). A proposed eight-lane highway "roadlink" from the Dawei SEZ to Kanchanaburi province, Thailand, was planned. In late 2011, ITD slightly scaled back the scope of the project to 204.5 km² with a smaller port structure. The total cost of the project was anticipated to be US\$50 billion (DDA 2014a).

Such a large-scale project inevitably has comparably-scaled social and environmental impacts. According to the Dawei Development Association (DDA), a Dawei-based NGO formed of young activists, between 22,000 and 43,000 people would be directly affected. The DDA write:

During the time in which ITD was developing the project, various environmental and social problems occurred including land grabs, inadequate and unfair resettlement and compensation, uncompensated loss of productive farmlands and forests, as well as various impacts to local communities' social and economic wellbeing. None of the parties involved in the project have taken responsibility for these problems (DDA 2014b)

The Dawei SEZ evoked resistance from local community groups and various civil society groups in Dawei and Yangon seeking to defend the communities' rights to livelihood, access to natural resources, and participation in any development process that would affect them. Given the transnational nature of the Dawei SEZ, they also built transborder collaborations with Thai civil society (TERRA 2012). International civil society groups have also monitored the project, including the Transnational Institute and the International Commission of Jurists, among others. The community at Ka Lone Htar integrated itself into this wider network.

To undertake the Dawei SEZ, ITD formed the Dawei Development Company Ltd (DDC) as a joint venture company owned 75 percent by ITD and 25 percent by Max Myanmar, a company close to the Myanmar

government. Work on the Dawei SEZ started in 2010 (DDA 2014a). While in late 2010, the *International Herald Tribune* had labeled the Dawei SEZ “An Industrial Project that could Change Myanmar” (IHT 2010), by late 2012 it became apparent to the Myanmar government that the US\$8.5 billion initially sought by the DDC from investors would not be raised. In July 2012, steps were taken to reformulate the project design to become a government-to-government project between the governments of Myanmar and Thailand, and in November 2013 ITD’s concession contract was cancelled (Wiriyapong and Praiswan 2013). The concession rights were transferred to a “Special Purpose Vehicle” company owned equally by the two governments, and the project’s temporary suspension was announced in December 2013 (DDA 2014a).

During this period of project development, the Dawei SEZ had been mired in legal ambiguity. The first Myanmar Special Economic Zone Law and the Dawei Special Economic Zone Law⁵ were enacted in January 2011 by the former military government, just two months before they stepped down in March 2011. However, according to community members, as reported by DDA (2014a), work on the Dawei SEZ actually started in 2010. Meanwhile, a new Myanmar Special Economic Zone Law was enacted in January, 2014.⁶

Regarding environmental protection, Myanmar has a National Commission for Environmental Affairs—since 2005 located within the Ministry of Environmental Conservation and Forestry. However, it was only with the Environmental Conservation Law, promulgated in April 2012, that the Ministry mandated an environmental impact assessment (EIA) for investment projects. Yet, the necessary EIA procedures were only published in January 2016. Thus, at the time of the initial planning and construction of the Dawei SEZ and the preparation of the Ka Lone Htar Dam’s feasibility study in 2010/11, there was no law in place regarding EIAs. Consequently, the legality of the EIA commissioned by ITD remains uncertain, as well as kept out of the public domain (Sathisan and Tager 2015). Similarly, and also of relevance to Ka Lone Htar Dam, at the time of its planning, Myanmar had a rudimentary body of water law largely originating in the British colonial period; only with Myanmar’s democratic transition has a water policy been published in March 2014, and intentions announced to develop a Water Framework Directive and Water Law.

The resultant legal ambiguity and uncertainty has implications for all actors involved: for the project developer, who would like to see a clearer process (Mullins and Myat 2015); for potential investors approached by ITD, who considered the absence of a clear legal framework a substantial investment risk; and for affected communities, who have been unable to utilize the law to ensure the protection of their fundamental human rights (DDA 2014a). As Hall (2012) flags, capitalism and its arrangements for private property require an institutional and legal framework. In the case of the Dawei SEZ and the Ka Lone Htar Dam, ambiguities in this framework—coupled with the massive scale of the project in this context—appear to have weakened the economic feasibility of the SEZ.

In October 2014, Thailand's new military government⁷ affirmed its intent to support the project (Hariraksapitak 2015). The strategy to build the project was revised to a two-phase approach. The first phase of the project would include: a 27 km² industrial estate for light industry and garment factories; a 138-km paved two-lane road between the Dawei SEZ and the border with Thailand; and a small water reservoir, not at Ka Lone Htar village (*The Nation* 2015). Details of the second phase are less well publicized. In August 2015, ITD was reintroduced back into the project when it signed an agreement with the Dawei SEZ management committee as a construction partner (Dhanananphorn and Jittapong 2015). Meanwhile, in December 2015 it was affirmed that Japan would become a third equal government shareholder (Theparat 2015).

Similar to Levien (2012), it is apparent that without the extra-economic intervention of the state the Dawei SEZ could not proceed, given community and civil society resistance and the project's sheer scale. At the time of writing, the project is proceeding in a scaled-back form that has lessened the pressure for fresh water and hence the need for a dam at Ka Lone Htar.

Social Movement in Ka Lone Htar

A survey team from ITD first came to Ka Lone Htar unannounced in early 2010, in order to conduct a feasibility study for the proposed dam, including measuring and taking photos of existing plantations and houses. At that time, the community members had no knowledge of the plan, and they did not dare ask the local authorities or ITD. A village leader interviewed observed that the study was mainly undertaken from a desk

in the village, without a visit to the community's forest resources. They said that the community members did not participate in the process, and were asked questions that they did not understand.

News soon spread, however, that a dam would be constructed on the site of the village, causing anxiety throughout the community. Initially, its members did not reject the dam project *per se*, but just the choice of location. Under the leadership of the head monk of the village monastery, they sought to negotiate with ITD that the dam be moved 3 km upstream of the village, so that the village would not be submerged.⁸ The mobilized community members even worked with a geologist to study the feasibility of such a design, but they did not receive a response from the government or ITD about their proposal. After this, they concluded that there was no room to negotiate with the dam's proponents, and shifted their position to resist the dam as the only option left to protect their village. Later, according to media reports, the company agreed to relocate the dam, but by then community members were committed to opposing the entire project (Wongruang 2014).

When the Dawei SEZ was first announced to them, according to community members interviewed, the village headman at the time only followed his superior's orders and did not consult the community. Instead, he provided administrative support to ITD, and in mid-2010, together with township administrators, tried to force the community members to sign an agreement provided by ITD which stated that the community agreed to the dam construction and to relocate. However, emboldened by the political changes under way in Myanmar and their own sense of independence, the community resisted signing the agreement, and rallied behind the head monk to oppose the project.

In fact, this headman was from neighboring Talaiya village, representing four villages including Ka Lone Htar village in the Talaiya area. While the vast majority of community members opposed the dam, he had built support for the project among a minority of around twenty mainly poorer landless households whom he had persuaded would be better off if they accepted ITD's plan. At the time, however, ITD had not actually presented a detailed compensation plan, but only provided oral assurances that they would build better houses at the relocation site, and provide training and livelihood support. While this small group were willing to believe the company's word, the majority of community

members were unwilling to accept such a proposal as they considered their prospects better in their current location. In essence, ITD had adopted a divide-and-rule strategy.

In late 2012, however, for the first time Myanmar introduced local elections for village headmen. In the Talaiya area elections were held in January 2013, and this time a new candidate from Ka Lone Htar won the election through representing the community members who opposed the dam. This gave them hope that with the support of the village administration they could have the dam project cancelled.

During 2012, the community had several encounters with officials implementing the Dawei SEZ; each time the officials approached the villagers, asking them to sign a similar agreement, they rejected it. On one occasion, ITD persuaded the community to look at the relocation plan at the Dawei SEZ visitor center, which displayed a small urban-like resettlement area plus a commitment to livelihood assistance in the early stages of resettlement. ITD also described to them the Nam Theun 2 resettlement site in Laos as an example, and took them to see the Dawei SEZ relocation site. However, the community was not persuaded. This was not solely because they considered the compensation and resettlement package insufficient. Instead, many Ka Lone Htar villagers said that they could not accept a situation in which they were asked to sacrifice land, houses and property in their century-old village, and the economic security that was the product of their own hard work, for an uncertain future where they would have to restart their lives again. As argued by Levien (2012), it is precisely such resistance that induces the use of extra-economic force by the state–project developer alliance backing a project.

As mentioned above, the Ka Lone Htar community, under the leadership of the head monk, also networked with the DDA, which was at the time launching a campaign against the plans for the “harmful and dirty industries” being proposed at the Dawei SEZ. DDA also worked closely with Yangon-based NGOs, such as Paung Ku and Lawka Alinn.⁹ Since December 2011, the DDA has gained media and public attention through a series of public campaigns, press briefings, forums and meetings about the Dawei SEZ, with some apparent success. For example, in January 2012, the government announced that it would cancel the construction of a 4,000 MW coal-fired power plant at the Dawei SEZ.

Through networking with organizations in Thailand, such as the Spirit in Education Movement, Towards Ecological Recovery and Regional Alliance and the Healthy Public Policy Foundation, DDA and its network, including the Ka Lone Htar community members, have learned from Thailand's experience of industrial development. They were able to communicate with and advocate their stance on the Dawei SEZ with the Thai government. For example, in March 2013 the DDA submitted a letter of complaint about the project to the Thai National Human Rights Commission (DDA 2013), and in October 2014 they had a public hearing with the Commission in Bangkok. The head monk said that at the end of 2012, the Vice President of ITD came to visit the village because by then the project was being reported in the Thai media.

The Ka Lone Htar community's involvement in this wider social movement raised the profile of their own struggle, while also adding to the momentum of the overall anti-Dawei SEZ campaign. As resistance became more visible and organized, the community members stated with growing certainty their opposition to the dam. For example, they installed a poster depicting President U Thein Sein, with a caption beneath stating his public commitment to only allow "responsible investment" in to Myanmar (fig. 7.3). They also painted a message stating 'No Dam' on the rock face at the location of the proposed dam, alongside the access road to the village (fig. 7.2). In interviews, the community members stressed that their activities should not be understood as challenging the government's policies, but was aimed at helping it to differentiate responsible from irresponsible investment.

Figure 7.1: Signboard in Ka Lone Htar village detailing President U Thein Sein's commitment to "responsible investment" in Myanmar



Credit: Carl Middleton

Figure 7.2: The "No Dam" graffiti painted on the rock face at the dam site



Credit: Carl Middleton

While the dam has yet to be built and currently appears to have moved down the project developer's agenda, the Dawei SEZ and its access road have set in motion dynamics that follow their own logic. In what Cross (2015) has called an economy of anticipation, since the initial Dawei SEZ construction, land grabbing by businessmen from outside the community has occurred in the village—most likely for speculative purposes, with the intention of claiming compensation once the dam is constructed or to resell as land in the area becomes scarce. Figure 7.3 details the areas that have been taken and are now in possession of local businessmen without the authorization of the majority of community members. These businessmen have taken advantage of access to the official land administration system and bias inherent within it. This land grabbing has displaced some of the forests where NTFPs are collected, and also land that the community had set aside for future plantation development.

In addition, an access road constructed by ITD between the Dawei SEZ and Thailand passes through Ka Lone Htar's administrative area. Interviewed community members said that when ITD came to negotiate the road construction, they had accepted it, hoping that the improved road would have mutual benefits for both the company and the village. However, they emphasized at the same time that they could not accept the dam construction. At the time of field research (2013), although the access road had been constructed for a year, the community members whose land had been affected had not yet received compensation.

Resource mobilization and political opportunity

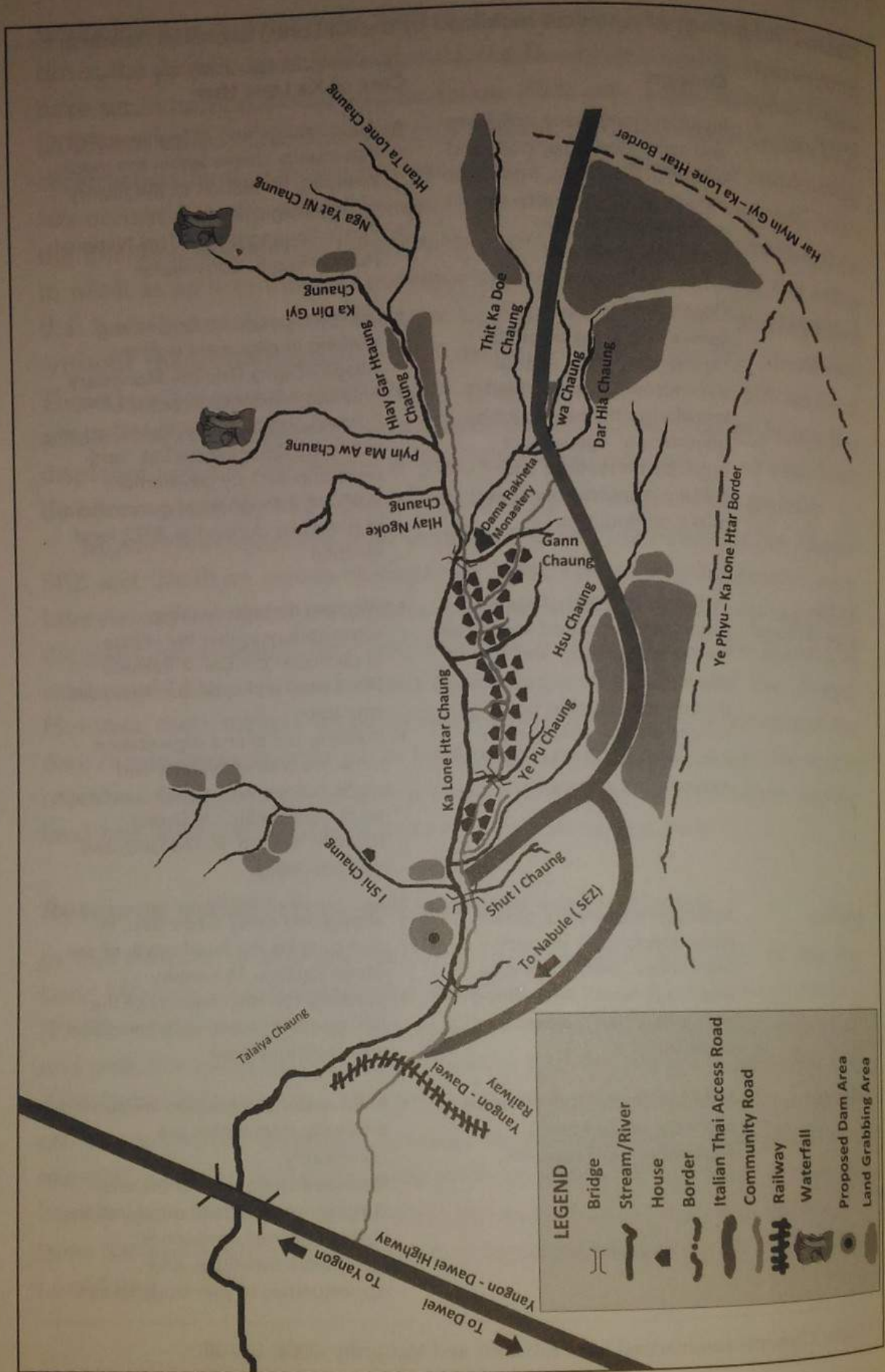
In this chapter, to understand the motivation and strategies of the Ka Lone Htar social movement, we draw on resource mobilization theory (RMT), which emphasizes that social movements must have access to and mobilize resources in order to pursue their objectives (McCarthy and Zald 2006). Edwards and McCarthy (2004) propose that these resources can be categorized as: moral, cultural, social-organizational, human, and material. Table 7.2 summarizes the types of resources that may be derived from sources both internal and external to the movement, and draws out from the preceding section how they were mobilized in the case of Ka Lone Htar.

Table 7.2: Typology of resources mobilized by the Ka Lone Htar social movement

Concept	Case of Ka Lone Htar	
Moral	Includes: legitimacy, solidarity and sympathetic support, and celebrity. Generally, originates outside of a social movement, and bestowed upon/transferred to them.	<ul style="list-style-type: none"> • Wide recognition of legitimacy of community claims within the media, including in relation to the history of the village • Public hearing by the Thai National Human Rights Commission
Cultural	Conceptual tools and specialized knowledge (or "know how") that enable a movement, such as tacit knowledge on how to lobby government agencies or organize a meeting, and cultural resources, such as music or literature.	<ul style="list-style-type: none"> • Context-specific strategies, e.g. working in alignment with the village's Dama Rakheta Monastery • Framing resistance in terms of "pro-responsible investment" so as not to be delegitimized as "anti-development" by government • Working through local government, in particular during the 2012 local election
Social-organizational	Includes: intentional social organization created specifically for the movement; and appropriable social organization that existed outside of the movement but that can be accessed and utilized for the movement's purpose.	<ul style="list-style-type: none"> • Working through existing organizations within the village, in particular the Dama Rakheta Monastery and local administrative structure. • Building social and organization networks with individuals and organizations with a shared concern on the Dawei SEZ: in Dawei town; in Yangon; in Thailand; and internationally.
Human	Includes: leadership, labor (volunteers, staff, leaders), experience, skills, expertise and "savviness." Associated with individuals, rather than organizations.	<ul style="list-style-type: none"> • Strong and savvy leadership, in particular by the head monk of the Dama Rakheta Monastery • Enlisting the vast majority of the Ka Lone Htar community members into the movement
Material	Includes: monetary resources, property, office space, equipment, and supplies.	<ul style="list-style-type: none"> • Most material resources levered internally from within the community • Received some limited material support from outside organizations, such as posters, invitations to network meetings, and opportunities to join study tours

Source: Concepts summarized from Edwards and McCarthy (2004: 125–28).

Figure 7.3: Representational map of Ka Lone Htar village



Source: Village Development Committee, Ka Lone Htar

RMT emphasizes the importance of leaders, leadership and their strategic decision-making, and the creation of organizational structures in the process of mobilizing resources, especially mobilizing people and funds. In the case of the Ka Lone Htar movement, organization within the village was principally catalyzed by the leadership of the head monk of the monastery, who mobilized community members and their internal resources (far more than funds), and then also reached out to a wider array of emerging and established organizations. Given this networking, the actions of the Ka Lone Htar movement must be contextualized within its relationship to the wider social movement around the Dawei SEZ, which incorporated local people from Tanintharyi Region within the Dawei SEZ and along the access road, as well as civil society groups in Dawei town, Yangon, in Thailand, and beyond (i.e. in relation to the emergence of a transnational social movement around the Dawei SEZ).

Complementary to RMT are theories that emphasize political opportunity that also shape the potential success or failure of a social movement (Meyer 2004; McCarthy and Zald 2006). In the case of Myanmar, the widening political space since 2010, including a reduction in the most overt forms of state repression, growing media freedoms, the expanding role of civil society, local and national democratic elections, the emergence of new elite allies (such as politicians), and gradual improvements in access to/ accountability of the state, all offer new opportunities for activists and associated social movements to shape policy and project decisions (Jones 2014; Egretreau and Robinne 2016). Within these broad trends, there have been situational opportunities that the Ka Lone Htar community have perceived and pursued, including: in Myanmar's first ever local elections, electing a village head sympathetic to their concerns; writing to senior government officials, including the President of the Union of Myanmar, to raise their concerns; openly resisting plans for the project at public meetings and through posters in the village; and utilizing the growing media freedoms to raise public awareness.

Conclusions

This chapter has argued that the planned construction of the Ka Lone Htar Dam can be understood as an (attempted) accumulation by dispossession of the assets, local economy and social institutions of the village. In the case of Ka Lone Htar, for a variety of reasons, the community were

unwilling to sell their land and relocate voluntarily, and thus a state-project developer alliance sought to displace them through extra-economic means. However, this state-project developer collaboration weakened as the Myanmar government's confidence in ITD waned, to the point that in the face of strong and organized community resistance, the dam was ultimately cancelled. At least for the time being.

The resistance by the community members to ABD, emerging as a counter-movement, is an important case of local resistance in Myanmar under the country's emerging democracy. From the perspective of the Ka Lone Htar community, the dam is unjust as it would dispossess them of their land, river and forest resources and hence means of livelihood, while they would have to bear significant risks and uncertainties in recovering their livelihoods, even if compensation were provided. Meanwhile, their own work invested in the village had created reason for optimism in a more secure future in Ka Lone Htar village itself. Therefore, through mobilizing various resources and seizing political opportunities the Ka Lone Htar community were able to successfully challenge the dam project. Their actions, in turn, have contributed towards a gradual shifting in the norms in Myanmar in terms of the accountability of state, international, and local investors.

The massive scale and ambition of the Dawei SEZ and associated ABD was ultimately its downfall, as it evoked a strong counter-movement from affected communities and a wider array of civil society actors. If the project's size had been reduced in the early stages, it could have reduced the investments and land acquisition, in turn reducing social and environmental costs significantly. The need for fresh water for the Dawei SEZ would also have been reduced and Ka Lone Htar village avoid relocation, with the dam's construction site moved upstream of the village as proposed by the community. Ultimately it could have de-escalated confrontation over the project, and enabled a compromise.

In Myanmar, the propensity of the state to work in alliance with private sector developers of dubious reputation remains all too common, such that further ABD in the future appears inevitable, if undesirable. This will have implications for a range of projects in Myanmar, including large dams to supply water to industrial areas as at Ka Lone Htar, as well as for many hydropower and irrigation dams that are currently planned. In this context, the significance of social movements as counter-movements

should be neither underestimated nor under-appreciated as constructive and legitimate means towards development in Myanmar that is genuinely inclusive, sustainable, and accountable.

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Notes

- 1 Marx contrasts this with the normalized processes of accumulation via expanded reproduction. De Angelis (2001: 9) writes that "he [Marx] stresses that while accumulation relies *primarily* on 'the silent compulsion of economic relations [which] sets the seal on the domination of the capitalist over the worker,' in the case of primitive accumulation, the separation is imposed *primarily* through '[d]irect extra-economic force' ..."
- 2 As Harvey had proposed that ABD is "economic rather than extra-economic," Levien in this regard contradicts Harvey's own definition of ABD.
- 3 Glassman (2006) contrasts the positions of Marxist writers, who considered proletarianized workers of the Global North to be the primary progressive social actors, with neo-Marxist writers who emphasize the potential of the immediate producers of the Global South. Marx, in his own writing, did not view independent rural producers as potential progressive social actors.
- 4 This section is based principally on the oral history of the community members.
- 5 Officially known as the State Peace and Development Council Law No. 17.
- 6 According to DDA (2014b: 12): "Although the DSEZ law has now been annulled as a result of the new Myanmar Special Economic Zone Act passed in January 2014, section 93 states that previous notifications of Special Economic Zones remain valid."
- 7 In May 2014, General Prayut Chan-o-cha led a coup against the caretaker government of the Pheu Thai Party.
- 8 The ITD rejected this location, ultimately claiming that the water storage would be insufficient. The community members also proposed another site 30 km upstream in the Heinzal area (Ei Ei Toe Lwin 2012).
- 9 See further DDA's website: <http://www.ddamyanmar.com/> (last accessed December 3, 2015).

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