Free Burma: Transnational Legal Action and Corporate Accountability, John G. Dale
Minneapolis MN: University of Minnesota Press, 2011

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Livres / Books


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Writing in the social sciences on contemporary Burma/Myanmar is becoming an increasingly hazardous intellectual exercise. Given the speed of change within the country described—perhaps as an expression of hope—as a transition, anything written seems out of date, and therefore of mere historical interest, by the time it is published. This book is no exception, although as argued below, it has a number of positive features that help elucidate the ongoing changes in Myanmar itself.

A preliminary point that needs to be stressed is that this book, divided into two lengthy parts is really two monographs rather than one. The first section entitled “The Emergence and Transformation of Burma’s Democracy Movement” is a monograph concerning Myanmar itself, whereas the second section, entitled “Transnational Legal Actions and Corporate Accountability in Three Types of Campaign” concentrates on developments in the United States with an occasional allusion to Australia. This rather nuanced examination of campaigns for corporate responsibility in the United States conveys the very distinct impression that Myanmar is really of incidental importance, a focus thrown up by events at the time and one that could easily be discarded, or at least, replaced when other circumstances arise.

The author warns us in the introduction that “[…] even some influential activists in exile from Burma concluded that the pro-democracy movement (in Myanmar itself) had been politically hijacked by non-governmental organizations of the global North that see in Burma only an opportunity to advance their particular human rights agendas” (page 4). In the first section of the book he demonstrates that, while this was not the case overall; however, in the second section he shows how in the United States the Free Burma movement was co-opted to advance the agenda of corporate responsibility advocates. In the alliance between Burmese advocacy groups and advocacy groups for corporate responsibility there is, he shows—although does not fully acknowledge—an exercise in mutual instrumentalisation.

In concluding the first, internally focused, section of the book and providing a linkage with the second, externally focused, one the author states his central concern which is to “articulate an alternative understanding of the relationship between political process in Burma and global market dynamics and depicts a variety of ways in which actors outside of Burma help to sustain the Myanmar state’s repression of democratic change” (page 97). Three years later this repression
no longer continues. Does this suggest that the author’s initial hypothesis in which he sees a transnational space being carved out by activism was incorrect? Or rather that it depends which actors in this transnational space are being alluded to? With the benefit of hindsight it could be argued that the same corporate actors who were tacitly supportive of repression were also, implicitly at least, supportive of political reform. Developments since publication would also suggest that transnational legal strategies, within the context of wider sanctions, have been effective, notwithstanding a contrary view often heard in ASEAN by the proponents of “constructive engagement.” Certainly the rush of businessmen to Yangon in the past year would suggest that they perceive there is much more to be gained in a democratizing Burma than in a repressive military-controlled Myanmar. In highlighting the unprecedented economic reforms (page 91) designed to curry favor with influential states of Southeast Asia, the author neglects to add China and fails to indicate how, ultimately, the pecuniary and other advantages that could accrue to the junta and its cronies through a sequential process of political liberalization. This is, after all, what occurred in Indonesia, where today an ex-general is also president.

Indeed, seen within the wider Southeast Asian context, developments in Myanmar in the last decade or so bear some striking similarities with the end of the Suharto regime in Indonesia and, to a lesser extent, the civilianizing of the Thai military. As in the case of Indonesia it could be asked did economic liberalization even of a limited kind open a Pandora’s box where political liberalization became inevitable? Or rather, also as in Indonesia, was economic liberalization designed to strengthen the power and wealth of the military elite so that they could not only survive but prosper, in a more pluralist democratic environment later on (Robison & Hadiz 2004)? In Myanmar, as in Indonesia, the old generals have not faded away; they have simply changed their uniforms for business suits. So far the business interests of the military remain intact at least to a degree, with their two vast holding companies, the Union of Myanmar Economic Holdings Limited (UMEHL) and the Myanmar Economic Corporation (MEC) maintaining their presence in everything from mining, agriculture and airlines to hotels. However these same holding companies now have to pay taxes and have lost their monopolies on lucrative imports of cars edible oils, cigarettes and beer (Cockett 2013: 6) Moreover the old cronies must now compete with newer ones who, at least to “hedge their bets” are providing support to the newly legalized opposition.

Although the empirical material in the book is already dated, it is rich in showing with a great deal of nuance the processes in which transnational advocacy groups coalesce into networks and develop, and then make operational, strategies for functioning in a transnational environment. At the very least these groups have contributed to keeping the Burma question “on the radar screen” of the media and in public opinion. The great conceptual strength of this volume is twofold. On the one hand, the author draws our attention to the synergies between internal dynamics and external forces and the dialectic between indigenous and exogenous actors. On the other, this is the first monograph to elevate an analysis of the role of civil society in relation to Burma, to its rightful place. With notable exceptions within the work of David Steinberg and Jasmin Lorch, but particularly that of Ashley South the on civil society amongst ethnic minority groups, the analysis of civil society in academia has only become significant since Cyclone Nargis and during the present transformative period.

At the time of the bi-elections of April 2012 (which saw Aung San Suu Kyi and 43 other members of the National League for Democracy enter Parliament),
and one year after the end of military rule and the establishment of a civilianized, if not civilian government, the consensus view amongst the best informed and most perceptive foreign academic observers of Burma was that the reforms were largely “top down” (Callahan 2012; Egreteau 2012; Taylor 2012; Rieffel 2012). This would seem to be a confirmation of David William’s prediction that Myanmar would fit the most common pattern for democratization, namely that it would come through elite defection rather than popular insurrection (Williams 2011). However it is the contention of this reviewer that “top-down,” elite-centred foci and explanations and those that are “bottom-up” and civil-society oriented are not mutually exclusive. On the contrary they are complementary. While acknowledging the top down nature of the reforms, the receptiveness with which they have been greeted in the Bamar heartland,—if not necessarily amongst the ethnic minority groups—can only be understood by taking cognizance of the place of civil society. John Dale herein provides an important insight by suggesting that the lack of formal structures does not mean the absence of a civil society:

[...] rather than mobilizing through formal organizations of civil society, many Burmese pro-democracy activists operate through informal social networks. These networks connect like-minded activists to one another through a complex web of personal relationships, small group interactions, meetings in private homes and religious ritual. (Page 71.)

His advice to concentrate less on structures than on social dynamics when looking the role of civil society in the transformations in Myanmar is now getting the attention it deserves in the academic literature. For example, Michael Lidauer has demonstrated the liveliness of civil society debates concerning the 2008 constitution and the 2010 elections, widely dismissed outside Myanmar as being rigged and thus shunned by the people of Myanmar (Lidauer 2012).

A recent visit by this reviewer to the Yangon School of Political Science (previously an informal network of intellectuals, now structured into an NGO) indicated a level of debate that is rarely captured in most analyses of the changes in Myanmar. The suspension of the Myitsone dam project by President Thein Sein, ostensibly in response to public opinion (Simpson 2013), and the protests over the extension of the Letpadaung copper mine have drawn attention to the need to look at grass roots developments. Both of these projects, it should be noted, are joint ventures between a military-owned Burmese consortium and Chinese companies with the vast bulk of the benefits accruing to the Chinese. In both cases expressions of Bamar nationalism and a continuing xenophobia came to the fore.

To conclude, in drawing our attention to the role of civil society in the 1990s and early years of this century, John Dale has made a useful contribution to analysis of contemporary Myanmar. Perhaps, after all Myanmar, like the Philippines and Indonesia did in fact experience its own democratic revolution? the 1988 movement and the so-called “Saffron Revolution” of 2007 being the first two steps in a drawn out process? As suggested a civil society focused perspective is a necessary corrective to the elite focused approaches that have so far dominated political science study of the country. Yet, while these two approaches are necessary they are not, as far as this reviewer is concerned, sufficient. What is also required is a study of the mutations of the State in Myanmar. Many observers of Burma may not have liked the State described by Robert Taylor firstly in 1987 and then again in 2009 (Taylor 2009), but that should not hinder acknowledging the validity of analyzing the object in question. Notwithstanding the shock this may cause amongst the many admirers of the democratic icon, it could be argued that Aung San Suu Kyi is now, as leader of the loyal opposition, an integral part of the Myan-
mar State, behaving very much as a Vice President and Minister for Foreign Investment in her numerous forays outside of the country. Adding a state-centric focus would engender an analysis of the systemic factors that have militated for reform in the Bamar heartland (the Ministerial Burma of the colonial period) whereas in the ethnic minority areas little has changed in the last two years. Myanmar may yet prove to be another example of regime change without, in a sense, a change of government, or at least the continued systemic preeminence of an ethnically defined governing class.

References


Notes

1. For example South (2008).
2. For a fine comparative analysis of democratic revolutions see Thompson (2004).

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La vague migratoire qui s’est levée depuis le milieu des années 1970 et qui fait aujourd’hui environ un Philippin sur dix (et un actif sur cinq) travaille et vit à l’étranger (9,45 millions d’expatriés en 2010 pour une population totale de 92,34 millions d’habitants) a légitimement attiré l’attention des chercheurs en sciences humaines et sociales. Plus exactement, c’est dans la seconde moitié des années 1990 que la production scientifique sur ces migrations internationales de travail philippines a connu un net développement quantitatif, par la multiplication des travaux, et qualitatif, par le croisement des regards disciplinaires et par la multiplication des lieux d’observation, des Philippines aux États où ces Overseas Contract Workers (OCWs) travaillent et, plus rarement, s’enracinent. Par les données « objectives » qu’il renferme et par les positionnements méthodologiques souvent originaux qu’il propose, cet ouvrage apporte une contribution importante à une bibliographie qui tente de dire la complexité de migrations dont les mutations constantes frappent rapidement d’obsolescence les meilleures études.

L’objet et la démarche de Deirdre McKay, géographe de formation et enseignante à l’Université de Keele au Royaume-Uni,