

## RESEARCH ARTICLE

### Environmental activism within a transnational NGO: bridging the North-South divide

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Transnational environmental movement organisations (TEMOs) that traverse the North and South often experience stark differences in foci between 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; an approach many Northern activists contest. Even the most progressive and introspective organisations can experience tension between the strategies and activities of their Northern and Southern nodes. One NGO that appears to have successfully negotiated this North-South divide is *EarthRights International (ERI)*, whose co-founders from Burma and the US established the NGO to address their common concerns relating to human rights and environmental protection 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 its Northern and Southern activists. By recognising the importance of Southern management in Southern issues and the pursuit of consensus decision-making ERI has generally avoided major conceptual conflicts of the sort that have afflicted some other transnational NGOs. ERI's quest for equity between its Northern and Southern activists and its relative success in the pursuit of its aims suggests a linkage, which could be employed by other transnational NGOs with a focus on human rights and the environment, that realising justice at home can make a substantial contribution to achieving broader organisational goals.

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<sup>1</sup> This paper is the culmination of a decade-long longitudinal study of *EarthRights International (ERI)* since the author's fieldwork commenced in Thailand in 1998 although most of the material employed in this paper dates from 2004 onwards. The author would like to thank the co-founders and staff of ERI who have generously given their time for interviews and follow-up emails over the period of this research. Throughout this paper ERI's co-founders are identified by their real names but most other activists are identified by pseudonyms at their own request.

EarthRights International (ERI) is an unusual organisation, one that from its very inception was formed by close personal networks between polar exemplars of the global North and South, the US and Burma. Activists from these diverse backgrounds were drawn together by their mutual concern for human rights and environmental protection in Burma. ERI was chosen as a case study for this paper because as a transnational NGO and transnational environmental movement organisation (TEMO),<sup>2</sup> that was formed straddling North and South it has been confronted by North-South dilemmas from its inception.<sup>3</sup> While its focus is on human rights and the environment it is also consciously part of the Global Justice Movement (GJM), making explicit attempts to employ its activist philosophy within its own organisation by addressing many of the cultural, philosophical and political dilemmas that face TEMOs that traverse North and South.

ERI maintains offices in Thailand and the US and runs two activists schools in Southeast Asia, while having also established operations in South America, resulting in challenging multi-ethnic, multi-lingual activities that sometimes involve 'dozens of languages'.<sup>4</sup> 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 the use of the environmental symbol.<sup>5</sup> Being founded by both Northern and Southern activists on issues affecting primarily the South and employing emancipatory policies within its organisation it is well placed to negotiate the tensions that arise. In this sense I argue here that ERI has *introspective* elements to its organisation, despite its formality as an NGO incorporated in the US.<sup>6</sup>

ERI is not, however, an extreme introspective group like some small local anarchist collectives, and it would be considered very mainstream by such self-consciously anarchic groups. As a TEMO, however, they engage in a large 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 informal introspective anarchist groups could undertake the scope of these activities. Doyle argues that non-introspective groups 'are often not conscious of their political form, their structure or their ideology'.<sup>7</sup> It is clear, as I demonstrate below, that ERI is very conscious of all three of these elements. They have certainly decided to formalise, 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 conflicts. These acknowledgements are indicative of ERI's broader campaigns for justice in the South in coalitions with local groups and networks within what Torgerson suggests is an emerging *green public sphere*, a space of dialogue and debate with multiple concurrent transnational spaces.<sup>8</sup> ERI is therefore firmly entrenched within this sphere as one of the key *emancipatory groups*, which, Doyle and Doherty argue,

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<sup>2</sup> Beth Caniglia, 'Elite Alliances and Transnational Environmental Movement Organizations,' in *Globalization and Resistance: Transnational Dimensions of Social Movements*, ed. Jackie Smith and Hank Johnston (Lanham, MD: Rowman and Littlefield Publishers, 2002).

<sup>3</sup> Dieter Rucht, 'The Transnationalization of Social Movements: Trends, Causes, Problems,' in *Social Movements in a Globalizing World*, ed. Donatella della Porta, Hanspeter Kriesi, and Dieter Rucht (Basingstoke and New York: Palgrave Macmillan, 1999), 207. ERI would also qualify as a transnational social movement organisation (TSMO).

<sup>4</sup> Katharine Redford, *Personal Communication: Email to Author*, Co-Founder/Director EarthRights International (ERI) (21 January 2008).

<sup>5</sup> Timothy Doyle, 'Sustainable Development and Agenda 21: The Secular Bible of Global Free Markets and Pluralist Democracy,' *Third World Quarterly* 19, 4 (1998), 782.

<sup>6</sup> Katharine Redford, *Personal Communication: Interview with Author*, Co-Founder/Director EarthRights International (ERI), ERI Office, Chiang Mai, Thailand (15 January 2004).

<sup>7</sup> Timothy Doyle, *Green Power: The Environment Movement in Australia* (Sydney: UNSW Press, 2000), 34.

<sup>8</sup> Douglas Torgerson, *The Promise of Green Politics: Environmentalism and the Public Sphere* (Durham and London: Duke University Press, 1999), 19-20.

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.<sup>9</sup>

To determine the implications of this role this paper explores ERI's organisational philosophy and practices and evaluates its success in achieving its aims of improving human rights and environmental security for marginalised communities in Burma. The findings suggest linkages, which could be embraced by other NGOs that traverse North and South, between practicing equity and justice within an organisation and the achievement of justice in the wider sphere.

### North-South intersections and conflicts

While justice and the environment have become rallying cries for movements across the world conflicts have emerged between Northern and Southern activists and groups due to vastly different political and cultural environments and it is worthwhile exploring these issues further prior to delving into ERI's internal philosophy and practices. There is enormous diversity within various environment movements, even within a single country such as Australia,<sup>10</sup> so it is not surprising that even greater diversity will appear among countries with extremely diverse political, economic, cultural and environmental systems, which may sometimes cause tensions within movements and within or between groups. Within the environment movements in the South the frames of post-colonialism and structuralism usually dominate, rather than those of post-materialism, found in the US and Australia, and post-industrialism, in Europe.<sup>11</sup> Struggles for environmental justice in the South are often fought in the context of a 'postcolonial state, [that] like its colonial precursor ... has been consistently willing to sacrifice both the environment and the poor to a longer-term vision of commercial growth and industrial modernity'.<sup>12</sup> Despite assertions, therefore, that we live in a borderless world,<sup>13</sup> 'the old spatial differences and borders – not only the real ones in landscape, but also in the minds of people – still remain or have been revived, and new differences typical of regions are continually constructed'.<sup>14</sup>

Likewise, there are often differences between Southern and Northern environmental NGOs. In the South green NGOs are frequently service providers,<sup>15</sup> and environmentalism 'often has its base in the livelihood

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<sup>9</sup> Timothy Doyle and Brian Doherty, 'Green Public Spheres and the Green Governance State: The Politics of Emancipation and Ecological Conditionality' *Environmental Politics* 15, 5 (2006), 883.

<sup>10</sup> Drew Hutton and Libby Connors, *A History of the Australian Environment Movement* (Cambridge and Melbourne: Cambridge University Press, 1999).

<sup>11</sup> Brian Doherty and Timothy Doyle, 'Beyond Borders: Transnational Politics, Social Movements and Modern Environmentalisms' *Environmental Politics* 15, 5 (2006), 707.

<sup>12</sup> Glyn Williams and Emma Mawdsley, 'Postcolonial Environmental Justice: Government and Governance in India' *Geoforum* 37, 5 (2006), 662.

<sup>13</sup> Kenichi Ohmae, *The Borderless World: Power and Strategy in the Interlinked Economy*, Revised ed. (New York: HarperBusiness, 1999).

<sup>14</sup> Dietrich Soye, 'Anchored Locally - Linked Globally: Transnational Social Movement Organizations in a (Seemingly) Borderless World' *GeoJournal* 52, 1 (2000), 13.

<sup>15</sup> Seamus Cleary, *The Role of NGOs under Authoritarian Political Systems* (London: Macmillan, 1997).

struggles of the rural poor rather than the aesthetics of emerging middle classes'.<sup>16</sup> Nevertheless, while environment campaigns in the global South are portrayed as conflicts over who should use and benefit from the environment, 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'.<sup>17</sup> Women, in particular, have become central players in these struggles.<sup>18</sup> North-South conflicts in the environment movement also parallel conflicts that have 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 post-colonial perspective that much of their oppression related to race, ethnicity, nationality and class.<sup>19</sup>

Post-colonial perspectives also help explain conflicts between elites in the South who live largely Northern lifestyles and the less affluent peoples of the 'global South', which can also be reflected in conflicts between established professional and conservative NGOs and smaller grassroots organisations focusing on local action.<sup>20</sup> This difference again finds parallels in the women's movement where 'class and status differences frequently characterise relationships between women's groups within nation-states'.<sup>21</sup> The context in which these groups operate is therefore important and, in responses that may be hard to fully grasp by Northern groups, some Southern groups stress,

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.<sup>22</sup>

Northern imperialism is therefore seen as a precursor to current exploitation and power imbalances, an assumption which may take Northern activists some time to normalise.<sup>23</sup>

Many Southern environment movements facilitate a local-global connection and are linked into the global justice and human rights campaigns which can result in a cross-fertilisation of ideas resulting in more effective activities.<sup>24</sup> Often the existence of these transnational networks are the only way to influence

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<sup>16</sup> Philip Hirsch, 'Introduction: Seeing Forests for Trees' in *Seeing Forests for Trees: Environment and Environmentalism in Thailand*, ed. Philip Hirsch (Chiang Mai: Silkwood Books, 1997), 4.

<sup>17</sup> Ranjit Dwivedi, 'Environmental Movements in the Global South: Outline of a Critique of the 'Livelihood' Approach' in *Globalization and Social Movements*, ed. Pierre Hamel, et al. (Basingstoke and New York: Palgrave, 2001), 238.

<sup>18</sup> Manisha Desai, 'Transnational Solidarity: Women's Agency, Structural Adjustment, and Globalization' in *Women's Activism and Globalization: Linking Local Struggles and Transnational Politics*, ed. Nancy A. Naples and Manisha Desai (New York and London: Routledge, 2002), 32-33; Timothy Doyle and Adam Simpson, 'Traversing More Than Speed Bumps: Green Politics under Authoritarian Regimes in Burma and Iran' *Environmental Politics* 15, 5 (2006), 762; Maria Mies and Vandana Shiva, *Ecofeminism* (North Melbourne: Spinifex Press, 1993); Marian A. L. Miller, *The Third World in Global Environmental Politics* (Buckingham: Open University Press, 1995), 42; Vandana Shiva, *Staying Alive: Women, Ecology and Development* (London and New Jersey: Zed Books, 1989).

<sup>19</sup> Desai, 'Transnational Solidarity', 28-29.

<sup>20</sup> Pratap Chatterjee and Matthias Finger, *The Earth Brokers: Power, Politics, and World Development* (London and New York: Routledge, 1994), 77.

<sup>21</sup> Nancy A. Naples, 'The Challenges and Possibilities of Transnational Feminist Praxis' in *Women's Activism and Globalization: Linking Local Struggles and Transnational Politics*, ed. Nancy A. Naples and Manisha Desai (New York and London: Routledge, 2002), 276.

<sup>22</sup> Brian Doherty, 'Friends of the Earth International: Negotiating a Transnational Identity' *Environmental Politics* 15, 5 (2006), 869.

<sup>23</sup> Timothy Doyle and Doug McEachern, *Environment and Politics*, Third ed. (London & New York: Routledge, 2008), 117.

<sup>24</sup> Chatterjee and Finger, *The Earth Brokers*, 76; Donatella della Porta and Lorenzo Mosca, 'In Movimento: 'Contamination' in Action and the Italian Global Justice Movement' *Global Networks* 7, 1 (2007) 1-27.

government policy formulation with indigenous peoples from the Amazonian region the first indigenous group to take advantage of this potential in the late 1980s.<sup>25</sup> A decade later the campaign against the Multilateral Agreement on Investment (MAI) was significant as the first single-issue *global* campaign that attracted significant support in both the North and the South.<sup>26</sup> Despite occasional cooperation, however, the visceral nature of life for most people in the South creates differing perspectives. While Northern campaigns such as anti-nuclear or forest preservation protests in Australia may emphasise hierarchy, exploitation and have elements of human risk involved,<sup>27</sup> the immediacy and centrality of social justice which appears in Southern movements is often missing. In Burma this is particularly pertinent where an often brutal authoritarian regime creates insecurity and stifles domestic dissent.<sup>28</sup> The differences between Northern and Southern conditions for activism are encapsulated in an action by Burma exile and journalist Soe Myint. He recounted to me during an interview in New Delhi how in 1990 he had used a soap container to hijack a plane from Thailand to Burma and redirected it to Calcutta (Kolkata) to hold a press conference about the situation in Burma. These tactics were quite extreme but due to the living conditions in Burma he was finally acquitted of all charges by an Indian court in 2003.<sup>29</sup>

The complex relationships within these local-global campaigns, where both environmental and human rights issues are central, can sometimes foment conflict between Northern and Southern activists. An illuminating example of North-South tensions appears in the study by Doherty of a split that occurred in Friends of the Earth International (FoEI) when Accion Eologica (AE), FoE Ecuador, resigned from the FoEI federation in 2002.<sup>30</sup> AE 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 of the sort that have inflicted on the Ogoni people in Nigeria.<sup>31</sup> AE also argued that FoEI's participation in the World Summit on Sustainable Development in South Africa had given priority to Northern agendas, progressing little from the first Earth Summit in Rio a decade earlier where Northern agendas included climate change, population and the ozone hole while the South's was poverty, hunger and desertification.<sup>32</sup> These arguments reflected a similar debate between North and South that had occurred in the women's movement.<sup>33</sup> As FoEI is one of the most introspective TEMOs that cohabit North and South this case suggests organisations must be extremely conscious of the potential for acute differences in foci between activists from the affluent and less affluent

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<sup>25</sup> Sonja K. Pieck, 'Opportunities for Transnational Indigenous Eco-Politics: The Changing Landscape in the New Millennium' *Global Networks* 6, 3 (2006) 309–29; Mukund Govind Rajan, *Global Environmental Politics: India and the North-South Politics of Global Environmental Issues* (Delhi and Melbourne: Oxford University Press, 1997), 254.

<sup>26</sup> James Goodman, 'Defeating the OECD's Multilateral Agreement on Investment' in *Protest and Globalisation: Prospects for Transnational Solidarity*, ed. James Goodman (Annandale, NSW: Pluto Press, 2002), 224–25.

<sup>27</sup> Ian Cohen, *Green Fire* (Sydney: Angus and Robertson, 1997).

<sup>28</sup> Doyle and Simpson, 'Traversing More Than Speed Bumps'; ICG, *Burma/Myanmar: After the Crackdown* (Brussels: International Crisis Group (ICG), 2008), Available from [http://www.crisisgroup.org/library/documents/asia/burma\\_myanmar/144\\_burma\\_myanmar\\_after\\_the\\_crackdown.pdf](http://www.crisisgroup.org/library/documents/asia/burma_myanmar/144_burma_myanmar_after_the_crackdown.pdf). Accessed: 1 February 2008. The protests of September 2007 were a rare display of public dissent and the most significant protest since the violent repression of the 1988 protests. The stark contrast between the military's concern for stifling dissent and for its own people's welfare was summed up by a man in Rangoon following the devastation of Cyclone Nargis in May 2008: "There were soldiers everywhere during the demonstrations. Where are they now?". Paul Danahar, 'Keeping a Lid on Burma's Chaos', *BBC News*, 7 May 2008. Available from <http://news.bbc.co.uk/2/hi/asia-pacific/7387540.stm>. Accessed: 8 May 2008.

<sup>29</sup> Soe Myint, *Personal Communication: Interview with Author*, Editor and Founder, Mizzima News. Mizzima Offices, Delhi, India. (24 December 2004).

<sup>30</sup> Doherty, 'Friends of the Earth International.'

<sup>31</sup> Jan Hancock, *Environmental Human Rights: Power, Ethics and Law* (Burlington, Vermont: Ashgate, 2003), 70.

<sup>32</sup> Peter Calvert and Susan Calvert, *The South, the North and the Environment* (London and New York: Pinter, 1999), 189; Chatterjee and Finger, *The Earth Brokers*.

<sup>33</sup> Desai, 'Transnational Solidarity', 28–29.

worlds. Although ERI is not a federation of pre-existing groups but rather a single organisation founded by activists from the North and South this example provides a salient reminder of the difficulty for organisations in managing the North-South divide.

### **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.<sup>34</sup>

Ka Hsaw Wa had been a student involved with the protests in Rangoon in 1988. During an interview with me in Thailand he recounted how his friend had died in his arms after being shot by the Burmese military and how he 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'.<sup>35</sup> Doubts soon surfaced regarding the likelihood of societal transformation through armed conflict, however, and these doubts were strengthened when he came across the mutilated body of a woman. He 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. According to ERI co-founder Katie Redford he 'took enormous [personal] risks over 10 years to document the facts and bring them into the international media and court rooms'.<sup>36</sup> A common thread in the horrific stories he collected was the destruction of the village environments by the Burmese military. Through this process he realised the vital interconnectedness of human rights and environmental protection.<sup>37</sup>

Katie Redford and Tyler Giannini 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 through the concept of *earth rights* while at the University of Virginia School of Law in the early 1990s.<sup>38</sup> Redford came

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<sup>34</sup> Ka Hsaw Wa, *Personal Communication: Email to Author*, Co-Founder/Executive Director EarthRights International (1 May 2007).

<sup>35</sup> Ka Hsaw Wa, *Personal Communication: Interview with Author*, Co-Founder/Executive Director EarthRights International. Chiang Mai, Thailand (14 January 2004).

<sup>36</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>37</sup> Ka Hsaw Wa, *Personal Communication: Interview with Author* (14 January 2004). In 1999, as recognition for his efforts in highlighting the plight of ethnic minorities 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 was awarded in 2004.

<sup>38</sup> Adam Simpson, 'The Environment-Energy Security Nexus: Critical Analysis of an Energy 'Love Triangle' in Southeast Asia' *Third World Quarterly* 28, 3 (2007), 541-42.

from a human rights background, having spent several years teaching English in refugee camps on the Thai-Burmese border and later conducting a fact-finding mission for Human Rights Watch Asia. In a grant submission to *Echoing Green* in 1994 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.<sup>39</sup>

In 1994 Redford wrote her final year law school paper on *Suing Oil Companies Using the Alien Torts Claim Act (ATCA)*, and putting this into practice became a central goal in the formation of ERI the following year.<sup>40</sup> ERI was later co-counsel in the US federal court case that used the ATCA to sue the oil and gas corporation Unocal for human rights abuses committed by the Burmese military during construction of the Yadana gas pipeline project between Burma and Thailand.<sup>41</sup> Unocal settled out of court with the Burmese plaintiffs in 2005 and the precedents set in the case are considered by Redford, along with ERI's EarthRights Schools for activists, to be ERI's most important achievements that reflect its aims and goals.<sup>42</sup>

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 (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'.<sup>43</sup> This paper later formed the basis for what developed into ERI's *integrated advocacy* campaign.<sup>44</sup> Redford met Ka Hsaw Wa in early 1993 when he acted as her Karen-English translator in Thailand during her work for Human Rights Watch Asia. After Redford and Giannini finished their law degree the trio incorporated EarthRights International in the US in February 1995, starting operations in July of that year.<sup>45</sup> The creation of ERI at this time accords with research that demonstrates a large overall increase in *multi-issue* transnational NGOs, when compared with *single-issue* transnational NGOs, between the 1970s and 2000.<sup>46</sup> For the rest of the decade the three co-founders ran the organisation largely from Thailand, although a Washington office was later set up. In 2004 Giannini left ERI to become a Clinical Advocacy Fellow in the Human Rights Program at Harvard Law

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<sup>39</sup> Tyler Giannini and Katharine Redford, *Echoing Green: Grant Proposal* (New York: Proposal submitted to Echoing Green, 1994), 8.

<sup>40</sup> Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>41</sup> Adam Simpson, 'Buddhist Responses to Globalisation: Thailand and Ecology' in *Socially Engaged Buddhism for the New Millennium*, ed. Sulak Sivaraksa (Bangkok: The Sathirakoses-Nagapradipa Foundation and Foundation for Children, 1999); Adam Simpson, 'Gas Pipelines and Green Politics in South and Southeast Asia' *Social Alternatives (Special Issue: Globalisation, Environment and Social Justice)* 23, 4 (2004) 29-36; Adam Simpson, 'Energy Security and Earth Rights in Thailand and Burma (Myanmar)' in *Energy Security and the Indian Ocean Region*, ed. D Rumley and S. Chaturvedi (New Delhi: South Asian Publishers, 2005).

<sup>42</sup> Redford, *Personal Communication: Email to Author* (21 January 2008); Simpson, 'The Environment-Energy Security Nexus', 546.

<sup>43</sup> Tyler Giannini, *Personal Communication: Email to Author*, Co-Founder EarthRights International, Lecturer in Law, Human Rights Program, Harvard Law School (14 February 2007).

<sup>44</sup> Tyler Giannini, *Personal Communication: Interview with Author*, Co-Founder/Director EarthRights International, Chiang Mai, Thailand (21 January 2004); Giannini and Redford, *Echoing Green: Grant Proposal*.

<sup>45</sup> Ka Hsaw Wa, *Personal Communication: Interview with Author* (14 January 2004); Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>46</sup> Joe Bandy and Jackie Smith, eds., *Coalitions across Borders: Transnational Protest and the Neoliberal Order* (Lanham, Maryland and Oxford: Rowman and Littlefield, 2005), 6.

School and in 2006 he became a Lecturer on Law and later was also appointed Clinical Director of the Human Rights Program.

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.<sup>47</sup> Echoing Green awards fellowships 'to individuals with innovative ideas for creating new models for tackling seemingly unsolvable social challenges'.<sup>48</sup> Giannini provided me a copy of the original grant proposal which he and Redford had developed during his externship. In it the activists argued they were driven to accomplish two goals,

to ensure that indigenous voices will not be silenced, and to simultaneously fight for the vital objective of environmental protection [through 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.<sup>49</sup>

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. From the very beginning, therefore, ERI worked towards the emancipatory goal of building transnational networks that supported poor and marginalised communities.<sup>50</sup>

While some components of ERI's strategy involved a certain amount of radicalism, other elements of its platform could, on first inspection, be considered largely *reformist*. Half the NGO's slogan expresses confidence in the 'power of law', suggesting a reformist approach through legislation and legal remedies. 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'.<sup>51</sup> In Redford's words, 'I don't think ERI is trying to break down the capitalist system, just make it more just and fair'.<sup>52</sup> Despite the apparent modesty of these goals it is common within the GJM to challenge neoliberal globalisation, US imperialism or *global* capitalism, but there are rarely attempts to do away with market mechanisms altogether.<sup>53</sup> The emphasis within the movement is much more heavily focused on the deepening of participatory politics and democratic mechanisms,<sup>54</sup> with an emphasis on decentralisation.<sup>55</sup> An expected

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<sup>47</sup> Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>48</sup> Echoing Green, *Echoing Green Fellowship Program* Echoing Green, 2007. Available from <http://www.echoinggreen.org/index.cfm?fuseaction=Page.viewPage&pageID=41>. Accessed: 15 February 2007.

<sup>49</sup> Giannini and Redford, *Echoing Green: Grant Proposal*, i.

<sup>50</sup> Doyle and Doherty, 'Green Public Spheres and the Green Governance State', 883.

<sup>51</sup> Judith Butler, Ernesto Laclau, and Slavoj Žižek, *Contingency, Hegemony, Universality: Contemporary Dialogues on the Left* (London: Verso, 2000), 95.

<sup>52</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>53</sup> Barbara Epstein, 'Anarchism and the Anti-Globalization Movement' *Monthly Review* 53, 4 (2001) 1.

<sup>54</sup> John S. Dryzek et al., *Green States and Social Movements: Environmentalism in the United States, United Kingdom, Germany and Norway* (New York: Oxford University Press, 2003), 6; Arturo Escobar, 'Other Worlds Are (Already) Possible: Self-Organisation, Complexity, and Post-Capitalist Cultures' in *World Social Forum: Challenging Empires*, ed. Jai Sen, et al. (New Delhi: The Viveka Foundation, 2004), 353-55; Marion Gret and Yves Sintomer, *The Porto Alegre Experiment: Learning Lessons for Better Democracy*, Translated by Stephen Wright (London and New York: Zed Books, 2005); Peter Hay, *Main Currents in Western Environmental Thought* (Sydney: UNSW Press, 2002), 303; Robert Paehlke, 'Democracy and Environmentalism: Opening the Door to the Administrative State' in *Managing Leviathan*, ed. Robert Paehlke and Douglas Torgerson (Peterborough, Ontario: Broadview Press, 2005), 25.

<sup>55</sup> Brian Doherty and Marius de Geus, eds., *Democracy and Green Political Thought: Sustainability, Rights, and Citizenship*, (London and New York: Routledge, 1996), 3; Richard Douthwaite, *Short Circuit: Strengthening Local Economies for Security in an Unstable World* (Totnes, Devon: Green Books, 1996).

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. During a field trip to the ERI office in January 2004 I met Ka Hsaw Wa on his way to Mumbai to address the WSF as part of a panel ERI co-hosted on *Challenging Corporate Power in a Globalized Economy*.<sup>56</sup> These types of panels underlined the 'democratic power' of the WSF,<sup>57</sup> and are radical in their challenge to hegemonic globalisation. 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.<sup>58</sup>

These clashing 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. Although they didn't always use the term *earth rights*, these organisations, which had previously either focused solely on human rights or the environment, progressively integrated the two areas into single campaigns. The approach of combining environmental and human rights concerns is now firmly ingrained with environmental movement organisations such as Earthjustice making representations to the UN Commission of Human Rights on the linkages between human rights and the environment.<sup>59</sup> The WSF panel on corporate accountability that Ka Hsaw Wa spoke at in Mumbai was jointly organised by human rights organisations such as Amnesty International and environmental organisations such as Greenpeace as well as organisations that self-consciously attempt to bridge the two such as ERI.<sup>60</sup> Progress has now been made so that by 2007, the 'international issues' page of the environmental NGO, Sierra Club, website was entitled 'Fight for Global Justice' and lists responsible trade and human rights and the environment alongside global warming and population growth.<sup>61</sup>

The linking of human rights, the environment and peace is a core element of ERI's work and places them as a TEMO 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

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<sup>56</sup> Greenpeace, *World Social Forum 2004*, Greenpeace India, 16 January 2004, Available from <http://www.greenpeace.org/india/news/world-social-forum-2004>; Ka Hsaw Wa, *Personal Communication: Interview with Author* (14 January 2004); Jai Sen et al., eds., *World Social Forum: Challenging Empires* (New Delhi: The Viveka Foundation, 2004).

<sup>57</sup> Michael Hardt, 'Porto Alegre: Today's Bandung?' *New Left Review* 14 (2002), 118.

<sup>58</sup> Simpson, 'Energy Security and Earth Rights', 257.

<sup>59</sup> Earthjustice, *Human Rights and the Environment: Materials for the 60th Session of the United Nations Commission on Human Rights, Geneva, 15 March - 23 April 2004* (Oakland, CA: Earthjustice, 2004). Available from [http://www.earthjustice.org/news/press/004/earthjustice\\_presents\\_2004\\_human\\_rights\\_and\\_the\\_environment\\_report\\_to\\_un.html](http://www.earthjustice.org/news/press/004/earthjustice_presents_2004_human_rights_and_the_environment_report_to_un.html).

<sup>60</sup> Greenpeace, *World Social Forum 2004*.

<sup>61</sup> Sierra Club, *Fight for Global Justice* Sierra Club, 2 April 2007. Available from <http://www.sierraclub.org/international/>. Accessed: 3 April 2007.

three?', co-founders Redford and Giannini responded separately that ERI thought of itself as a combination of all three,<sup>62</sup> 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 ...'.<sup>63</sup> This response accorded with a previous interview with Redford in Thailand when, while outlining the group's philosophy, she argued that ERI focused on the 'nexus' of human rights and the environment and therefore 'pure conservation' for its own sake was not their concern.<sup>64</sup>

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 Burmese military, 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.<sup>65</sup>

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 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.<sup>66</sup>

Catherine, an Australian activist, became ERI's Assistant Team Leader in the Southeast Asian Office in 2004. She had a human rights background and felt strongly regarding environmental protection, but was frustrated with Australian environment groups that divorced human rights from the environment, such as the Australian Conservation Foundation that 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.<sup>67</sup>

The ERI position allowed her to combine her passions for human rights and the environment and as a bonus, allowed her to work on Burma, her 'third love'.

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<sup>62</sup> Giannini, *Personal Communication: Email to Author* (14 February 2007).

<sup>63</sup> Katharine Redford, *Personal Communication: Email to Author*, Co-Founder/Director EarthRights International (ERI) (10 February 2007).

<sup>64</sup> Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>65</sup> Naing Htoo, *Personal Communication: Interview with Author*, Program Coordinator, Earthrights International (ERI). ERI Office, Chiang Mai, Thailand (10 January 2005).

<sup>66</sup> Angela, *Personal Communication: Interview with Author*, Pseudonym for Program Coordinator, EarthRight International (ERI). ERI Office, Chiang Mai, Thailand (10 January 2005).

<sup>67</sup> Catherine, *Personal Communication: Interview with Author*, Pseudonym for Assistant Director, EarthRights International (ERI). ERI Office, Chiang Mai, Thailand (10 January 2005).

In this case a distinction could be made, using Doherty's definitions of the environment and green movement, that ERI is part of the latter while purely 'conservation' groups are part of the former.<sup>68</sup> This focus on justice also emphasises ERI's role as an *emancipatory group*.<sup>69</sup> While some introspective groups would consider ERI mainstream, organisation members certainly see themselves as *radical*, particularly during Prime Minister Thaksin Shinawatra's rule in Thailand. As another Thai activist noted during an interview: 'under Thaksin all NGOs in Thailand are targeted, particularly those who work on Burma and those who receive foreign funding'.<sup>70</sup> ERI satisfies all these criteria.

When I asked the then Assistant Director of ERI in the Southeast Asia Office whether they engaged in civil disobedience in Thailand she responded that 'ERI just existing [was] civil disobedience', although she also acknowledged that since ERI steered clear of Thai politics it was less likely to be targeted.<sup>71</sup> Nevertheless, many NGOs under Thaksin were raided by police and shut down and several prominent activists were victims in unsolved murders.<sup>72</sup> ERI had previously been raided for police access to their computers in the mid-1990s.<sup>73</sup> After that time they avoided attention during Thaksin's period in office, even, as noted by Giannini, during a crackdown on NGOs in 2002: 'fortunately, we have been spared so far and we are all okay'.<sup>74</sup> Nevertheless, ERI still maintained a secluded and anonymous suburban house in Chiang Mai as its office where only trusted individuals were taken. At various times during interviews activists displayed agitation and insecurity whenever someone approached the house, even postal workers, suggesting, as UN Special Envoy for Human Rights Hina Jilani noted, activists in Thailand worked under a 'climate of fear'.<sup>75</sup>

ERI has recorded significant growth, from an initial budget from Echoing Green of US\$35,000 in 1995, to approximately US\$1.5 million a decade later.<sup>76</sup> According to Rucht, such growth may reflect or induce self-interest in organisational growth and maintenance and may cause co-option and deradicalisation.<sup>77</sup> There are also instances where North-South transnationalism has resulted in NGOs forgoing principled structures and practices in favour of increased funding opportunities.<sup>78</sup> While Redford displayed obvious pride at ERI being

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<sup>68</sup> Brian Doherty, *Ideas and Actions in the Green Movement* (London and New York: Routledge, 2002), 14.

<sup>69</sup> Doyle and Doherty, 'Green Public Spheres and the Green Governance State', 883.

<sup>70</sup> Wandee Suntivutimete, *Personal Communication: Interview with Author*, Editor, Salween News Network, Chiang Mai, Thailand (11 January 2005).

<sup>71</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>72</sup> Adam Simpson, 'Green NGOs and Authoritarian Regimes: The Perils of Environmental Activism in Thaksin's Thailand' *Griffith Journal of the Environment* 1, 1 (2005) Article 6: 1-34.

<sup>73</sup> Tyler Giannini, *Personal Communication: Interview with Author*, Co-Founder/Director EarthRights International. Bangkok, Thailand (22 January 2000).

<sup>74</sup> Tyler Giannini, *Personal Communication: Email to Author*, Co-Founder/Director EarthRights International (ERI). From Chiang Mai, Thailand (17 August 2002).

<sup>75</sup> Marisa Chimprabha, 'UN Envoy Cites Climate of Fear,' *The Nation*. 28 May 2003. Available from [http://www.nationmultimedia.com/specials/humanrights/index\\_may28.php](http://www.nationmultimedia.com/specials/humanrights/index_may28.php); Hina Jilani, *Report by the Special Representative of the Secretary-General on the Situation of Human Rights Defenders: Mission to Thailand* (UN Commission on Human Rights, Promotion and Protection of Human Rights: Human Rights Defenders, 2004) E/CN.4/2004/94/Add.1. Available from [http://ap.ohchr.org/documents/dpage\\_e.aspx?c=182&su=180](http://ap.ohchr.org/documents/dpage_e.aspx?c=182&su=180). Accessed: 8 May 2008.

<sup>76</sup> ERI, *Annual Report 2005* (Washington DC and Chiang Mai, Thailand: EarthRights International (ERI), 2006), 12-13. Available from <http://www.earthrights.org/files/Documents/Annual%20Report%202005%20latest.pdf>. Accessed: 4 February 2008; ERI, *Annual Report 2006* (Washington DC and Chiang Mai, Thailand: EarthRights International (ERI), 2007), 11-12. Available from [http://www.earthrights.org/files/Documents/ERI\\_annual06\\_spreads%20latest.pdf](http://www.earthrights.org/files/Documents/ERI_annual06_spreads%20latest.pdf). Accessed: 4 February 2008; Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>77</sup> Rucht, 'The Transnationalization of Social Movements', 218.

<sup>78</sup> Rosaleen Duffy, 'Non-Governmental Organisations and Governance States: The Impact of Transnational Environmental Management Networks in Madagascar' *Environmental Politics* 15, 5 (2006) 731-49; Adam Fagan, 'Neither 'North' nor 'South'; the Environment and Civil Society in Post-Conflict Bosnia-Herzegovina' *Environmental Politics* 15, 5 (2006) 787-802; Szabina Kerényi

included in the ‘big league’ by the late 1990s,<sup>79</sup> it appeared to be driven much more about their ability to achieve their goals than 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.<sup>80</sup>

With a sense of understatement Giannini – now a lecturer at Harvard – commented during an interview in Thailand, after a description of the flat pay scales at ERI, ‘we don’t do it for the money’.<sup>81</sup>

Nevertheless, as an NGO ERI requires continuous fundraising even for nominal salaries and 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’.<sup>82</sup> Despite ERI’s unremitting fundraising efforts I have seen little evidence of what Doherty and Doyle define as ‘rent seeking behaviour, [when] organisations are structured to meet the expectations of Western funders’.<sup>83</sup> Having experienced the ERI office in Chiang Mai with the co-founders and staff and seen the very basic conditions under which they 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.<sup>84</sup> While the activism of ERI suggests a genuine commitment to these values it is its internal organisation that most clearly characterises its underlying philosophy.

## Organisational philosophy and practice

The internal structure and organisation of emancipatory groups, which Doyle and Doherty argue ‘build regional and global networks in a manner which increases the power resources of the poor and environmentally degraded’,<sup>85</sup> is an important indication of their commitment and ability to achieve their aims. It is important for Northern NGOs to ‘decentralise’ the North and adopt a view from modernity’s edge’,<sup>86</sup> and in the case of ERI – with full operations in both the North and the South – various aspects of the internal organisation of the NGO have been aimed at ensuring the North is ‘decentred’. As discussed above, while emancipatory groups usually maintain more non-institutional forms of organisation I argue here that, although

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and Máté Szabó, 'Transnational Influences on Patterns of Mobilisation within Environmental Movements in Hungary' *Environmental Politics* 15, 5 (2006) 803-20.

<sup>79</sup> Redford, *Personal Communication: Interview with Author* (15 January 2004).

<sup>80</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>81</sup> Giannini, *Personal Communication: Interview with Author* (21 January 2004).

<sup>82</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>83</sup> Doherty and Doyle, 'Beyond Borders', 699.

<sup>84</sup> Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca and London: Cornell University Press, 1998), 30.

<sup>85</sup> Doyle and Doherty, 'Green Public Spheres and the Green Governance State', 883.

<sup>86</sup> Nilufer Gole, 'Snapshots of Islamic Modernities' *Daedalus* 29, 1 (2000), 91.

formalised, ERI's attempts to address structural issues of power-imbalance through its internal politics qualifies them as an introspective and emancipatory group.

In an interview in Thailand, Giannini explained to me that the ERI founders recognised the inherent disparity in power relations between Northern and Southern activists in areas such as formal education and expected remuneration and he explained the measures ERI took to counter this imbalance.<sup>87</sup> Requirements of a formal tertiary education may be waived for Southern activists in lieu of experience and all ERI staff in Thailand or Washington get 'local rates', whether they are from the North or the South. There may be some assistance provided to Northern employees who often have regular payments to make on student loans – issues that Thais generally don't have – but the emphasis is on equity and to provide a living wage. As Redford clarifies,

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.<sup>88</sup>

ERI offers all staff in Thailand a trip home every year, whether that is to Burma or a country in the North. If there are security issues in returning home, as for some staff from Burma, employees have the opportunity to bring a family member to Thailand. If someone has no family they can bring a friend to Thailand; 'the aim of the program is [for ERI] to provide the opportunity for family reunion, however that is defined', indicating a genuine concern for the well-being of ERI's staff.<sup>89</sup>

Despite the formalisation of ERI with directors and nominal positions of hierarchy two Program Coordinators at ERI, Angela and Naing Htoo, American and Karen activists, indicated in interviews that at a practical level there is *consensus* decision making and an effective lack of hierarchy with significant autonomy provided to each project team. 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.<sup>90</sup> 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'.<sup>91</sup> 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 demonstrate a commitment to democracy and equality. As the then Assistant Director of ERI's Thai office noted in an interview, 'if there are positions of seniority, ERI has ensured that these positions have gradually been taken up by local activists'.<sup>92</sup> This is particularly important for an organisation that is split between the North and South, with offices both in Washington DC and Thailand. The Thai office – originally in Bangkok but now in Chiang Mai – was the first to open but the organisation appeared to be dominated bureaucratically by the two American lawyers, partly due to their Echoing Green proposal and seeding funding,<sup>93</sup> even if Ka Hsaw Wa provided leadership philosophically and in the field. In these circumstances it was also strategically prudent for Ka Hsaw Wa to become Executive Director of ERI and be seen to 'lead' the organisation with his greater

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<sup>87</sup> Giannini, *Personal Communication: Interview with Author* (21 January 2004).

<sup>88</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>89</sup> Giannini, *Personal Communication: Interview with Author* (21 January 2004).

<sup>90</sup> Angela, *Personal Communication: Interview with Author* (10 January 2005); Naing Htoo, *Personal Communication: Interview with Author* (10 January 2005).

<sup>91</sup> John S. Dryzek, *The Politics of the Earth: Environmental Discourses*, Second ed. (Oxford and New York: Oxford University Press, 2005), 216.

<sup>92</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>93</sup> Giannini and Redford, *Echoing Green: Grant Proposal*.

Southern activist credibility as a Karen exile. This organisational structure with high-level North and South representation, both geographically and in terms of personnel, is quite unusual within a relatively small TEMO with studies demonstrating a tendency to be isolated within either the North or the South.<sup>94</sup> ERI is extremely conscious of this characteristic, advertising in job vacancies that the ERI 'staff is ethnically diverse (evenly divided between people from the Global North and South)'.<sup>95</sup> 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 emphasised he wants culturally sensitive staff.<sup>96</sup>

When I arrived at the ERI office during a field trip in January 2004 the staff were in an intense meeting discussing issues relating to a new appointment. I later discovered that this meeting decided to appoint Catherine, an Australian activist, to the Southeast Asia office to replace Giannini, who returned to the US in May 2004. It was not a straight-forward replacement, however, as this movement also signalled the transition in management of the Southeast Asia office from Northern to Southern hands with the appointment of Chana Maung, a Karen exile, as Director of the office (now designated Team Leader) with Catherine as Assistant Director (now designated Assistant Team Leader). During an interview a year later Catherine noted that the management of the EarthRights Schools for activists had largely transferred into local hands with Da Do Wa, another Karen exile from Burma, becoming Project Leader in 2004.<sup>97</sup> During the decade I have been involved with the organisation the management of both the Thai office and the EarthRights Schools has, therefore, transferred into Southern hands. The organisation's centre of 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.<sup>98</sup>

As well as shifting responsibility to Southern activists ERI considers its diversity in ethnicity, language, culture and gender a major source of strength rather than as merely a statistic to demonstrate its commitment to diversity. Women always make up a significant proportion of ERI's employees with Redford as a co-founder providing a strong role model. Likewise, Ka Hsaw Wa's pivotal position as a Karen man within the organisation provides powerful leadership from an ethnic grouping otherwise marginalised within Burma:

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.<sup>99</sup>

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<sup>94</sup> Bandy and Smith, eds., *Coalitions across Borders*, 6.

<sup>95</sup> ERI, *Long-Term Volunteer Teacher, Earthrights Burma School* EarthRights International (ERI), 30 March 2007. Available from [http://www.earthrights.org/misc/ERSB\\_cuso\\_volunteer.html](http://www.earthrights.org/misc/ERSB_cuso_volunteer.html). Accessed: 3 April 2007.

<sup>96</sup> Angela, *Personal Communication: Interview with Author* (10 January 2005).

<sup>97</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>98</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>99</sup> Ibid.

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.<sup>100</sup>

Southern activists do have some advantages undertaking fieldwork, understanding local languages and culture, but most Northern staff in the Thai office also speak Thai and sometimes Burmese. Nevertheless, Catherine told me in an interview that,

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.<sup>101</sup>

As a result, the Burmese-speaking staff do not always join in with English meetings and some meetings are also held in Burmese with English summaries. Regardless of attempts to mitigate language barriers within offices the reliance on email as a transnational organisation causes additional avenues for miscommunication, despite the 'crucial' role the internet plays in its campaigns.<sup>102</sup> 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.<sup>103</sup>

English is still the dominant language for communication via email or the internet,<sup>104</sup> and there are many studies that examine the role of the internet and email in transnational environmental activism,<sup>105</sup> yet none that examine the cultural impact this has on North-South TEMOs. Email complicates the dominance of English as the universal language but ERI is very aware of the power imbalances this introduces with Redford explaining 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

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<sup>100</sup> Ibid.

<sup>101</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>102</sup> Ibid.

<sup>103</sup> Ka Hsaw Wa, *Personal Communication: Email to Author* (1 May 2007).

<sup>104</sup> Glen Lewis, *Virtual Thailand: The Media and Cultural Politics in Thailand, Malaysia and Singapore* (London and New York: Routledge, 2006), 115; Marlyn Tadros, 'The Internet and the Arab Middle East' in *Charting Transnational Democracy: Beyond Global Arrogance*, ed. Janie Leatherman and Julie Webber (New York and Basingstoke: Palgrave Macmillan, 2005), 186.

<sup>105</sup> Manuel Castells, *The Power of Identity*, Second ed. (Oxford: Blackwell Publishing, 2003), 187; Kate O'Neill and Stacy D. VanDeveer, 'Transnational Environmental Activism after Seattle: Between Emancipation and Arrogance' in *Charting Transnational Democracy: Beyond Global Arrogance*, ed. Janie Leatherman and Julie Webber (New York and Basingstoke: Palgrave Macmillan, 2005), 208.

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.<sup>106</sup>

Catherine suggests that 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. She pointed out that these exiled activists have the added advantage of often being more sensitive to security concerns than Northern activists.<sup>107</sup> These security concerns have sometimes generated obstacles to undertaking research on ERI as the organisation, despite an overarching culture of transparency and openness, is sometimes reluctant to allow strategic documents into the public domain.<sup>108</sup> The difference in security concerns between undertaking research in the North and in authoritarian states of the South, whether as academic or NGO activist, is underlined by notes in one of ERI's publications on forced labour in Burma:

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.<sup>109</sup>

And:

The location of this investigation [in eastern Burma] will remain unidentified in the report to avoid retaliation by the military against the villagers.<sup>110</sup>

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 I pressed Karen exile and Southeast Asia Team Leader Chana Maung on the location of the protests against the Salween dams in Burma he told me,<sup>111</sup> after my decade of interaction with ERI, 'I believe you [understand] the situation in Burma on the security issue ... and the protest happened at the safe areas for the activists and villagers'.<sup>112</sup>

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. Catherine acknowledged the vast cultural and political chasm that exists between Northern and Southern activists when I asked her whether she believed completely in nonviolence or whether there were occasions when armed resistance was necessary:

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<sup>106</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>107</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>108</sup> Ka Hsaw Wa, *Personal Communication: Email to Author* (1 May 2007).

<sup>109</sup> Mahn Nay Myo et al., *Entrenched: An Investigative Report on the Systematic Use of Forced Labor by the Burmese Army in a Rural Area* (Chiang Mai: EarthRights International, 2003), iii.

<sup>110</sup> *Ibid*, 10.

<sup>111</sup> For information of the Salween campaign see Doyle and Simpson, 'Traversing More Than Speed Bumps', 758.

<sup>112</sup> Chana Maung, *Personal Communication: Email to Author*, Team Leader, Southeast Asia Office, EarthRights International (ERI), Chiang Mai, Thailand (25 March 2008).

Living as a Westerner with a 'cushy' background, [that is] impossible to answer – [I] can't comment on armed struggle. But nonviolent social change produces or creates 'mass movements' which can effect change ... ERI does not deal with armed groups.<sup>113</sup>

To further promote a culture of inclusiveness the Thai office in particular celebrates the cultural events of its diverse ethnic personnel with a Karen activist, Naing Htoo, presenting me with a t-shirt celebrating Karen New Year during an interview occurring on that day.<sup>114</sup> Despite sometimes requiring submission to professional norms ERI encourages its activists to carry their culture with them. Ka Hsaw Wa himself, during a visit to Thailand from the US, apologised for undertaking the traditional Karen chewing of betel nut during our interview, resulting in bright red teeth and lips: 'I can't get it in the US and I haven't had any since my last trip [to Asia]'.<sup>115</sup> Women are also well respected within the organisation with a strong woman in Katie Redford as co-founder and a strong commitment within the organisation to equity. Over the decade of my involvement with ERI the representation of women in the organisation as always been somewhere in the vicinity of parity to men and through its focus on the particular vulnerability of women in Burma it demonstrates a thorough understanding of the plight of ethnic minority women.<sup>116</sup>

As befits an organisation with a concern for the environment Catherine volunteered that ERI's staff was aware of their roles, both as an organisation and individuals, as 'consumers' and they therefore undertook recycling in the office and made every effort to support local businesses over transnational corporations wherever possible. Organisational meetings and retreats were held in or as close to nature, while conscious of their impact on the environment. 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.<sup>117</sup> By combining support for exiled ethnic minorities and an almost ecocentric or spiritual approach to nature,<sup>118</sup> this action could well be considered as a representation or physical manifestation of the organisation's commitment to earth rights, the nexus between human rights and the environment. As a TEMO, therefore, it is obvious that ERI, through its internal organisation, attempts to link theory and 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 radical groups, as with radical networks, 'that the internal power relations ... have been addressed most self-consciously'.<sup>119</sup>

## Lessons for the future?

Transnational environmental movement organisations (TEMOs) and transnational NGOs 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

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<sup>113</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>114</sup> Naing Htoo, *Personal Communication: Interview with Author* (10 January 2005).

<sup>115</sup> Ka Hsaw Wa, *Personal Communication: Interview with Author* (14 January 2004).

<sup>116</sup> ERI, *Mining, Gender and the Environment in Burma*, EarthRights International (ERI), 26 November 2004. Available from [http://www.earthrights.org/burmareports/mining\\_gender\\_and\\_the\\_environment\\_in\\_burma.html](http://www.earthrights.org/burmareports/mining_gender_and_the_environment_in_burma.html); ERI, *The Situation of Women in Burma* EarthRights International (ERI), 27 February 2006. Available from [http://www.earthrights.org/misc/the\\_situation\\_of\\_women\\_in\\_burma.html](http://www.earthrights.org/misc/the_situation_of_women_in_burma.html).

<sup>117</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>118</sup> Robyn Eckersley, *Environmentalism and Political Theory: Toward an Ecocentric Approach* (London: UCL Press, 1992).

<sup>119</sup> Doherty and Doyle, 'Beyond Borders', 699.

results in concerns that are closely aligned to post-colonial societal critiques.<sup>120</sup> This materialist critique is contested by many Northern activists although it is being rediscovered by some NGOs engaging in identity politics in the North.<sup>121</sup> Even the most progressive and introspective TEMOs 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 budget and activities significantly since its founding ERI maintains an introspection regarding its organisational structure and activities that attempts to rectify structural power imbalances between its Northern and Southern activists. 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 some other TEMOs.

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, 'just make it more just and fair'.<sup>122</sup> In their awareness of cultural sensitivities and focus on lack of hierarchy within the organisation, however, they demonstrate *introspective* and *emancipatory* characteristics. While Doyle and Doherty argue that emancipatory groups 'celebrate more non-institutional forms of organisation',<sup>123</sup> I argue here that the particular transnational milieu in which ERI operates suggests 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.<sup>124</sup> While Doyle uses the *introspective* categorisation only for informal groups,<sup>125</sup> I believe it can also be applied to *emancipatory* formalised NGOs, such as ERI.

In addition to promoting co-founder Ka Hsaw Wa's central role as a Karen exile within ERI, the organisation 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.<sup>126</sup> 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.

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

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<sup>120</sup> Ibid, 707; Douglas Torgerson, 'Expanding the Green Public Sphere: Post-Colonial Connections' *Environmental Politics* 15, 5 (2006), 717.

<sup>121</sup> Paul Routledge, 'Convergence Space: Process Geographies of Grassroots Globalization Networks' *Transactions of the Institute of British Geographers* 28, 3 (2003), 335.

<sup>122</sup> Redford, *Personal Communication: Email to Author* (21 January 2008).

<sup>123</sup> Doyle and Doherty, 'Green Public Spheres and the Green Governance State', 883.

<sup>124</sup> 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.

<sup>125</sup> Doyle, *Green Power: The Environment Movement in Australia*, 34.

<sup>126</sup> Giannini, *Personal Communication: Interview with Author* (21 January 2004).

'local' environment groups take the lead in campaigns against dam and gas pipeline projects in Burma.<sup>127</sup> Its own efforts are now more focused on training and broader strategies rather than the 'banner campaigns' of its early years, although the flagship campaign against the Yandana project continues.<sup>128</sup> As an ERI activist argued, ERI focuses more on 'solidarity work' than the 'issues based' focus of some other NGOs.<sup>129</sup> Similarly, although ERI activists have been involved in protests in Burma in the past the organisation prefers to allow 'local' or Southern groups to be the organisational face of transnational protests for these campaigns.

Of ERI's many activities co-founder Katie Redford considers the establishment of the EarthRights Schools for activists and their litigation success in the Unocal case to be ERI's two most important achievements reflecting its aims and goals. Both these accomplishments have empowered marginalised communities in the South, by providing important training on the impacts and management of globalising forces and providing resources from the court settlement directly to communities in the Thai-Burma border region.

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, ecology and democracy. Indeed Doherty notes elsewhere that formalised NGOs that maintain these three core green commitments retain a strong claim to being green social movement organisations.<sup>130</sup> 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 TEMO successfully negotiating the North-South divide. Its approach to its own structure and campaigns and networks with other groups within the Global Justice Movement (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*.<sup>131</sup>

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 despite strong structural impediments. 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 consequences of marginalisation for communities in the South.

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<sup>127</sup> See, for example, the Salween dams and the Shwe pipeline projects. Doyle and Simpson, 'Traversing More Than Speed Bumps', 756-58.

<sup>128</sup> See, for example, the 2008 report of Chevron's involvement in the Yandana gas pipeline project based on five years of interviews. ERI, *The Human Cost of Energy: Chevron's Continuing Role in Financing Oppression and Profiting from Human Rights Abuses in Military-Ruled Burma (Myanmar)* (Washington DC and Chiang Mai: EarthRights International (ERI), 2008). Available from [http://www.earthrights.org/files/Burma%20Project/Yadana/HCoE\\_pages.pdf](http://www.earthrights.org/files/Burma%20Project/Yadana/HCoE_pages.pdf). Accessed: 1 May 2008; Matthew Smith, *Personal Communication: Email to Author*, Project Coordinator (Pipelines and Mining), EarthRights International, Chiang Mai, Thailand (10 April 2008).

<sup>129</sup> Catherine, *Personal Communication: Interview with Author* (10 January 2005).

<sup>130</sup> Doherty, *Ideas and Actions in the Green Movement*, 148-49.

<sup>131</sup> Torgerson, *The Promise of Green Politics*, 19-20.