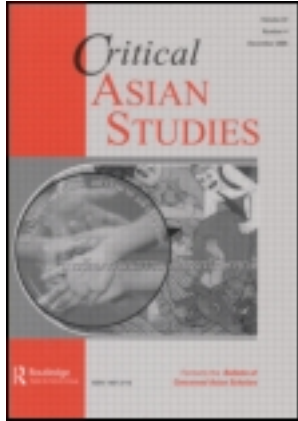


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# THE POLITICS OF PROTECTION IN BURMA

## Beyond the Humanitarian Mainstream

Ashley South

**ABSTRACT:** This article explores how people living in areas of Burma/Myanmar affected by armed conflict (Karen populations in the southeast) and natural disaster (Cyclone Nargis in the Irrawaddy Delta) understand “protection” and act to minimize risks and protect themselves, their families, and communities. What do vulnerable people seek to protect, and how do they view the roles of other stakeholders, including the state, non-state actors (armed and political groups), community-based organizations, and national and international aid agencies? Are these viewed as protection actors, or sources of threat—or a mixture of both?

Drawing on several hundred interviews with an unprecedented range of informants, this article analyzes the mismatch that sometimes occurs between local and international actors’ understandings of and positions regarding protection and challenges aid agencies’ assumptions regarding the most effective ways of helping vulnerable populations achieve security. In so doing, it critiques the relationship between international aid agencies and protracted armed conflict in southeast Burma—or Myanmar, as the country is officially called<sup>1</sup>—and between the humanitarian mainstream and disaster-affected populations in the Delta. While international aid agencies often have preconceived notions regarding how best to engage with vulnerable populations, affected communities themselves have the clearest understandings of how they can best be helped by outside actors.

This article examines international understandings of what constitutes humanitarian protection, arguing that vulnerable people in situations of natural

disaster and armed conflict often prioritize livelihood issues and collective concerns (e.g., the well-being of the family unit, integrity of the ethnic nation) as much as they do the individual, civil, and political rights that most humanitarian and human rights agencies highlight. It explores non-liberal notions of protection, including those mobilized by non-state actors (armed and political groups, and indeed criminal networks).

The conclusion calls on humanitarian agencies to undertake comprehensive assessments of the social, political, and economic contexts within which they operate, building on and complementing local understandings and agency. However, it cautions that prioritizing local realities brings accompanying risks, including the often unexamined dangers of supporting armed opposition groups and sustaining the very conflicts that produce humanitarian crises. I argue that attention to such local realities is particularly important in the context of shifting geostrategic balances of international power (“the rise of China”)—a complex set of phenomena, with profound implications for norms, values, identities, and interests in the humanitarian realm.

### Introduction

Understandings of “protection” within the humanitarian industry<sup>2</sup> and as used by civilian populations living in situations of armed conflict and natural disaster vary considerably. To understand why this is so, it is necessary to explore the evolution of protection as a key theme within post-cold war humanitarianism.

The humanitarian enterprise has traditionally been guided by the twin principles of neutrality and impartiality and the axiom of operational independence.<sup>3</sup> Following the end of the cold war, however, some aid agencies began to reconceptualize their mission under the broad rubric of a “new humanitarianism.”<sup>4</sup> According to this position, humanitarian actors should address not only humanitarian needs (e.g., for food, medicine), but also the causes of vulnerability, including sociopolitical (and possibly economic) structures of violence. The new humanitarianism involved aid agencies paying closer attention to international human rights and humanitarian law.<sup>5</sup> In the 1990s, debates focused on the right of humanitarian actors to intervene in situations of large-scale and systematic human rights abuses. During the 2000s, attention shifted to the responsibility of states to protect their citizens and of the international community to step in in cases where states were unable or unwilling to do so. Despite much lofty rhetoric, humanitarian interventionism remained largely constrained by nation-states’ concerns with state sovereignty<sup>6</sup> with the exception of

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1. In 1989 the then SLORC military junta renamed the country “Myanmar Naing-ngan.” This article follows the usage of most ethnic nationality informants in retaining “Burma.”
  2. The term is coined by Duffield (2001, 191). The concept is similar to deWaal’s “humanitarian international”: the cosmopolitan “transnational elite of relief workers, aid-dispensing civil servants, academics, journalists and others, and the institutes they work for” (deWaal 1997, xv).
  3. Barnett and Weiss 2008, 3.
  4. Walker and Maxwell 2009, 73; Barnett 2011, 10.
  5. Darcy 2004.
  6. Rae 2002.



Aid worker of the United Nations High Commissioner for Refugees distributes blankets to the survivors displaced by the Cyclone Nargis, 16 May 2008. In situations of natural disaster survivors often prioritize livelihood issues and collective concerns as much as they do the individual, civil, and political rights that most humanitarian and human rights agencies highlight. (Credit: UN Photo/UNHCR, Yangon, Myanmar)

cases where global powers' interests or identities were invoked (e.g., interventions in ex-Yugoslavian<sup>7</sup>). In these debates, therefore, protective actions remained focused on the level of the sovereign nation-state, or failing this and by default, the international community, including professional humanitarian agencies.<sup>8</sup> This is largely explained by the fact that international humanitarian, refugee, and human rights law are premised on notions of state sovereignty, obliging those adopting legal frameworks and rights-based approaches to prioritize the state and other external agencies.

The doctrine of sovereignty accords the state authority within its borders for securing the well-being of its citizens. Although the legitimacy of the state may be contested domestically, this has not traditionally affected its "negative sovereignty" within the international system.<sup>9</sup> Building on the work of the International Commission on Intervention and State Sovereignty,<sup>10</sup> the UN

7. Barnett 2011.

8. "Humanitarian minimalists" have critiqued this move toward rights-based protection programming. Marc DuBois of Médecins Sans Frontières (MSF) argues that most uses of "protection" in the humanitarian sector are unhelpful, and even dangerous, "fig-leaves," which obscure aid agencies' inability to physically *protect* people caught in situations of violence and suffering (DuBois 2010, 2–4). For Du Bois, humanitarian agencies claiming to be engaged in "protection," but which are actually distributing blankets or food, allow political actors (primarily states) to avoid their responsibilities to find political solutions and physically protect civilians. The "commonsense" meaning of protection is perhaps closer to the way the concept is used by non-state actors in Burma.

9. Jackson 1990.

10. ICISS 2001.

World Summit in 2005 endorsed the doctrine of the “Responsibility to Protect” (R2P), according to which international actors may intervene in situations of acute crisis in order to prevent, mitigate, or otherwise respond to widespread rights violations.<sup>11</sup> This doctrine has been contested (especially by some non-Western states), and has not yet been universally accepted as part of “international customary law.”<sup>12</sup> Indeed, recent developments—such as the government of Sri Lanka’s invoking the language of protection, while restricting the rights of displaced people during and after its military victory over the Tamil Tigers, indicate that states may be willing to subvert R2P to their own ends.<sup>13</sup>

The R2P doctrine relates solely to activities approved by the UN Security Council and by extension to the actions of states and their agents—the international humanitarian system (UN agencies and selected international NGOs [nongovernmental organizations]). However, elements in the human rights and activist communities have sought to mobilize the R2P doctrine in order to legitimize a broad range of rights-based interventions, including on the part of non-state actors, such as NGOs. However, “humanitarian protection” remains an activity undertaken primarily by outsiders on behalf of vulnerable communities. International human rights and humanitarian law (including doctrines such as R2P) provide little recognition for the protective activities of vulnerable communities—the very people whose lack of protection is in question—or other non-system actors, such as civil society, political organizations, and armed groups.

To a significant degree, this prioritization of state and external agency has been an operational necessity, especially in emergency situations where addressing immediate needs and the effective distribution of large-scale resources is a humanitarian priority. Nevertheless, opportunities exist to better understand and relate to a range of non-system actors, their views and needs, in ways that meet immediate needs but also build long-term capacity. This is particularly so in situations such as in southeast Burma and the Delta region immediately after Cyclone Nargis, where international actors have limited access and where the state is one of the main agents threatening vulnerable populations.

According to the most widely accepted definition (developed in 1999 by the International Committee of the Red Cross), humanitarian protection aims to limit or mitigate the impacts of abuses and “encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., international human rights law, international humanitarian law and refugee law).”<sup>14</sup> It is by no means clear whether vulnerable populations living in areas affected by armed conflict

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11. The R2P doctrine endorses intervention (i.e., the violation of state sovereignty) in four instances: threat and/or acts of genocide; war crimes; crimes against humanity; and ethnic cleansing (Evans 2008).

12. Ferris 2011, 90, 170–73.

13. See Venugopal 2010. Politically engaged humanitarianism raises questions regarding the relationship between humanitarian aid (traditionally conceived as neutral in relation to conflicts) and states’ agendas and interests (Barnett 2011, 5).

14. Caverzasio 2001.

and/or natural disaster—or by non-system actors—share this understanding of “protection.”

Although aid agencies may endeavor to elicit beneficiaries’ participation in their programming, aid interventions generally remain focused on international actors. There is however, a growing awareness that such approaches are insufficient, inasmuch as they do not empower communities and tend to ignore local agency. Often, these themes are framed in terms of “partnership.”<sup>15</sup> International humanitarian initiatives such as the Sphere project<sup>16</sup> have sought to elicit beneficiaries’ participation in aid programming, including in the field of protection.<sup>17</sup> International aid agencies have also begun to investigate local protection activities.<sup>18</sup>

Recent research along these lines has asked what communities understand by “protection”<sup>19</sup> and incorporate local realities and agency in their programming.<sup>20</sup> For all these good intentions, however, Ferris observes that local protection and survival strategies remain under-researched and poorly understood.<sup>21</sup> Peter Walker and Daniel Maxwell regard this as one of the key questions facing humanitarianism in the early twenty-first century: “What should be the relationship between the external transnational humanitarian agencies and the small local grouping?”<sup>22</sup>

As Ian Smillie notes, such considerations reintroduce power relationships (i.e., politics) into the humanitarian equation, including questions regarding the balance of power between local and international actors. Accepting local agency and building the capacity of affected communities and other non-system actors involves accepting that, in many cases, “local organisations are highly partisan, often for good reason...[and] are therefore likely to have opinions that exist in tension with basic humanitarian principles.”<sup>23</sup> The politically engaged nature of many local actors in conflict situations raises questions regarding the distinctions between coping, protection, and resistance.

Since the 1980s, the study of “resistance” has become fashionable in the social sciences.<sup>24</sup> Tim Forsyth critiques the “resistance mentality,” cautioning

15. On the “humanitarian accountability revolution,” see Ferris 2011.

16. Sphere Project (2008): [www.sphereproject.org/](http://www.sphereproject.org/); accessed 9 March 2012.

17. Barnett 2011, 214.

18. Reviewed by Ferris (2011, 118–20).

19. Yvonne Ageng’o, Nicolau dos Reis, and Louise Searle ask “to what extent do agencies and populations at risk [in Kenya and Timor-Leste] share similar definitions, ideas and priorities, regarding protection?” (Ageng’o, dos Reis, and Searle 2010, 16–18). However, they still orientate local understandings of protection toward a normative acceptance of international standards.

20. See, for example, ActionAid 2008.

21. See Ferris 2011, 62. Analysts and practitioners have developed typologies of local coping mechanisms (surveyed in Jaspers and O’Callaghan 2010).

22. See Walker and Maxwell 2009, 1460. Casey Barrs (2010) describes various modes of local self-protection strategy and suggests how these could be better supported by the humanitarian community.

23. See Ian Smillie 2001: 187–88. Humanitarianism remains essentially something that outsiders do to and for vulnerable populations. As Michael Barnett notes (2011, 34), “Humanitarian action is dedicated to helping others, and frequently does so without soliciting the desires of those who are seen to be in need.”





This article shows that while aid agencies may endeavor to elicit the participation of beneficiaries in conflict-affected areas (such as the internally displaced Karens pictured here), aid interventions generally remain focused on international actors. (Credit: Burma Free Rangers)

against the danger of projecting notions of resistance onto behavior that is amenable to alternative interpretations.<sup>25</sup> He suggests that “if we adopt a hegemonic frame uncritically, we risk misplacing social or economic activities into pre-defined narratives of resistance.”<sup>26</sup> Forsyth reminds scholars and activists of the need to “think critically about how we make assumptions about distant places and people, to consider how political alliances and activism [can sometimes] (mis)represent different groups.”<sup>27</sup> I, too, am skeptical of efforts to frame local agency as forms of resistance, as opposed to coping or survival mechanisms.

Notwithstanding such caveats, affected communities and other non-system actors are rarely consulted regarding—and even less often involved in the design of—humanitarian interventions, while the range of strategies they adopt in order to cope with threats to their safety and dignity are often overlooked. External interventions that fail to recognize and support indigenous efforts may inadvertently undermine existing coping mechanisms, disempowering local communities. This is particularly unfortunate in situations where vulnerable populations are inaccessible to mainstream international actors. In such contexts, it is important to examine the positions and activities in the field of protection, of civil society, and of non-state actors, including armed state and non-state groups. In situations such as armed conflict-affected southeast Burma (see below), these are the only agencies on the ground and they are of-

24. Kerkvliet 1990; Scott 1985 and 2009.

25. Forsyth, in Caouette and Turner 2009, 270–71.

26. *Ibid.*, 274.

27. *Ibid.*, 275.

ten involved in internationally funded aid activities.<sup>28</sup>

The manner in which international aid actors understand and support local agency is likely to become increasingly significant, given the shifting global balance of power. The worldwide economic crisis has accelerated processes of geostrategic change, whereby power is shifting away from the European and North American states that have dominated world history for the past two centuries and since the end of the cold war have sponsored rights-based interventions in situations of humanitarian crisis and complex emergency. In the future, less financial and political capital may be available to back external interventions based on notions of human rights. In this eventuality, the efforts affected populations and other non-system actors make to protect themselves will become increasingly important.

This article explores these issues through two Burmese case studies. The first examines Karen-populated areas in the armed conflict-affected southeast of the country. The second case study explores local vulnerabilities and responses in the context of Cyclone Nargis, which struck the Irrawaddy Delta in southeast Burma on 2 May 2008, claiming at least 140,000 lives. The article is based on research undertaken by the Local to Global Protection (L2GP) project (see below).

### The Burma Context

Under the 2008 constitution (which came into effect in 2011), Burma is demarcated administratively into seven predominantly ethnic nationality-populated states and seven majority Burman regions. Home to more than one hundred ethno-linguistic groups, since independence in 1949 the country has been subject to armed conflict between the central government and communist insurgents (until 1989) and a range of armed ethnic groups, whose leaders have sought self-determination.<sup>29</sup> Burma has been subject both to state-society conflicts, regarding the relationship between the state (dominated by the military since the 1950s<sup>30</sup>) and various, predominantly urban-based, groups seeking greater accountability (the democracy movement); and by an overlapping set of tensions between a state that has become dominated by elements of the ethnic Burman majority<sup>31</sup> and representatives of minority communities, which make up approximately 30 percent of the population.<sup>32</sup>

Following elections in November 2010, a new government took office in late March 2011. In his inaugural speech, President Thein Sein talked about the need for widespread changes in the country and, in particular, for national rec-

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28. Mark Vincent and Birgitte Refslund Sorensen have argued (2001, 1) that "too frequently overlooked is the ability to internally displaced people to adapt to the experience of displacement. This oversight robs the displaced of their voice and belittles the substantial contributions they make in shaping their own lives. It also reinforces the incorrect perception that the international stage is the only venue for action."

29. Smith 1999.

30. Callahan 2003.

31. Houtman 1999; Steinberg 2007.

32. South 2008.



conciliation between the state and Burma's diverse social and ethnic groups. Over the following months, the political situation underwent the most significant changes since the advent of military rule in 1962. However, questions remained whether the pace and scope of reform was sustainable and could be translated into real changes in policies and outcomes that affect people's lives.

### *The Karen Conflict*

Since independence in 1948, successive Burmese governments have tended to underestimate the size of minority communities, and the breakdown of population by ethnicity remains highly contested. Official demographic figures and indicators are particularly flawed in relation to border areas, many of which are still inaccessible to the government and international agencies. Estimates regarding the size of the Karen population vary from between 3 and 8 million, depending on how the exonym "Karen" is defined. There are some twelve Karen-language dialects. The majority speak S'ghaw (particularly in hill areas and among the Christian community) and Pwo (especially in the lowlands and among Buddhists). An estimated 20 percent of the Karen population are Christian.

Karen-populated areas of Burma have been affected by armed conflict since 1949, the year after independence. For much of this period, the Karen National Union (KNU) operated as a de facto government, controlling large swathes of territory across Karen State and adjacent areas. Although internationally unrecognized, the KNU administration aspired to reproduce in areas under its control the (Weberian) "rational-bureaucratic" state, fielding departments such as health and education and civil administration and making claims to a legitimate monopolization of violence and rights to extract taxes from the population. By the 1990s, however, the KNU had lost control of most of its once-extensive "liberated zones"—although the organization still exerted varying degrees of influence over areas contested with government forces and proxy militias. State counterinsurgency policies in southeast Burma have been marked by often extreme brutality against civilians. After more than half-a-century of civil war, over 500,000 people are internally displaced, with some 150,000, predominantly Karen, refugees living in camps along the Thailand–Burma border.<sup>33</sup>

Whereas the KNU had once been strong enough to demand at least symbolic loyalty from locally based field commanders—many of whom operated under the umbrella of the Karen national movement—the collapse of the organization's fortunes in the 1990s led to the splintering of the old insurgent paradigm and the reorientation of specialists in violence toward the military government and its networks of control.<sup>34</sup> The decline of the KNU was exacerbated by the defection in late 1994 of several hundred battle-hardened soldiers who established the government-allied Democratic Karen Buddhist Army (DKBA) in

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33. South 2011.

34. Ibid.



A young KNU soldier sits next to a sign erected during the national celebration at a Wallay Khee jungle camp in Burma on 31 January 2000. “SPDC” on the sign is the acronym for the former State Peace and Development Council. (Credit: AP Photo/Apichart Weerawong)

protest against the Christian domination of the KNU and the failure of its long-term leader, the charismatic General Bo Mya (who died in 2006), to discipline adequately field commanders operating under his authority.

Like other ex-KNU factions, DKBA lacks a coherent command and control structure and often acts as a proxy militia for the Tatmadaw, deflecting some criticism for the state’s harsh policies. Like some of their counterparts in the KNU, many DKBA commanders and soldiers are “conflict entrepreneurs” for whom military and political status is a means to personal power and enrichment. However, DKBA leaders often also employ strong ethno-nationalist rhetoric and in some areas have implemented local infrastructure development projects. Furthermore, research indicates that conditions for Internally Displaced Persons (IDPs) in DKBA-controlled ceasefire areas are better than those in zones of ongoing armed conflict or government-controlled relocation sites.<sup>35</sup>

Leaders of the DKBA and other ex-KNU factions enjoy some support, especially among non-Christians. This support derives from perceptions that non-KNU political groups can sometimes represent the interests and identities of sometimes marginalized elements of the diverse Karen community. In inter-

35. See South 2008, 80–82. Although this article refers to insurgent-controlled, government-controlled, and ceasefire group-controlled—or influenced—areas, the situation on the ground is rarely so clear. These are “ideal types”; in reality, areas of (disputed) authority and influence shade into each other, with frontiers shifting over time, in accordance with the season, and the dynamics of armed and state–society conflict.

views with the author, however, non-Christians expressed disappointment in the DKBA's inability to promote a comprehensive Karen nationalist agenda. For example, although there are schools in DKBA-controlled areas, these generally do not teach the Karen language, but rather follow the government (Burmese-language) curriculum. DKBA commanders acknowledge that some within the organization are sometimes involved in human rights violations, but argue that it is necessary for a people to accept certain privations and suffering in order to build a nation. Such arguments involve appeals to ends over means.

In 2009 the majority of the DKBA units were transformed into Burma Army-controlled Border Guard Force (BGF) battalions, as were several other armed ethnic groups that had agreed ceasefires with the government since 1989.<sup>36</sup> However, some DKBA field commanders refused to relinquish control over their troops and territory (and related economic benefits), choosing instead to return to armed conflict. In November 2011 most of these renegade DKBA units agreed a new ceasefire with the military-backed government.

In late 2011 the KNU began a new series of negotiations with the Thein Sein government. On 12 January 2012 a KNU delegation signed a preliminary ceasefire agreement at the Karen State Capital of Pa'an.

### *Cyclone Nargis*

Cyclone Nargis struck on the night of the 2 May 2008, with wind speeds of up to 200 km/hour. The storm surge pushed a wall of water, at places some twelve feet high, as far as thirty kilometers inland. The cyclone affected fifty townships in Ayeyarwady (the "Delta") and Yangon regions. Official data records the number of dead and missing at approximately 140,000 people. Aid workers, however, estimate that as many as 200,000 people may have been killed.

For many people, the most abiding impression is the overwhelming ferocity of the storm. Particularly in the most vulnerable coastal areas, entire villages were destroyed, with few if any survivors. In the first few days, survivors were exhausted and traumatized, in many cases having lost their entire extended families. Some were naked, having had their clothes ripped from their backs by the ferocious winds and rain; many were injured, and all were hungry and thirsty. Several villages, particularly the most vulnerable near the coast, were completely destroyed. Altogether, up to 3 million people were displaced by this natural disaster. In the meantime, the government chose to focus its efforts and resources on conducting a referendum engineered to endorse a new constitution for Myanmar.

Despite the utter devastation they suffered, affected villages were at the center of recovery efforts from the outset, and later engaged in a range of activities to rehabilitate their communities. This article describes such initiatives, which started in the first hours after Cyclone Nargis, as the waters receded and people (and corpses) came down from the trees and survivors started to organize informally to find food and water—and begin the process of contacting the outside world.

## Methodology

Research for this article was undertaken as part of the L2GP project, a collaborative implemented by a consortium of Nordic aid agencies. In addition to fieldwork undertaken in southeast Burma and the Delta (described below), the L2GP project has conducted research in Sudan, Southern Sudan, and Zimbabwe.<sup>37</sup>

The two case studies were selected as representing two very different contexts (armed conflict and natural disaster) within the complex social, political, and economic makeup of Burma. Vulnerabilities and needs among these two sets of informants are contrasted below. Communities in the Delta were subject to a one-off natural disaster (which nevertheless had long-term consequences, including widespread trauma), while people in the southeast have been affected by decades of armed conflict, with many communities repeatedly displaced.<sup>38</sup>

In southeast Burma, fieldwork was undertaken in partnership with twenty local researchers from six community-based organizations (CBOs), who together with the author conducted more than 200 interviews and focus groups. Informants included displaced people from Burma currently living in Thailand, internally displaced persons (IDPs) in hiding in the conflict zones, and vulnerable civilians living in ceasefire group and government-controlled areas and in areas of mixed administration. The former two categories were accessed by four opposition-orientated, border-based CBOs; the latter by two Karen civil society groups working inside the country. In the Irrawaddy Delta, fieldwork was undertaken in two townships by fifteen local researchers from two different CBOs, together with three international resource people.

The L2GP project broke new ground in southeast Burma, inasmuch as previous research on armed conflict and its impact has focused mostly on vulnerable civilians as “victims,” without taking account of the *agency* of affected communities.<sup>39</sup> Reports and literature on the humanitarian and political situation in southeast Burma tend to focus on the perspective of border-based communities and actors aligned with armed and political opposition groups. The past decade has seen the production of large numbers of reports denouncing human rights abuses and documenting the plight of Karen and other civilian populations,

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36. See South 2011. The three most powerful armed ethnic ceasefire groups (Wa, Kachin, and Mon) refused to transform themselves into BGF militias. As a result of increased tensions with the government, the Kachin Independence Organisation resumed armed conflict in June 2011.

37. For details regarding the Local to Global Protection initiative, and full texts of the five reports (including extensive quotes from informants), see [www.local2global.info/](http://www.local2global.info/); the L2GP research and findings are synthesized in South et al. 2011. Unfortunately, constraints on space make it impossible to include local voices in this article.

38. South 2007.

39. An important exception is the Karen Human Rights Group's *Village Agency* (2008), the first systematic report on local protective agency to have been undertaken in Burma. Also relevant is Chris Cusano's wide-ranging study of Karen IDPs' responses to displacement (in Vincent and Sorensen 2001).

with a particular emphasis on the situation of internally displaced people.<sup>40</sup> Such research has done much to highlight the difficult situation faced by people in the remaining areas of Burma affected by armed conflict, but the literature fails to investigate the roles played by armed ethnic groups and the manner in which attacks by insurgents (or even their very presence) provoke reprisals against civilian populations. Rather, the situation is framed as one in which civilian populations are systematically subjected to human rights violations by the predatory Burmese state and army. While the Burma Army and its proxies constitute the main threat to civilians in southeast Burma, and are implicated in widespread and systematic human rights abuses,<sup>41</sup> it takes two parties (or more) to conduct an armed conflict, as discussed below.

Armed conflict in Burma has generated acute humanitarian suffering. As international organizations have virtually no direct access to armed conflict-affected areas, assistance to vulnerable communities is provided through partnerships with local agencies; this is especially the case in Karen-populated areas, where many displaced communities are only accessible cross-border from Thailand.<sup>42</sup> Some of these local aid agencies constitute the humanitarian wings of armed non-state actors. Cross-border aid operations are generally impartial (inasmuch as they assist communities irrespective of religious, political, or ethnic orientation), but they are mostly able to access only subgroups of IDPs, who make themselves available to armed opposition actors. This selection bias has meant that information regarding the situation in southeast Burma is somewhat distorted, focusing almost exclusively on communities accessible to one party to the conflict: the KNU. Much less is known about the situation of communities living in government- and ceasefire group-controlled areas. The L2GP project redressed this imbalance in existing research, conducting research on both sides of the “front line” of conflict in Karen State, in partnership with local community-based groups.

In the Irrawaddy Delta, L2GP research was the first time that systematic enquiry had been applied to the perceptions and responses of affected communities. Indeed, in several of the communities visited, researchers were told that—while outsiders had unexpectedly come to visit before—the L2GP project was the first to ask them about their experiences of Nargis and since. Other visitors had come with checklists of questions, and had not seemed particularly interested in the feelings and experiences of the villagers.

### **Self-protection in Southeast Burma**

In armed conflict-affected southeast Burma, threats to civilian populations include murder, rape, torture, looting, forced labor and arbitrary taxation, land confiscation, and the destruction of entire villages. Although the most serious violations are perpetrated by state agents and their proxies, armed opposition groups have also been implicated in abuses. People living in conflict-affected

40. See, for example, Thailand–Burma Border Consortium 2011.

41. Karen Human Rights Group 2008.

42. South 2007.



zones are often subject to “multiple masters,” paying taxes (or other forms of “tribute”—such as labor, or the conscription of their sons) to two or more armed groups. The protection of livelihoods (including widespread indebtedness) is a major concern, together with maintenance of cultural and religious identities.

This case study raises questions of how to address protection concerns, when international access is difficult—or nonexistent. Across much of south-east Burma, this is due to government restrictions on access and to the physical danger of international presence.

While the activities of international organizations are based on agency mandates, ultimately derived from international human rights and humanitarian law, vulnerable communities may value aspects of family and group solidarity more strongly than external agencies appreciate. Among Karen populations in southeast Burma, this can involve subsections of ethnic communities identifying with armed opposition groups and the defense of the “ethnic nation.”

Tension exists between the need to develop a typology of survival and self-protection strategies—in order to navigate the rich variety of examples revealed in the research—and the danger that doing so will distort people’s actual experiences, by trying to fit these into a (seemingly arbitrary) framework. The following typology is offered as a provisional framework, intended to assist in the organization of diverse material. It is based on an analysis of the primary research findings and a systematic survey of secondary literatures.

Table 1. Typology of coping mechanisms

<b>Contain or manage the threat</b>	– comply with demands and attempt to limit damage, e.g., by paying off power-holders, or providing labor and/or recruits
	– turn for assistance to local authorities, including religious and community leaders, and/or appeal to the goodwill of power-holders (“local advocacy” and leadership/trust)
	– use various strategies and subterfuges
	– make do and stay quiet
<b>Avoid the threat</b>	– flee temporarily or seek more permanent migration (internal displacement or seeking refuge in Thailand)
<b>Confront the threat</b>	– public advocacy
	– active resistance

Our research found that the limited options available to vulnerable Karen individuals, families, and communities depend upon the resources they have available, particularly money and relationships. For example, where IDPs flee—whether to (government-controlled relocation sites, insurgent-controlled jungle, or refugee camps in Thailand)—depends on whether they enjoy friendly or threatening relationships with the armed groups (including government forces) and whether they have family or other contacts in potential places of asylum.

Often, people have to balance risks against each other and choose the least worst option. For example, (forced) migration is often a coping strategy for peo-

Table 2. Variable responses to forced migration

Hide in—or close to—zones of ongoing armed conflict and forced relocation, with the hope of returning home soon (although often remaining mobile for years)

Move to a government- or ceasefire group-controlled relocation site (if one is provided)

Enter a ceasefire area

Move to relatively more secure villages, towns, or peri-urban areas, including “behind the front lines” in war zones, in ceasefire zones, and in government-controlled locations

Cross an international border, to seek refuge—either as a migrant worker, or in a refugee camp.

ple subject to serious human rights abuses, or unable to sustain their livelihoods. This option may expose individuals and families to risks such as those associated with trafficking or migrant labor in Thailand. With the alternatives being unbearable, they have little choice but to accept this option. In other cases, farmers may enter landmine-seeded fields, knowing the risk they face, in order to

feed their families. These examples illustrate the finding that, for vulnerable communities in Burma, the distinction between livelihoods/food and other forms of security is minimal.

The study revealed the strategies and subterfuges vulnerable people use to protect their families and gain access to resources.<sup>43</sup> Often, the only available option is to contain, or try to manage, the threat. For example, civilians keep their heads down and comply with demands, paying off power-holders and providing labor and/or recruits. In other cases, villagers may turn for assistance to religious and other community leaders. Such forms of local, “persuasive advocacy”<sup>44</sup>—in which community leaders engage behind the scenes with local power-holders—are not well understood by international actors working in and on Burma. These forms are based on “human capital”—intra-community trust<sup>45</sup>—allowing for the emergence of brave and resourceful local leaders.

Other stakeholders include the Burmese authorities and army. In the conflict-affected southeast particularly, the state is responsible for some of the most serious abuses.

In the absence of protection by the state or international agencies, community-based organizations play important roles in providing limited amounts of assistance to vulnerable communities in southeast Burma. Civil society networks operating cross-border from Thailand include a range of CBOs, some of which are effectively the welfare wings of armed ethnic groups, while others operate with a large degree of independence. These organizations provide often life-saving assistance to IDPs and other vulnerable civilians, with funds provided by many of the same donors who also support the refugee regime along the border (see below). Monitoring of these relief activities is very tight, and little if any cross-border aid is diverted to insurgent organizations. However, the close association between several of the more prominent cross-border aid groups and the armed conflict actors with which they work so closely, legitimizes the latter, inasmuch as they are perceived to be involved in the

43. For detailed examples, see South et al. 2010.

44. Slim and Bonwick 2005.

45. Putnam 1993.

distribution of internationally funded relief supplies.

In addition to the cross-border aid program, some \$50 million of foreign funding is provided annually to ten refugee camps along the Thailand–Burma border. The refugee regime provides a sanctuary from the war across the border in Burma and life-saving assistance to vulnerable civilian populations. It also helps to sustain the armed conflict, inasmuch as it supports and prolongs the KNU insurgency: as well as limited amounts of relief supplies diverted from the camps to the KNLA, KNU personnel and their families receive shelter in the camps (together with large numbers of nonaligned refugees). Such interventions have (unintentionally) contributed to the continuation of conditions that—while they may benefit particular elites, including some aid agencies—prolong the suffering of civilians affected by the armed conflict in southeast Burma.<sup>46</sup> This is not to argue that foreign aid is the sole driver of the KNU and other groups’ continuation of armed conflict. The KNU also receives revenue through taxation of black market trade, granting and taxing logging and mining concessions, donations from the Karen diaspora (at least some of whom regard such donations as a kind of “national duty”), and taxation of civilians.

Other CBOs operate out of government-controlled areas “inside” Burma. Several are engaged in developing low-profile, community-based responses to conflict. Some (particularly faith-based) leaders are able to create local zones of tranquillity and limited physical protection for civilians in their areas of influence.

For centuries, monasteries in Burma have functioned as havens of peace and refuge, and monks have long provided assistance to vulnerable members of the laity. In recent years in Karen State, the most famous case has been the Thamanya monastery near Pa’an, where the late abbot oversaw a feeding program of more than 10,000 people a day, supported mainly by the donations of pilgrims.<sup>47</sup> These displaced villagers were protected from forced portering and other abuses by the Burma Army and the DKBA. The Thamanya monastery is a prime example of localized relative autonomy, dependent upon the charismatic power of an ascendant civilian patron.

One of the most prominent of a younger generation of Karen monks is the abbot of a monastery just north of Pa’an. A highly perceptive and charismatic individual, he has been able to mobilize the community around agricultural and other local development projects and has played a leading role in interfaith dialogue with Karen Christian leaders. His influence extends throughout central Karen State, where he is regarded as a “democracy monk” and something of a competitor to U Thuzana, patron monk of the DKBA.

The other set of key stakeholders are armed non-state groups. Bitterly opposed on the battlefield and in the political arena, leaders of the main Karen factions regard themselves as legitimate representatives of the Karen peoples.

The KNU’s modernist, avowedly rights-based state-building agenda has been described and discussed elsewhere.<sup>48</sup> Claims to legitimacy from within the

46. South 2011.

47. Rosenberg 2010, 16, 92, 136–40.

48. See, for example, Smith 1999; South 2008.

DKBA are less well known. These have tended to rely on a combination of coercion and other forms of violence, the purchase of loyalty, together with appeals to traditional values. For the DKBA and other groups, legitimacy derives from their roles as local strongmen and as guardians and protectors of non-Christian (particularly Buddhist) Karen religion and non-Sgaw (particularly Pwo-speaking) Karen dialects. To a degree, DKBA agendas may be characterized as “modernist,” inasmuch as individual commanders promote models of economic development and patronage of their organization. Other appeals to legitimization are not couched in the rational-bureaucratic, rights-based language familiar to the international humanitarian and human rights community. Rather, DKBA leaders appeal to locally relevant aspects of legitimacy, based on “traditional Karen values.” For example, DKBA Brigade 999 commander Pah Nwe, who was once an ordained monk, is well known for building pagodas in areas under his control.<sup>49</sup>

A number of informants reported that if family members are associated with the KNU–KNLA Peace Council (another ex–KNU faction), they do not have to do forced labor or pay taxes to DKBA or government forces. With the upsurge in intra-Karen conflict in 2009, villagers moved into the Peace Council area, which assumed characteristics of a traditional Karen “zone of tranquillity” (such as the Thamanya monastery).

Some informants reported that they prefer to have the DKBA in the vicinity rather than either the KNU or the Burma Army. This is because when KNU soldiers are present, the Burma Army and/or the DKBA are likely to retaliate against the local civilian population, who they accuse of siding with their enemy. There seems to be a perception, at least among some informants, that the DKBA can offer some protection to villagers, inasmuch as they generally demand less taxation than does the Burma Army and behave less aggressively—i.e., given that forced labor and taxation are considered inevitable, at least the DKBA keeps the Burma Army off villagers’ backs. With the upsurge of fighting in 2009, however, along with increased demands for personnel and money from the DKBA, such self-protection mechanisms are beginning to break down. Villagers often “purchase” some protection by providing their sons as conscripts for one or more armed groups. In such cases, the rights of particular individuals are “sacrificed” by their families and/or communities, in order to safeguard the larger unit’s well-being.

Both the KNU and DKBA position themselves as defenders of the Karen nation—in terms of providing physical safety and security of livelihoods, as well as protecting elements of culture and national identity. These claims are made despite the fact that insurgent operations launched against “the enemy” provoke Burma Army reprisals against civilians.

Landmine usage illustrates some of the complexities and ambiguities of protection strategies. As noted, the KNU regards itself as protecting the Karen civilian population. One of the ways it does this is by laying landmines in order

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49. Pah Nwe is no longer a monk.

to secure territory under its authority. The use of landmines in rural Burma is an effective military strategy used by all parties to the conflict. It denies strategically important territory to the enemy and provides a level of security to insurgent base areas. Indeed, the KNU/KNLA insurgency could not continue in its present form without the use of landmines.

The use of landmines by all parties to the conflict is a clear threat to safety and human security: victims include members of armed groups and also large numbers of civilians who are crippled for life or even killed in landmine explosions. The KNU offers two reasons for its use of landmines: first, KNLA units attempt to inform villagers of the whereabouts of landmines; second, unlike those the Burma Army uses, most KNLA (and indeed DKBA) landmines are home-made “bamboo and battery” devices, that rarely last more than six months, due to the deterioration of the batteries.

Landmines are perceived as a form of protection, as well as an obvious threat. This ambiguity is reinforced by the fact that, in some cases at least, civilians themselves use landmines (and sometimes factory-made Claymore mines) to defend their villages against “enemy” incursion. When villagers are warned that a belligerent patrol is in the vicinity, they sometimes put out landmines, usually together with warning signals. Often, when the immediate crisis has passed, the mines are retrieved and returned to storage. In general, the KNLA has facilitated—rather than directly encouraging—such activities.

### Self-protection in the Delta

Among the immediate threats vulnerable communities faced as a result of Cyclone Nargis were drowning, lack of food, water, and shelter, inadequate health care and means of transportation, and no protection from thieves.<sup>50</sup> In the subsequent weeks and months, threats, risks, and concerns included trauma/psychological shock, forced return from displacement, inadequate resources for return, initial restricted humanitarian access, lack of inputs for reconstruction of homes and re-engaging with urgent livelihood activities, no access to affordable credit, lack of education, forced relocation, inappropriate aid and aid targeting, inconsistent leadership by local authorities, and a general lack of support from the state.

In responding to and recovering from Cyclone Nargis, affected communities experienced three phases of assistance:

- First and foremost in importance were the self-protection activities of affected people themselves—the ways in which individuals, families, and communities gathered together to help each other and protect the most vulnerable.
- The next phase of assistance came from within Myanmar itself—ordinary citizens, including business people who collected donations and purchased supplies to send to affected areas, as well as more formally or-

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50. Also striking is what was not said. For example, interviewees reported very few cases of rape or other forms of sexual harassment.



ganized faith-based and secular CBOs and local NGOs. In some instances, the armed forces were also among the first to provide limited assistance, particularly in the most remote areas and where troops had been deployed for security reasons.

- With some important exceptions, only a few international agencies were present on the ground in the remotest areas in a major way until around one month after the natural disaster. In part at least, this was due to government restrictions on access to those areas.

In general, interviewees made little distinction between immediate protection concerns related to physical safety and security and longer-term issues of livelihood security. Some respondents observed that those most severely affected by the cyclone were “rich villagers” (e.g., landowners), while the most vulnerable were poor villagers (e.g., landless laborers).

In the immediate aftermath of this devastating natural disaster, local community (and especially religious) leaders played key roles in organizing and inspiring survivors. Indeed, it is striking that both recipients and many local aid actors understood their activities in terms of indigenous notions of “donation,” including in the Buddhist context. Traditionally, donation is perceived not as something that affected populations had a right to receive, or question the quality of, but rather something that more powerful people granted them, and for which they should be grateful.<sup>51</sup>

Especially in the first days and weeks, informal networks were important in helping communities to survive and be able to contact the authorities and other outside agencies. Over the following weeks and months, structures of political authority—and economic dominance—that had characterized the Delta before the cyclone began to reassert themselves.

It is noteworthy that in many cases the Burma Army was the first external agency to provide assistance, albeit limited. This finding is particularly striking given the role the armed forces usually play in human rights reporting on Burma—that of the perpetrator of abuses. Supplementing the numerous ways in which villagers helped themselves, outside assistance in the early days and weeks after the cyclone also came from Burmese citizens. In many cases, these were concerned individuals and families, as well as private businesses, who responded to this unprecedented natural disaster with great generosity and perseverance. Although early needs assessments and distribution techniques were necessarily quite basic, ordinary citizens from beyond the Delta clearly contributed a great deal to keeping many people alive. Among these initiatives were life-saving interventions by organizations and individuals from the country’s diverse civil society, which often worked in partnership with affected populations to save lives and restore dignity and safety. Assistance from CBOs and local NGOs was given greater recognition than would ordinarily be the case in situations of massive natural disaster due to the relative lack of international

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51. For an examination of donation and redistribution in the Burmese Buddhist context, see Rosenberg 2010.

aid in the early response phase.

Much has been made in advocacy circles of the government's restriction of international humanitarian access in the first weeks after Cyclone Nargis. This action was in conflict with international humanitarian law and the government's duty to protect and assist a population in dire need. Many communities were denied access to humanitarian aid as a result. Fortunately, due to the work of local and international agencies already on the ground—and above all, because of the resilience of affected communities—the anticipated second wave of deaths caused by water-borne diseases did not occur. The government did restrict international humanitarian access, however, in the month or so after this natural disaster. Meanwhile, threats by Western politicians and activists to impose aid unilaterally and attempts to mobilize the “Responsibility to Protect” doctrine reinforced the paranoid and xenophobic positions of regime hard-liners. Such developments may have resulted in aid to the most vulnerable communities being further delayed.

Since Cyclone Nargis, exile and overseas-based advocacy groups have on occasion criticized the government's aid effort. They might have done more to celebrate the achievements of ordinary Burmese citizens and civil society networks in providing assistance in an extremely difficult environment, as well as the work of international aid agencies (whose achievements are usually of variable quality, regardless of political considerations). The issues of access and impartiality advocacy groups raised are nevertheless legitimate and need to be addressed. However, one consequence of negative international campaigning has been to signal to potential donors that their assistance would not be effective and therefore to limit the amount of aid given to cyclone-affected areas of Burma—with grave consequences for vulnerable populations.

Advocates for activating the R2P doctrine argue that international pressure eventually forced the military government to open up access to humanitarian assistance. About one month after the disaster, access to the affected area for international humanitarian agencies improved dramatically; it has since remained good. Other observers argue that diplomatic activities and peer pressure by Asean and the United Nations were more effective in persuading the government to allow increased humanitarian assistance. Observations in the Delta indicate that diplomatic and military threats—advanced primarily by France, the United States, and the United Kingdom—may have resulted in aid to the most vulnerable communities being further delayed, as external advocacy helped trigger a defensive military deployment of Burma Army units.

The self-protection mechanisms described by informants include self-help within the communities, local informal leadership, prioritization of the most vulnerable, sharing and supporting within and between communities, activating social and religious networks beyond the community, (temporary) movement to save locations, secret redistribution of aid and (mostly low-key) advocacy with local authorities and aid providers. Interviewees repeatedly expressed their gratitude for the assistance received. However, many people questioned the appropriateness of some of the aid items they received—although few villagers dared to confront aid agencies on this issue. If donors had

listened to the beneficiaries, the fit between needs and assistance might have been better. In particular, many communities questioned the “wealth ranking” system several international agencies had adopted. According to this system—after the initial emergency response wound down—assistance was provided only to the poorest-of-the-poor, while landowners were denied aid. This distribution system was adopted despite the fact that landowners were also badly affected by Cyclone Nargis. Better-off villagers claimed that without outside assistance they would find it difficult to restart local economies and thus provide employment to the landless. However, the landless villagers seemed more appreciative of wealth ranking, as it specifically targeted their vulnerability and needs.

These findings raise questions regarding what it means to talk about local—as opposed to global—approaches to protection. At the community and village levels, there is not only one local (grassroots) voice. Rather, a variety of interests and identities, types of resources, and opportunities for and constraints on action and expression are in play. Unpacking these positions reveals the complexity and richness of local agency and voice.

There were a few stories of aid being mismanaged or diverted. More common were complaints regarding the manner in which outside organizations (particularly international NGOs and UN agencies) “targeted” assistance to particular sectors of the community without fully investigating local perceptions and preferences in this respect. These findings illustrate the importance of external aid agencies understanding local perceptions and realities (including local histories).<sup>52</sup>

Despite positive achievements on the part of affected communities, many people remain deeply traumatized. Among the many problems affected communities face are increased indebtedness and concerns about food security in the short and long term. This is particularly the case in communities affected by plagues of rats, which have in some cases reduced rice harvests by more than half.

The L2GP Delta study challenges national and international aid agencies to engage more effectively and equitably with vulnerable populations. It also raises questions as to who defines local realities and needs, and which voices and interests prevail.

### **The Politics of Protection in Burma**

The two case studies presented here represent strikingly different contexts in the complex and contested social and political environment of Burma/Myanmar. The causes of vulnerability are different, as are the nature and extent of local, national, and international responses. Nevertheless, some common themes emerge.

In many—if not most—cases, vulnerable populations themselves have the

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52. For examples of local perceptions and activities in the field of protection in the Delta, see South et al. 2011.

clearest understandings of how they can best be helped by outside actors. International aid agencies, however, often have difficulty accessing and understanding community voices and supporting local agency. Moreover, local organizations can sometimes have their own agendas, including in some cases being parties to conflicts.

Our findings challenge the notion that affected populations and other non-system actors living in situations of threat in Burma are without significant agency. Notwithstanding their often extreme vulnerability in the face of an unprecedented natural disaster or extreme violence, communities in southeast Burma and the Delta have found ingenious and often brave ways to protect themselves. The research further demonstrates the lack of connection between local actors and networks and the international humanitarian system, which is often constrained by concerns with state sovereignty.<sup>53</sup>

In the armed conflict-affected borderlands of southeast Burma donors have established relationships with local NGOs and CBOs along the Thailand-Burma border. These enjoy varying degrees of autonomy, with some of the larger service providers being closely associated with armed conflict actors (primarily the KNU). The armed conflict in southeast Burma has dragged on for more than sixty years, making it the longest-running civil war in the world. Over the past two decades, the KNU's decline in influence has been accompanied by the emergence of Karen armed factions orientated more toward the military government than toward the aid industry in Thailand. Despite these developments, most literature on—and political and humanitarian and political interventions in—southeast Burma are still derived from the perspective of Thailand border-based communities and actors opposed to the Burmese military government. The research reported here seeks to redress this imbalance, which is of more than academic concern. Indeed, the prospect of a KNU ceasefire with the government makes these issues particularly important.

As Alex deWaal observes, “where there is a protracted war, relief assistance rapidly becomes integrated into the dynamic of violence.”<sup>54</sup> He demonstrates how, in the Horn of Africa, aid agencies have chosen sides in armed conflicts, helping to determine the legitimacy of different actors. However, humanitarian agencies are often rather naive and unaware of the manner in which their interventions play into the political economy of conflict. DeWaal warns that questioning the integrity of aid agencies touches raw nerves, not least because “any established aid program creates a local constituency to defend it...anxious to protect a particular moral image.”<sup>55</sup>

Developing these themes, Mark Duffield analyzes the ways in which aid can “change and reinforce the dominant relations and forms of discourse that it encounters and through which it flows...[especially regarding perceptions of] legitimacy, political recognition or moral authority.”<sup>56</sup> The appropriateness of such uses (or abuses) of aid raises questions regarding the accountability of humanitarian agencies and donors and the possibility that their interventions

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53. Rae 2002.

might do harm, as well as good.

The “Do No Harm” approach has highlighted the need to undertake assessments of the political, social, and economic impacts of aid.<sup>57</sup> According to this influential doctrine, humanitarian agencies should seek to minimize the unintended negative consequences of assistance. DeWaal reminds us, however, not to overestimate the influence of aid interventions.<sup>58</sup> As discussed here, much more important are the survival and coping mechanisms of affected populations and other non-system actors. Nevertheless, external assistance can have profound impacts on the nature and course of war.

International donor support for IDP—and particularly refugee—assistance regimes has allowed KNU personnel and their families to receive shelter in, and food and medical supplies from, the refugee camps in Thailand. As well as feeding the vulnerable and needy, aid interventions have contributed to the continuation of a conflict that—while it may benefit particular elites (including some aid agencies)—has prolonged the suffering of vulnerable populations. Discussion of such uncomfortable topics has generally been eschewed in relation to the humanitarian regime on the Thailand–Burma border.<sup>59</sup>

Conflict actors in Burma, as elsewhere, frame issues and seek to mobilize support in pursuing their agendas. Clifford Bob examines armed opposition groups’ linkages with global advocacy and patronage networks, asking how and why some “local challengers become global causes celebres while scores of others remain isolated and obscure?”<sup>60</sup> He describes how, in order to attract international support in this crowded and competitive “global morality market,” political opposition groups must publicize their cause, framing their struggle as righteous.<sup>61</sup> The self-conscious promotion and marketing of challengers’ causes and identities for international consumption involves the calculation of potential sponsors’ interests and values and appeals to the supposed norms and interests of the international system.

Elena Fiddian-Qasmiyeh develops this line of analysis in relation to the Sahrawi refugees of northwest Africa.<sup>62</sup> She examines how Sahrawi refugee women and children have been invoked by the Polisario Front armed opposition movement as active agents in a national liberation struggle rather than as the more typical, passive, dependent, and victimized “women and children” of many refugee framings. The Polisario’s presentation of women and children is designed to appeal to the liberal norms and values of international humanitarian agencies and civil society networks in the West. Fiddian-Qasmiyeh observes

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54. deWaal 1997, 146.

55. *Ibid.*, 137.

56. Duffield 2001, 253. See also, Duffield 2007; Terry 2002, 45–46 and 221–24; Goodhand 2006, 95; O’Callaghan and Pantuliano 2007.

57. Anderson 1996.

58. deWaal 1997, 1. See also Goodhand 2006, 173.

59. According to deWaal (1997, 65), “International responsibility for the alleviation of suffering is one of the most noble of all human goals. Nobility of aim does not confer immunity from sociological analysis or ethical critique.... Much of history consists of the study of unintended consequences, and humanitarian action is replete with results that might surprise many of its protagonists.”



that “since NGOs and other solidarity groups habitually differentiate between groups which are or are not worthy of support, their continued engagement with a ‘cause’ often depends on donors being convinced as to the... ‘authenticity’ of the recipient.”<sup>63</sup> As well as cultural authenticity, recipient groups are expected (usually implicitly) to fulfill other conditionalities, including the performance of democratic political cultures and protection and promotion of rights. Such “marketing of rebellion” has played out in the relationship between Karen refugee authorities (and insurgent hierarchies) and NGOs (and donors) along the Thailand–Burma border.

Along the Thailand–Burma border, external aid has helped to perpetuate a conflict that generates humanitarian crises and thus reflexively produces the need for aid interventions.<sup>64</sup> Regarding such negative impacts of assistance, David Keen argues that “the advantages of sustaining a righteous struggle [might be] out-weighed by the disadvantages of sustaining a destructive war.”<sup>65</sup> However, he cautions that such concerns must be weighed against the humanitarian imperative of helping the victims of conflict.

Alan Kuperman also critiques “rhetorical and military support for armed secessionists and revolutionaries in the name of fighting oppression and human rights... [which may be] well intended [but] often backfires by emboldening rebels.”<sup>66</sup> He uses the notion of “moral hazard” (derived from economics) to describe the manner in which the prospect of humanitarian, military, or political interventions by the international community may embolden insurgents, thus underwriting armed conflict. Edward Luttwak takes these themes a step further, arguing that foreign aid, and particularly refugee camps, can sustain warrior “nations intact... inserting material aid into ongoing conflict.”<sup>67</sup> While Luttwak employs an overly simplistic, binary opposition between the notions of “peace” and “war,” his basic argument is relevant to armed conflict–affected southeast Burma, where external assistance has supported the KNU, which might otherwise have been defeated or brought to the negotiating table some time ago. At the same time, the refugee regime along the border has also helped to feed and protect large numbers of vulnerable civilians.

External assistance has also sustained a set of clients orientated toward supposedly international standards of human rights and democracy. The liberal-democratic values that predominate in the international humanitarian system are derived from rights-based Western political cultures.<sup>68</sup> However, some of the key actors on the ground in southeast Burma—for example, the DKBA—frame their positions in terms of non-liberal values. The existence of non-liberal civil society has been extensively documented in parts of Africa, for example by deWaal and Duffield.<sup>69</sup> Duffield describes “new patterns of actual development

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60. Bob 2005, 2.

61. *Ibid.*, 4.

62. Fiddian-Qasmiyeh 2009.

63. *Ibid.*, 339.

64. South 2011.

65. Keen 2008, 147.

66. Kuperman 2001, viii.

and political authority—that is, alternative and non-liberal forms of protection, legitimacy and social regulation.”<sup>70</sup> While orthodox humanitarian and development theories may regard such phenomena as retrogressive, Duffield sees “actually existing” forms of authority and zones of alternative regulation as potentially associated with processes of social transformation.<sup>71</sup> He inverts the humanitarian jargon of “complex emergencies,” writing instead of “emerging political complexes... [that] are essentially non-liberal.”<sup>72</sup> Duffield analyzes the organizational aspects of “network war” as an axis around which social, economic, and political relationships are formed, often under the authority of warlords or other “pre-colonial” or “neo-mediaeval” systems of governance. These include “new forms of agency and legitimacy,”<sup>73</sup> which may be “antithetic to the norms on expectations of global liberal governance.”<sup>74</sup>

Many international agencies and observers (including most academic analysts) consider individuals, groups, and networks that demonstrate non-liberal values to be illegitimate or uncivilized and their positions, marginalized. The exponents of rights-based approaches to aid interventions assume that protection involves the safeguarding (or securing) of access to the standards enshrined in international human rights, humanitarian law, and refugee law. Implicit in such positions is an assumption that these rights are universally valued and applicable.<sup>75</sup>

However widespread, such assumptions may nevertheless be challenged. Tony Evans, for example, critiques the normative and “disciplining” roles of Western actors and “experts,” including activists and lobbyists, who promote this universal-liberal normative agenda. He “raises questions over the legitimacy of international law, challenging the whole post-World War II project for universal human rights.”<sup>76</sup> At issue is not so much the intrinsic value of rights-based agendas, but their universal (and unidirectional) application.

The research findings also question another deep-rooted assumption: that the values encoded in international humanitarian and human rights law are necessarily the same as those held by vulnerable communities.<sup>77</sup> As noted, people living in armed conflict-affected southeast Burma value aspects of livelihoods, at least as much as access to individual, civil, and political rights. This finding confirms observation by Susanne Jaspers and Sorcha O’Callaghan’s that “conflict-affected populations do not separate protection and livelihoods.”<sup>78</sup> Such a distinction is an artificial construct of the humanitarian community.”

The Delta case study likewise demonstrates ways in which vulnerable communities balance the protection threats they face with the need to secure other

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67. Luttwak 1999, 43.

68. Duffield 2007.

69. deWaal 1997; Duffield 2001 and 2007.

70. Duffield 2001, 9.

71. *Ibid.*, 14.

72. *Ibid.*

73. *Ibid.*, 136.

74. *Ibid.*, 157.

75. Barnett 2011, 37, 234.

benefits, such as livelihoods for themselves and their families. However important, and in some cases life-saving they may be, outside interventions are of secondary importance to those of the affected individuals and communities. Community activities, religious structures, and faith-based leaders, private sector actors, and private citizens should be seen as major resources in disaster response and as essential parts of the wider aid regime. Local self-protection initiatives help to develop social capital, resilience, and networks of trust and mutual support. Aid efforts should therefore be better geared toward improving communities' efforts to protect and assist themselves through preparedness training, promoting networking and social organization opportunities, and strengthening livelihood options. This would involve a major shift in how mainstream aid agencies conduct themselves—both in anticipation of and subsequent to major disasters.

Aspects of local agency can sometimes be deeply problematic. Personal ties of patronage and obligation can involve vulnerable people in inequitable and sometimes violent patterns of relationship with local power-holders. This is the case in armed conflict-affected southeast Burma, where civilian populations often need to form protective relationships with exploitative power-holders (as in a protection racket). In the Delta, the distribution of relief goods through affective networks has meant that assistance has not always targeted the most needy. In some cases it was even diverted for political purposes (e.g., by state-orientated agencies) or for personal financial gain. Furthermore, as Elizabeth Ferris cautions, self-protection activities can sometimes marginalize vulnerable subgroups (women, for example).<sup>79</sup>

Notwithstanding such caveats, advocacy and rights campaigns could do more to reflect the reality that—while international action may be important—local and regional initiatives are often the primary form of assistance and protection for vulnerable communities. Human rights and campaigning groups should ensure that their actions (including public advocacy) do not compromise, discredit, or hamper local, national, or regional protection efforts in the pursuit of possible international action. In particular, advocacy campaigners should ensure that policy and political objectives do not interfere with local, state, or aid agency efforts to assist communities on the ground. This sensitivity should include an awareness of the manner in which state authorities may perceive politicized advocacy campaigns, with possible negative consequences for affected communities. Advocacy efforts should be based on an assessment of the situation on the ground rather than on sometimes politicized assumptions made from a distance. There is a complementarity between the public (“document and denounce” mode) advocacy of externally based activist groups and the behind-the-scenes (“persuasive” mode) advocacy of local actors.

Invoking international responsibilities to assist and protect disaster-affected

76. Evans 2005, 1052.

77. South et al. 2012.

78. Jaspers and O'Callaghan 2010, 31.

79. Ferris 2011, 66.

populations may be justified. To be effective, however, such calls should be accompanied by specific and realistic expectations of outcomes. As was the case post-Nargis in the Delta, ill-informed and misdirected advocacy campaigns may backfire, with significant unintended consequences, including the alienation of local power-holders. While some humanitarian actors may engage in public advocacy (documenting and denouncing abuses), others work more quietly behind the scenes in persuasive mode. These different forms of advocacy should be seen as complementary.

Ultimately, assessments of competing approaches to protection (and security) will depend on the legitimacy accorded to key actors. As noted, for many international donors and activists, only the Western-oriented KNU—with its rhetoric of state-building and its rights-based agenda—is considered legitimate. Such views fail to appreciate that the KNU is just one among several Karen actors—actors who in recent years have been largely restricted in their operations to a few patches of jungle (and refugee camps) along the Thailand–Burma border.

Karen civilians interviewed in the L2GP project expressed a range of opinions regarding different conflict actors. Many expressed some sympathy for the KNU (and sometimes also for the DKBA), as representing “our people.” Several DKBA leaders made claims to legitimacy based on ethno-nationalist rhetoric and localized (indigenous, traditional) values KNU leaders and soldiers also position themselves as legitimate protection actors. While such claims are made in good faith, they preclude examination of the roles that the KNU—and other armed groups, such as the DKBA—play in prolonging the suffering of villagers, through the continued waging of armed conflict (e.g., use of landmines, some-

Survivors of Cyclone Nargis residing in an Internally Displaced Persons camp, consisting of 104 tents donated by the governments of China and India. 22 May 2008 (Credit: UN Photo/ UNHCR, Bebaye Township, Myanmar)



times forced conscription, and various forms of taxation).

In the Delta, interviewees' opinions regarding political legitimacy were more muted, reflecting the limited spaces for expressions under an authoritarian regime. Nevertheless, many interviewees endorsed the roles of proactive local leaders.

One clear conclusion from the case studies is that international agencies and donors should carefully assess the likely impacts of their interventions on the social, political, economic, and conflict environments (including implications for the safety of potential beneficiaries and partner groups). Local agencies can play important roles in implementing such assessments and designing locally led responses. At a minimum, external agencies should ensure that their interventions do not inadvertently undermine communities' existing self-protection strategies.<sup>80</sup> Such caveats notwithstanding, locally designed and led humanitarian activities can help to mobilize communities, and community (especially faith-based) leaders *do* often help to build trust and "human capital,"<sup>81</sup> at the local level. International donors can and should do more to engage positively with such initiatives.

### The Global Context

Michael Barnett identifies three "ages of humanitarianism," associated most recently with promoting and securing the "liberal peace" and human rights.<sup>82</sup> Could we be entering a new fourth age of humanitarianism?

The shifting global balance of power will make the ways in which international aid actors understand and support local agency increasingly important. The worldwide economic crisis of 2008–2012 has accelerated processes of geostrategic change, whereby financial—and ultimately political—power is shifting away from the European and North American states that have dominated world history for most of the past two centuries. These epochal changes, epitomized by the rise of China,<sup>83</sup> are having significant impacts in many sectors, including on development and humanitarian activities. The decline of the West means that, in the future, less financial and political capital may be available to back external interventions based on notions of human rights.

This is not to deny the legitimacy of liberal-democratic, rights-based values, derived ultimately from the European Enlightenment.<sup>84</sup> Rather, it is to recognize the declining capital of their Western sponsors. In an era that is likely to be marked by increasingly frequent and devastating natural disasters aid will become more regionalized—with China (and perhaps India, among other countries) playing prominent roles. In this scenario, humanitarian protection activities led by Western agencies may become less prominent. In time, we may

80. Anderson 1996.

81. See Putnam 1993. Putnam uses the term "social capital" to refer "to features of social organisation, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated actions" (167). He stresses that "trust is an essential component of social capital...[and] is not blind," but relies on expectations of reciprocity, and "networks of civic engagement" (171).

82. Barnett 2011, 29–32.



look back to the 2005 UN World Summit and its endorsement of the (contested) R2P doctrine as the high-water mark of humanitarian interventionism.

The future—in South and East Asia at least—may be characterized by a “humanitarianism with Asian values.” In the Irrawaddy Delta after Cyclone Nargis, this tendency was epitomized by the Chinese and other regional governments’ channelling of aid through state structures, with no conditionalities regarding the promotion of rights or local participation.

If this is the humanitarian mode of the future—at least in Asia—then those engaged in the field of protection should pay closer attention to indigenous realities. Such positioning is particularly relevant given the findings of a 2006 study into the future of humanitarianism:

[H]umanitarian action is widely viewed as a northern enterprise that carries values and baggage sometimes at odds with those of civilians affected by conflict on the ground. Urgent steps are needed to make it more truly universal including recognizing the contribution of other humanitarian traditions and managing more effectively the tensions between “outsiders” and “insiders” so that the perceptions and needs of communities in crisis are given higher priority. Northern humanitarians also need to listen more, learning from the resourcefulness, resilience, and coping strategies of communities.<sup>85</sup>

In emergency settings, where the effective and timely distribution of life-saving aid is essential, international agency will often be a priority. This will also be the case in situations, such as war and the aftermath of natural disasters, where local capacities are severely stretched and in contexts where authoritarian governments suppress local agency. As these two case studies from Burma demonstrate, however, even under one of the world’s most politically repressive political regimes, vulnerable communities and other non-system actors display great ingenuity and resilience in the field of protection. Humanitarian agencies should therefore ensure that these actors are consulted and that interventions are designed around their priorities.

Not all humanitarian actors will be able to support all of the protective strategies described in this article. Some aid agencies may find it difficult to engage with aspects of local protective agency, particularly the positions of non-state armed and political groups. Nevertheless, to ignore such local realities would consign humanitarian actors to a very limited understanding of the context in which they operate.

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83. Jacques 2009, 185.

84. Gray 2007, 169.

85. See Donini et al. 2006, 3. Specific to interventions in Burma, Ian Holliday argues (2011, 21) that “insiders must be given priority.... And only on this condition can the view of foreigners be considered.”

sity (2–5 June 2011). It also draws on my research as a doctoral student at the Australian National University. The Karen case study material is developed more fully in South, Perhult, and Carstensen 2010; the Delta material is based on South et al. 2011; see also South et al. 2012. Thanks to Nils Carstensen, Malin Perhult, Susanne Kempel, Alan Smith, Martin Smith, Tom Kramer, Monique Skidmore, Hazel Lang, Ken Maclean, Mandy Sadan, David Eubank, and various friends from Burma (who must remain anonymous). Thanks also to the anonymous reviewers of *Critical Asian Studies*.

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