New Means, Old Ends?
World Bank Governmentality in
Thailand and Lao People's Democratic Republic

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DEDICATION

To Muad'dib and Doleful

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ABSTRACT

The purpose of this research is to make explicit the arts of government, defined as a field of power in the Foucauldian sense, employed by the World Bank in the cases of Pak Mun Dam in Thailand and Nam Theun II Dam in Lao PDR. Much of the literature on the latter case, both from the World Bank and its critics, focuses on the incorporation of conservation practices and the creation of state apparatuses which account for natural resources and local populations through a discourse of environmentalism. Using World Bank planning and evaluation documents, I argue that although these practices represent an escalation of the role of environmentalism in the justificatory logic for new hydropower projects, they do not represent a change in the World Bank's major justificatory mechanism, the presence or absence of institutional structures necessary for present and future project implementation. That is, project justifications continue to rest, on the one hand, on an already established relationship with the borrower such that the World Bank's technical and managerial expertise can be easily transmitted, or, on the other hand, the presumed likelihood that such a relationship can be established. In either case, the emphasis is on the creation of what I call a seasoned borrower and its inclusion into the production of knowledge legible to development discourse.

TABLE OF CONTENTS

CHAPTER I Introduction 1
Development as Utopia, Exploitation, and Technique 6
Governmentality and the Proper Location of Analysis 18
Expert Discourse and the Creation of Solvable Problems 20
Historical Context 25
Methods and Methodology 30

CHAPTER II Pak Mun Dam, Thailand: Constructing a Seasoned Borrower 36
Pak Mun Dam: A Pre-History 39
Staff Appraisal Report 42
Kaeng Tana National Park 53
Fisheries 55
Health Issues 57
Resettlement and Compensation 58
Technical Failures 62
Fisheries 65
Resettlement and Compensation 69
Implementation Completion Report 78
Recent Experience with Involuntary Resettlement Report: Thailand – Pak Mun 93
Pak Mun Dam: A Project Summary 105

CHAPTER III Nam Theun II Dam, Lao People's Democratic Republic 109
Nam Theun II Dam: Project Overview 112
The International Environmental and Social Panel of Experts 117
First Report of the International Environmental and Social Panel of Experts 119
Conservation 121
Resettlement and Development 127
Planning Nam Theun II Dam: 1997 – 2005 135
Planning Conservation: Creating the National Biodiversity Conservation Area 141
Roads and Other Access to the National Biodiversity Conservation Area 144
Hunting and International Trading 146
Other Conservation Issues 148
Resettlement and Development 150
Nakai Plateau 151
Xe Bang Fai River Basin 154
Project Appraisal Document: The Nam Theun II Hydroelectric Project 157
Monitoring an Unseasoned Borrower 160
Implementing Nam Theun II Dam 164
Resettlement and Development: Nakai Plateau 168
Resettlement and Development: Xe Bang Fai River Basin 171
Conservation 172
Nam Theun II Dam: A Project Summary 174

CHAPTER IV Conclusion 177

LIST OF REFERENCES 187

APPENDIX 198
Abbreviations 199
Map: Nam Theun II Dam, Lao PDR 200

VITA 201

CHAPTER I
INTRODUCTION

On November 16, 2000 in London, Nelson Mandela launched the World Commission on Dams' report *Dams and Development: A New Framework for Decision-Making* (WCD 2000b, McCully 2001:xxv). This interdisciplinary report was the result of years of negotiations between international development and finance agencies, nongovernmental organizations, and other groups both opposed to and in support of large dam projects. A total of 53 financial contributors funded the commission, including: United Nations Foundation, Rockefeller Brothers Fund, UK Department for International Development, Swedish International Development Agency, National Wildlife Foundation, Norway Ministry of Foreign Affairs, Japan Ministry of Foreign Affairs, The World Conservation Union (IUCN), Inter-American Development Bank, Hydro Quebec, Enron, and the World Wildlife Foundation (WCD 2000b:xxi). Commissioners included individuals from diverse backgrounds such as Oxfam International, the California Institute of Technology, ABB Ltd., Industrial Development Services Ltd., and Struggle to Save Narmada River (WCD 2000b:ix).

The WCD program, McCully (2007) reports, was the result of years of protest against large dam projects, which came to a head in the late 1990s. At the time, international opposition to dams had all but halted planning and construction of new projects in the global North and were making headway in creating serious obstacles for development agencies continuing construction in the South. In 1997, an agreement was reached in Gland, Switzerland between dam developers and their critics that a program would be launched in which these groups would "work together to review the

development effectiveness of large dams and to establish internationally accepted standards that would improve the assessment, planning, building, operating and financing of these projects" (cited in McCully 2001:xx-xxi). One year later, the World Commission on Dams began its investigation.

The result of this large and contentious undertaking is exactly what it claims to be, a decision-making framework. That is, despite providing incredible evidence of the damaging social and environmental impacts of large dams and the consistency with which such damages are the case, the ultimate product is a manual to which development experts can refer during the planning and construction of new projects. When confronted with obstacles to the betterment of whatever population is to be *developed*, experts such as those employed by the World Bank now have a frame of reference, a bulleted list against which to compare their work. Likewise, critics of development were given a legible, quantifiable standard against which to evaluate new dam projects. The practical result of the WCD, then, has not been the curtailing, even less the abolition, of large dam projects but a change in the discourse surrounding the planning and evaluation of these projects among development agencies. It should not be shocking that, despite early and frequent international criticism, the World Bank's final publication on Nam Theun II Dam in Lao PDR (one of the cases for comparison in this research) was entitled *Doing a Dam Better* (Porter and Shivakumar 2011).

My purpose in this paper is not to deconstruct the WCD per se. Its presence, however, is felt throughout my analysis in two ways. First, in the course of conducting its research, the WCD selected eight dams as case studies. Two of these were in Organization for Economic Co-operation and Development nations, specifically, the

United States and Norway. The remaining six were in developing nations and included Pak Mun Dam in Thailand, one of the cases for comparison used in this research (WCD 2000b:30). Second, Thayer Scudder, a well known expert on the negative effects of large dams from the California Institute of Technology, was not only a commissioner for the WCD but also a member of the International Environmental and Social Panel of Experts contracted by the World Bank and the Government of Laos during the planning and construction of Nam Theun II Dam (Scudder, Talbot, and Whitmore 1997a; WCD 2000b).

The World Commission on Dams serves as an example of the great international effort that goes into the planning and construction of dams both on the side of the borrowing country and international financial institutions as well as the opposition which accompanies such projects. Such contentiousness is not the sole domain of dam projects, however. Indeed, it may be the case that nearly all types of development projects are planned, realized, and reviewed while under a high degree of criticism from many different locations. Nonetheless, dams do offer a unique example if for no other reason than their sheer size and the impacts they have on the environment and the lives of those who once lived near the rivers now so severely altered.

Dams are monoliths of supposed *improvement*. Using a play on words, McCully calls these structures of development "temples of doom" (2001:65). Yet, these projects and the international financial institutions that promote them continue despite all criticism. How is this possible? Both cases analyzed in this research were heralded as a new model for dam construction – the well planned, participatory way forward (WB 1991, 2005). Despite these claims, neither project has delivered many of the projected

benefits, and, to the extent that they have, the benefits experienced by those the project was intended to aid have been tenuous and based on continual contestation over compensation of livelihoods (Foran and Manorom 2009; McDowell, Scudder, and Talbot 2010). The WCD case study for the World Bank-funded Pak Mun Dam found it to be a failed project on all counts, economic, social, and environmental, but this changed little about the Bank's continued interested in the later Nam Theun II Dam project (WCD 2000a). The continuity I find in this research, I should note, is in marked disagreement with much of the literature on Nam Theun II Dam, which sees the project as a come-back for the World Bank in the hydropower arena (Goldman 2001, 2005; Lawrence 2009; Middleton, Garcia, and Foran 2009). As will be shown below, World Bank activity in the region in terms of planning and review of projects never experienced a serious break. One year prior to its final performance review on Pak Mun Dam, Bank-hired experts were conducting ethnographies, environmental assessments, and feasibility studies for Nam Theun II Dam (Scudder, Talbot, and Whitmore 1997a; WB 1998).

The question remains how is this possible? If World Bank experts and bureaucrats are to be taken seriously in their commitment to betterment one would imagine such failures would be devastating. From a purely means/ends rationale, *development* as a project of betterment is not working. At least large dams do not work, technically or as bringers of improvement (WCD 2000b). As will be shown below, however, project success or failure has little to do with the continued operation of powerful development institutions. As Ferguson (1994) observed in his study of World Bank projects in Lesotho, projects that are deemed failures by development critics are constructed in such a way that success and failure are often irrelevant. That is, whether or not a project

accomplishes its stated purpose does not necessarily impact that project's role in serving power. To be sure, planning, funding, and constructing a dam is an act of power on the part of the World Bank. As Goldman (2005:24) points out, such an act is not simply forced without resistance onto a passive population and, as such, is best understood as taking place in the "terrain of the conjunctural." Dams are not simply conceived of and built according to the wishes of the World Bank. They are contested, reflected upon, and altered. It is this process, the process of powerful institutions confronting opposition to development projects and adapting to that opposition, that enables development projects serve to power and bolster the Bank's position in unequal power relations. The methods of control that result from the conjunctural, contested nature of development projects are often unintended, yet, as Ferguson states, "are all the more effective for being 'subjectless'" (1994:19). This understanding of power, different from that used in mainstream development literature, comes from a Foucauldian perspective, which I take in this study as my main theoretical lens.

The first purpose of this research is to make explicit the practices or arts of government, defined as a field of power in the Foucauldian sense, employed by the World Bank in the cases of Pak Mun Dam and Nam Theun II Dam (Foucault [1978] 2004). Much of the literature internal to the World Bank hailed each case as a new, progressive model for hydropower development at the time of loan approval and during the construction phase (WB 1991, 1996, 2005, 2006a, 2006b). In the case of Pak Mun Dam, the World Bank reported that "EGAT's long experience in the construction of hydropower...projects, its well-advanced project preparation work, and carefully developed execution plans and implementation schedules" would ensure the project was

socially and environmentally innovative and beneficial. In the case of Nam Theun II Dam, the World Bank reported, "Successful implementation of NT2 in concert with the international community will demonstrate the GOL's [Government of Laos] long-term commitment to sustainable development, and its willingness to engage with the local population in designing and implementing a program of shared benefits at the national, region and local levels" (WB 2005). In addition, the International Environmental and Social Panel of Experts hired to consult on Nam Theun II Dam reported that "many of its features and procedures [could serve] as models for other projects elsewhere in Laos and beyond" (McDowell, Scudder, and Talbot 2009:8).

Although attention has been paid to Nam Theun II Dam as a radical new approach to the art of government involving the creation of environmental state institutions, I locate early elements of this approach during the planning and implementing of Pak Mun Dam more than one decade earlier (Goldman 2001, 2005). Therefore, the second purpose of this research is to compare these cases in the context of one history of (two) World Bank hydropower projects. Before this can be done, it is necessary to discuss the literature on development and theoretical approach taken in this research.

Development as Utopia, Exploitation, and Technique

There are essentially three main schools of thought for examining development institutions and projects of development. It is necessary to elaborate merits and shortcomings of two of these schools to better explain the position that I take in this research (that of the third school). First, there is a tradition of criticism of planning from those sympathetic to the promise of development. As Ferguson (1994:9) puts it, these

scholars "see 'development' planning and 'development' agencies as part of a great collective effort to fight poverty, raise standards of living, and promote one or another version of progress." These scholars focus on technical and managerial aspects of development in order to discern why projects have failed and to elaborate a best practices strategy for further projects or for governments of developing nations.

One example of this literature has already been provided. The WCD's decision-making framework and its case study of Pak Mun Dam are both highly critical of development projects and the institutions behind them (WCD 2000a, 2000b). Neither shrinks from criticizing oversights made by international financial institutions (IFIs) or borrowing governments in the planning and implementation of hydropower projects. Given the important role of the World Bank (hereafter the Bank) in the establishment of the WCD, the nearly consistent negative findings in the final report, which show dam projects to be complete failures in many cases, are a strong statement of the willingness and ability of development institutions and those close to them to be self-reflective (or as least to fund scrutiny of their own projects) (WCD 2000a, 2000b; McCully 2001). What is at issue is not that the development industry ignores the impacts of its own projects but the nature of that consideration. The literature coming from the industry or its consultants focuses its attention on what went wrong with each project and how such obstacles to improvement can be avoided or planned for in the future (Scudder et al. 1993). The problems of development, therefore, remain problems of a technical or managerial nature. The object of the game for these scholars is to continually work to develop the most appropriate policy, which here means both one that will result in predictable positive

outcomes, and one that is applicable to projects regardless of historical or geographic context.

This type of focus is not limited to the development industry and its consultants. The work of political sociologists and political scientists such as Evans (1995) and Kohli (2009) can also serve as an example of technical and managerial critiques. Both focus on the efficacy and decision-making of the state in development projects. Both assume that if the appropriate balance can be struck between protection of the domestic economy and a closely monitored, export-oriented commodity industry proper development, the kind Bank planners have in mind when they described betterment, will unfold (Evans 1995, Kohli 2009). For both these scholars, the modus operandus is to compare the economies of East Asia to those of Latin and South America. For instance, Kohli (2009) asserts that the decisions made by Latin American state leaders, more closely aligned with the neoliberal policies of the Washington Consensus, ultimately led to poor investments in industrial development and greater economic inequality. In contrast, East Asian state leaders were more apt to make decisions based on positions of nationalism and autonomy which "facilitated higher and less volatile rates of economic growth and a greater political room to pursue social democratic policies" (Kohli 2009:387). Although Kohli (2009) finds the histories of both regions in relation to United States Cold War policies to have had a great impact on their current situations, the ultimate blame lies at the feet of corruption and poor governance.

Likewise, Evans's comparative work on the information technology sectors of India, Brazil, and Korea, although useful for its critique of the World Bank's neoliberal strategies, concludes, "States play an array of roles [in development] that *work or do not*

work depending on their fit with specific goals and contexts" (1995:249 emphasis added). His critique is not of the power that development projects often, even if not as intended, secure for development institutions or borrowing countries. Rather his aim is to call for the embedding of state apparatus and state decision making on development projects in society such that the organization of society lends itself toward the import/export balance necessary for proper development (Evans 1995:248). As such, Evans (1995) is ultimately concerned with technical and managerial obstacles to progress defined in terms of *appropriate* economic growth. There is also a similarity between Evans's (1995) work and the push from Bank experts toward participatory strategies of development. As Li (2007) has shown, participatory strategies often make those affected by development projects responsible for their own well being within a preexisting structure of decision-making. In the framework suggested by Evans (1995), the state is embedded in society but that embedding does not change the emphasis on working out of import/export balances, which is the justification for the embedding in the first place. The framework, therefore, places the responsibility of economic decision making on the population to be developed without allowing it to define what that might mean. As is discussed below (in this chapter and chapter 4), the best intentions of experts to embed livelihoods strategies into relocated societies still result in power structures that conduct the behavior of the relocated individuals in such a manner that neoliberal policies are internalized and the types of livelihood solutions that were possible to imagine are reshaped.

A final shortcoming of this school of development literature, and this is clear in scholarly and industry work of this kind, is a conflation of two separate concepts into the word *development* (Ferguson 1994:15). The first and most obvious meaning is qualitative

improvements to the lives of those to be developed (Ferguson 1994, Li 2007). That is, development refers to the alleviation or reduction of poverty and its ills. Projects are designed to increase a population's standard of living not only through increased infrastructure, education, and food production but also through introduction, or more accurately further integration, into the modern, global capitalist economy. The second meaning, therefore, is that of modernization. In order to achieve the desired improvements, those to be developed must be modernized through, for example, the creation of wage labor opportunities, cash crop agriculture, and infrastructure projects. In this process, poor, or *traditional*, populations must also give up old livelihoods, as they have not led to proper development (for an explanation of modernization theory, see Nederveen Pieterse 1996).

Ferguson (1994) observes that the double meaning of the term in the minds of development scholars imbues it with a not altogether implicit moral imperative. For the experts and bureaucrats authoring the reports analyzed in this research, the statement rings true no matter the order: poverty alleviation is a moral act achieved through modernization, or modernization is a moral act achieved through poverty alleviation. Some modernization is, therefore, better than none on the path to progress. From this position, all development is good or at least has the potential to be good given the appropriate policy structure and implementation process. Failed projects are only bad insofar as they did not achieve all desired goals. The utopian project of development continues on moral grounds no matter the outcome.

The second school of thought on development is identified by Ferguson (1994:11) as "neo-Marxism" and by Li (2007:9) as "dependency theory and its variants." In vulgar

terms, the argument against development in the political economy approach goes as follows: If capitalism is a process whose very foundation depends on the existence of conditions of poverty (and it does), then any capitalist development project will be inherently and fundamentally unable to achieve its stated goals of betterment (and they are) (freely appropriated from Ferguson 1994:11). Harvey (2003) gives an example of this kind of development analysis, building on Marx's concept of primitive accumulation (see also Perelman 2000). Capitalism as a totalizing economic system did not arise from peaceful beginnings. A wage labor market and a process through which commonly held resources became privatized were established violently over time (see Polanyi [1944]2001). The established relations of capital that Marx wrote about occurred after the commodification and privatization of land and labor and the monetization of exchange (Harvey 2003). That is, they occurred after the original or *primitive* accumulation of resources by capitalists.

Harvey argues that this is a continuing process, especially in the Third World – a process he renames "accumulation by dispossession" (2003:144). According to his formulation, accumulation by dispossession occurs in the form of development projects in the South as a result of overaccumulation in the North, meaning the stagnation of surpluses of capital held by large corporations with no foreseeable capacity for profit making. Accumulation by dispossession releases new assets (labor, natural resources, etc.) at little to no cost. Overaccumulated capital is then able to capture these assets and use them for profit generation (Harvey 2003:149). To use an example relevant to this research, the approval of a loan from the World Bank to construct a dam means profitable opportunities for engineering and construction firms, large equipment manufacturers,

materials producers, and not least the Bank itself. It further means a new proletarian population forced to seek out new livelihoods as (cheap) wage labor, cash crop farmers, or to switch seasonally between the two. It is easy to see from this formulation why Marxist development scholars are opposed to any and all development projects funded by IFIs such as the World Bank. Opposite the first school of thought on development, the following statement might be said to ring true for Marxists: pauperization is increased through the expansion of capital, or the expansion of capital is increased through pauperization.

I do not wish to suggest in this research that the Bank is not a bank, that its continuation as a development institution does not, in part, depend on disbursement of loans at high interest rates and the collection of that interest. Loan appraisal documents contain far too many assurances that the loan is a safe decision for the economic aspects of development projects to be ignored (WB 1991, 2005). However, in terms of understanding how the development industry continues to operate, the political economic approach is can be limiting in two ways.

On the one hand, economic motives are not only over emphasized, but once they have been discerned the analysis is taken to be more or less complete. That is not to say that the political economists work only to identify who profits from a development project. The identification of an accumulation process and its maintenance is contained within the analysis of development institutions and their relationship to the state and population of a developing country (Glassman 2004, 2010). Nevertheless, such an approach necessarily means that justifications for development projects given by the Bank and others that do not explicitly address the economic motive are

misrepresentations and have little meaning other than to obscure the true intentions of the IFIs and, perhaps, the state (Ferguson 1994, Goldman 2005). Cammack (2004) offers an example. Although he allows that some of the World Bank's commitment to poverty alleviation is based on real intentions, it is also secondary to "its principal objective," which is "the systematic transformation of social relations...in order to generalise and facilitate proletarianisation and capitalist accumulation on a global scale" (2004:190). In this research, I agree with Cammack (2004) that proletarianization and accumulation are part of the outcomes of the development projects. However, as is shown below, there is a difference between development outcomes and expert intentions not necessarily included in this type of political economic analysis.

On the other hand, this type of analysis is often done through the identification of interests (Ferguson 1994). Interests can take many forms. They can be individuals, corporations, social and economic classes, or states. What matters for these types of development studies is that the interests, whatever or whoever they are, be made explicit in their organization around a specific project (Ferguson 1994:16). In her study of development programs in Indonesia, Li states, "Interests are a part of the machine, but they are not its master term" (2007:9). Interests are indeed important to the study of development projects, but knowing how interests might benefit from such projects is not sufficient to explaining how the development industry works.

Li goes on to say, "The rush to identify hidden motives of profit or domination narrows analysis unnecessarily, making much of what happens in the name of improvement obscure" (2007:9). Studies of this kind that have been written about the Bank provide useful information about how the expansion of capitalist relations into new

arenas in the South is to its benefit (Rich 1994, Cammack 2004). Nonetheless, researchers that focus too narrowly on the (believed-to-be) concealed profit motives of development institutions often miss Goldman's above-mentioned "terrain of the conjunctural" (2005:24). The emphasis on interests and economic motives presupposes that development institutions impose their will on unsuspecting and powerless populations. Although this could be countered by instances where development projects were completely abandoned after continued local and international opposition (e.g., in Thailand, see Rigg 1991), it is much more fruitful for this research to examine how projects that are now fully constructed and operational are realized.

In his work on "high modernism," Scott (1998:88) analyzes development projects that, in terms of the direct expression of power through rigid application of some grandiose plan, come closest to resembling the type of development projects implied by a narrow focus on the most financially powerful interests. Indeed, there are well-documented occurrences of forced societal transformation, but, according to Scott (1998:88), such transformation requires three elements: a strong desire on the part of the state for the rational ordering of society and nature, an absence of any restraint in the use of state power to achieve this desire, and a weak or nonexistent civil society unable to oppose the machinations of the state. These cases, however, are rare and are usually associated with a recent social revolution (Li 2007). More often development experts are situated within already existing structures which shape the range of possible projects socio-historically in terms of what types of projects have already been completed and what the knowledge regimes established by those projects make possible. They are also shaped geographically in terms of what types of projects are physically possible given

available natural resources and the social and environmental impacts of the project (Goldman 2005). These structures can be said, in a certain sense, to exist outside institutions like the World Bank insofar as they represent real obstacles to planning and implementation of a given project. For example, preexisting political opposition to dams or populations living above or below a soon-to-be impounded river must be accounted for in the formation of the dam itself. The experts must include them in the plan somehow regardless of how much profit might be made from the project. Further, the inclusion of such obstacles is structured from within the Bank by the goals of betterment and the types of problems the Bank is able to solve within its technical, cost/benefit metric (Li 2007).

Finally, these two schools of thought are insufficient to the very nature of my question: *How does the World Bank continue to plan and implement hydropower projects in Southeast Asia*? To the extent that scholars sympathetic to the cause of betterment ask a similar question they are concerned with how the Bank *should* continue. The morality attached to the larger project of betterment and the fields of knowledge in which they operate preclude these scholars from addressing how even project failures "wind up, in the end, 'turning out' to serve power" (Ferguson 1994:19). The political economic approach is also concerned with a different question: *Why* does the Bank continue? The answer, of course, is predetermined. It continues for the expansion of capital. Political economic scholars who focus on proletarianization and capital accumulation as outcomes of development have done so extensively and have provided compelling evidence for the consistency with which such outcomes are the case (Hewison 2001; Harvey 2003; Hall 2003; Cammack 2004; Glassman 2004, 2010). These processes are assumed to be present in the cases considered for this research, but, as is shown below, they do not hold a place

in development discourse as portrayed by political economists and do not constitute part of my analysis. I move now to the third school of thought, one that will allow for critical questions of *how*.

The literature from which I move forward focuses its analysis not on particular development institutions per se, but on a particular field of power Foucault termed *government* (Foucault [1978]2004; Rose 1990; Gordon 1991, 1995; Ferguson 1994; Ferguson and Gupta 2002; Deacon 2003; Goldman 2001, 2005; Ong 2005; Li 2007; Balke 2010). The term *government* in this sense is distinct from the *state* as an institution and other fields of power historically associated with the state. Indeed, Foucault attributes the continued existence of the state as an institution to having undergone the process of governmentalization (Balke 2010). Foucault defines government simply as the "conduct of conduct" (Dreyfus, Rabinow, and Foucault 1983:220-221). Elaborating on this, Li (2007:5) defines government as "the attempt to shape human conduct by calculated means;" Gordon (1991:2) describes it as "a form of activity aiming to shape, guide or affect the conduct of some person or persons."

First, it must be made explicit that government should be understood as a practice, not a thing or a state of being. Second, it is a specific type of practice distinct from the practice of sovereignty (Foucault [1978]2004:116, Ong 2005). On the one hand, the ultimate goal of sovereignty is that of obedience to the law or, in other words, submission to the sovereign. The logic is, therefore, circular in that proper behavior in sovereignty is the obedience to the law, and the law is to obey sovereignty. Government, on the other hand, often has many goals which only indirectly lead back to the governing institution. Government is the "right way of arranging things in order to lead them…[to] an end

suitable for each of the things to be governed" (Foucault [1978]2004:99). It is a shift in the focus of those in power from individuals' being to their well-being. It is concern with both "the living and better than just living" (Foucault [1978]2004:338). The purpose of government is to secure the population's welfare and better its condition along lines common to the stated goals of development projects (e.g., wealth, diet, education, happiness) through the shaping of conduct (Foucault [1978]2004:327).

However, the direct manipulation of individuals' behavior, the conduct of conduct, at the level of population is not possible without the creation of complex methods of control at the level of population that create in individuals the appropriate desires, values, and modes of action (Deacon 2003). It is a way of ruling that imposes the use of calculated supervision on the rulers (Rose 1990). Foucault writes, "Population, then, appears as the end and instrument of government rather than as the sovereign's strength: it is the subject of needs and aspirations, but also the object of government manipulation; vis-à-vis government, [population] is both aware of what it wants and unaware of what is being done to it" ([1978]2004:105). The working out of the techniques necessary to govern a population in this way requires a specific way of thinking about government that makes at least some portion of the activity "thinkable and practicable both to its practitioners and to those upon whom it was practiced" (Gordon 1991:3). This process is what Foucault identified as governmental rationality or *governmentality*.

Governmentality and the Proper Location of Analysis

Governmentality, Foucault writes, is the "ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power," government ([1978]2004:108). Governmentality also describes an increase in the power of government and the development of a variety of governmental apparatuses and knowledges. To study governmentality is to study techniques of government as a field of power. Such study, according to Foucault, involves three essentials shifts in focus ([1978]2004:116-118). The first shift is to the outside of the institution. Rather than analyzing the problematic of the institution as an institution, the study of governmentality entails understanding the type of power organized within it but that is also external to it (Balke 2010). For example, the structures internal to the Bank and their necessity as structures internal to the Bank cannot be understood outside a broader context of a global commitment to betterment through modernization and the use of government to achieve the various goals that commitment entails. In this light, the practice of dam construction is one of many techniques concerning the larger "will to improve" (Li 2007:31). Dams and fields of knowledge and action associated with them are best understood as *technologies of power*. This first shift taken in this research, then, is to replace the Bank as an institution with the Bank as a technology of power.

The second shift is to the outside of the function of the institution. As discussed above, there are multiple ways of listing and accounting for the failures of Bank projects. Scholars can and have published volumes on the stated goals of Bank projects compared to the seemingly inevitable damaging effects (Rich 1994, McCully 2001, Fredrichs and

Fredrichs 2002, Bakker 2010). Focus on the functional defects of an institution, however, does little to explain how it persists. Further, such a focus assumes without analysis that the institution's persistence occurs *despite* these functional defects. On this point, Foucault uses the example of the prison, saying, "The real history of the prison is undoubtedly not governed by the successes and failures of its functionality, but is in fact inserted within strategies and tactics that find support even in these functional defects themselves" ([1978]2004:118). The second shift is a move away from function toward an analysis of strategies and tactics, techniques. The point Ferguson takes from the focus on techniques is that development projects may produce unintended consequences that, despite their *unplannedness*, are nonetheless "incorporated into anonymous constellations of control" (1994:20).

The third shift is to the outside of the object. When applied to the World Bank, this shift means refusal to use the concept of development as traditionally defined through notions of betterment or improvement. The Bank's actions and knowledges cannot be measured by the standards of the object of development in this sense. Rather, they must be understood as the establishing of a field of truth containing objects of knowledge through the technologies of power. In other words, the governmentality of the Bank involves the creation of specific knowledges in the constitution of a domain called development, which is part of the larger order of improvement. The third shift moves the relations of power away from the meeting of objective development standards and into the production of what it means to develop, the production of a development discourse. Power and discourse cannot be separated as the production of the latter involves the use of the latter. Describing Foucault's conception of this relationship, Howarth writes,

"Power is important...in terms of locating those moments of exclusion, in which certain statements are condemned to... 'a wild exteriority', and in highlighting a positive set of rules, procedures and mechanisms that makes possible the production of discourse" (2009:315). Located as it is in the field of power called government, the Bank avails itself of the inequality involved in the working out of what development is between it and those it intends to govern (Ferguson 1994, Goldman 2005, Li 2007).

The combination of these three shifts is a framework in which questions of *how* can be answered. The focus can be placed not on the World Bank as an institution but on its technologies of power. The continuation of the role of the Bank in development projects despite its well-documented history of failures can be reframed to focus on the working out of tactics that are supported by the functional failures themselves. Finally, focus on whether or not the Bank is actually capable of advancing a population toward development can be replaced with a focus on its participation in the constitution of what development is based on its location in unequal power relations. Now that the question of *how* is possible, it is necessary to determine a point at which to begin an examination specific to the Bank and the hydropower projects selected for this research. Where should such an analysis begin? Let's ask the experts.

Expert Discourses and the Creation of Solvable Problems

If the art of government requires the appropriate arrangement of humans to each other and to other resources through myriad techniques such that the multiple specific goals of those governing can be met, then it must also require some method with which to plan and assess the performance of specific techniques. As Li points out, "Calculation is central" (2007:6). In order for those governing to plan and implement interventions, the

complex realities of society must be made standardized and legible (Scott 1998:11). This is done through an expert discourse that is distinct from other forms of knowledge about an area, its people, and its resources (Ferguson 1994:29). Although the experts who plan development projects must always do so with reference to the socio-historical and geographic context in which they hope to intervene, there are nonetheless recognizable patterns to the planning of interventions based on the structured position of experts within a specific governmentality.

Li (2007) observes two key practices in the translation of the order of betterment into planned interventions. The first is problematization, or "identifying deficiencies that need to be rectified" (2007:7). The second is "rendering technical," which has to do with the set of practices employed to represent that which is to be governed as a legible field with identifiable characteristic (2007:7). Key to rendering social reality as technical is the location of certain forces that can be used to solve the deficiencies identified through problematization. Thus the practices are not separate. What is important in this process is the creation of a reality in which the target for intervention experiences exactly the kind of problems in exactly the type of situation that a development institution can resolve or improve. As Ferguson puts it, if an expert analysis is to comply with the needs of development institutions it must make the target for intervention "out to be an enormously promising candidate for the only sort of intervention a 'development' agency is capable of launching: the apolitical, technical 'development' intervention" (1994:69).

This research builds on this point by analyzing how this is accomplished in the presence of strong project opposition. Power is expressed through exclusion of certain knowledges from a given discourse, but the need to excluded knowledges necessarily

means the existence of an opposing group with forms of knowledge to exclude that also poses a challenge to those governing (Howarth 2009). When considering the rendering technical of social and environmental problems in each case in this research, I analyze not only a) the production of knowledge in development discourse but also b) the methods by which other forms of knowledge are excluded as an expression of governmentality.

Ferguson (1994) introduces an added layer to the practice of rendering technical. That is, as problems are identified and rendered appropriately technical, they are also made apolitical. Experts working in the development industry ignore the political economic relationships between social groups and focus on the capacities of the poor to improve their position. This is not an oversight or product of poor research. It is the product of research conducted under a completely different standard than those who criticize it (Ferguson 1994:30). Removing politics from the condition of poverty is an essential aspect of the training of development experts, and rendering political problems as technical is a sign of *good* research by development industry standards.

In describing this removal of political economic problems by experts, Mitchell (2002) emphasizes the importance of making the target of intervention a product of some natural process. He writes, "Objects of analysis do not occur as natural phenomena, but are partly formed by the discourse that describes them. The more natural the object appears, the less obvious the discursive manufacture will be" (2002:210). To take an example from hydropower projects, if poverty can be linked to need for irrigation, seasonal flooding, or a technical inability on the part of the borrowing country to cease its abundant water resource potential, then the application of an apolitical development

discourse appears all the more appropriate, especially for the experts involved. Although project failures may occasionally lead to the raising of the political economic issues of those being governed (and do in the case of Pak Mun Dam), experts are repeatedly able to reframe failures in terms of poor implementation of their prescriptions. As Mitchell (2002) and Ferguson (1994) have both shown, such reframing is a common practice among experts of development who are constantly confronted with contradictions between project goals and outcomes.

Questions that cannot be addressed through technical rendering are, therefore, absent from the analyses and reports of development experts (Li 2007). Keeping political economic questions from being raised, however, involves a closing off of discourse that problematic for resolving issues of poverty, yet serves two purposes. First, the specific way in which experts make social reality legible and apolitical reaffirms their status as experts. That is, attempts to solve the problems identified by experts with solutions outside the established technical and managerial range are, basically, nonsensical to development agencies and confirm the capacity of experts to diagnose problems in the first place. The logic of this confirmation is essentially thus: (1) a technical/managerial problem is identified, (2) an appropriate regime of policies and actions is established to resolve the problem, (3) the unrecognized aspects of social reality impede the project's ability to meet its stated goals, yet remain unrecognized by development agencies, (4) project failures are blamed on the inability or unwillingness of the population to adhere to the technical/managerial solutions, (5) the capacities of experts and the boundaries between their knowledge and other knowledges increases through the negative confirmation of the expert performance. To restate this final point, if not following the

program laid out by experts meant project failure, strict adherence to the program must have meant project success. Development discourse is affirmed. Second, the closing off of development discourse is itself a reaction to resistance in some form from those being governed. Bounding a discourse and being unaffected by those outside the bounds are not equivalent. As Goldman (2001, 2005) shows, groups who present obstacles for development agencies do not go unaddressed. Both are involved in a working out of the limits of government. As new challenges are made, new methods of rendering social reality technical must be established. New calculations must be made and the practices of government expanded in order for an institution to maintain its position in the power relationship.

There is a final important point to be raised about experts and the development discourse they are simultaneously limited by and which they constitute. Referring back to the Marxist approach to the study of development projects and the identification of interests, there may be a tendency to dismiss the work of experts wholly or partially as misrepresentations of the intent of development institutions as actors. Maybe. Following Ferguson, however, "that is no excuse for dismissing it" (1994:18). The actions and thoughts of development experts may be reflections of a complex nexus of interests, but they are also the product of the perpetual constitution of development discourse. The product of their labors, therefore, can serve as a suitable place from which to begin an analysis of the working out of development discourse and the unfolding of specific governmentalities. Here I am referring specifically to the texts these experts produce, which I use in this research and which have been used similarly in other studies of development (Ferguson 1994; Goldman 2001, 2005; Li 2007). Having established

government as a specific field of power and governmentality as a way of thinking about the use of that power, and having explored abstractly the use of experts in governing, I now turn to the historical context of the cases I have selected for comparison before beginning concrete analysis.

Historical Context

This is a study of changes in the arts of government used by the World Bank in hydropower development in Southeast Asia not during two separate cases but across them. The methods of control developed over the course of the more recent case, Nam Theun II Dam, cannot be understood without reference to the older Pak Mun Dam. As Li observes, "New thinking about how to govern arises not only from inspired ideas, but from the pragmatic observations of how things work out in practice" (2007:19). Indeed, the Bank includes in its own reports on Pak Mun Dam a section entitled "Key Lessons Learned" (WB 1996:16). If, however, governmentality is a field of knowledge and actions understood as technologies of power constituted over time, and if Goldman (2005:181) is correct in describing the type of governmentality organized around Nam Theun II Dam as explicitly environmental, an "eco-governmentality", then it is necessary to provide brief historical context for the World Bank, its hydropower projects, and its relationship to conservation and environment values.

The Bank distributed its first loan to a developing country in 1947 for a hydropower project in Chile. This marked the beginning of decades of consistent lending for large dams and other water infrastructure projects, which peaked in the 1970s and 1980s (Bakker 2010:64). Bank interest in Southeast Asia began in the 1960s as a result of concern for falling dominoes in the Cold War, and, in 1964, Thailand's first Bank-funded

hydropower project, Bhumibol, was completed (Rich 1994:9, Tucker 2010). Only three years later, in 1967, the Sirindhorn Dam displaced thousands of Thai people (Rich 1994:10). The Bank's foray into loaning to poor nations increased with the appointment of Robert McNamara as president in 1968. When he arrived, McNamara expressed public displeasure with the amount of lending the Bank was doing for the cause of poverty alleviation in the South. He called for extensive intervention projects in less developed countries to "help them rise out of the pit of poverty in which they had been engulfed for centuries past" (cited in Goldman 2005:69). McNamara's management style, imported from his time at Ford and the Defense Department, was to demand that the staff increase the amount and type of loans in their portfolio and to justify each quantitatively. The effect was to create an organizational environment in which the number of loans approved and the time taken to approve each was directly linked to advancement within the Bank (Goldman 2005:76).

Many of the loans made during McNamara's time at the Bank focused on agricultural development and can be directly linked to the spread of green revolution technologies. The scientific-bureaucratic infrastructure developed by McNamara to bring betterment to the South also marked the beginning of a new role for the Bank distinct from prior forms of control, that of knowledge producer (Goldman 2005:33). As the Bank worked to install scientific-bureaucratic institutions in its borrowing countries in order to generate the highest amount of loans possible, it became less dependent on, and therefore less subject to scrutiny from, its member nations. It was able to transition from a lending agency concerned with spreading development to a lending agency that occupied a place of power in determining what development was.

In the 1980s, Bank President Barber Conable, in response to pressure from environmental groups, unveiled a long list of environmental reforms which appeared to be in keeping with what environmentalists had been demanding (Rich 1994:145). As a result, the change in development discourse was so drastic that although only one third of Bank projects contained "major environmental components" in 1989, the figure had jumped to fifty percent by 1990 (Rich 1994:148). According to Goldman (2005:97), loans for environmental projects at the Bank jumped from $15 million in 1985 to nearly one billion dollars in 1995. These reforms, however, soon fell under criticism from environmental groups for either a lack of implementation or flaws in the reforms themselves. In any case, they were quickly labeled "greenspeak" (Rich 1994:153).

What should be taken from this brief time line is that from the time the Bank took an interest in loaning to poor countries to the present, some type of concern for the environment has been a part of its development discourse. This is not to say that it has always been a major concern or that the nature of the concern it now expresses has always been the case. Rather, I only wish to point out that the rendering technical of environmental issues is not a new aspect of Bank governmentality. As the chapter on Nam Theun II Dam shows, Goldman (2001, 2005) is correct in his analysis of a new, or perhaps increased, eco-governmentality at the Bank, but this must be contextualized as the product of a longer history of incorporating environmental issues into fields of development knowledge.

The second historical point that needs to be made before moving on to the analysis of my cases regards the 1997-1998 Asian financial crisis, which occurred between the completion of Pak Mun Dam and loan approval for Nam Theun II Dam.

Although reference to the crisis in my analysis is limited to its mention in expert reports, a brief outline provides a better understanding of what the experts are referring.

Until 1996, many development experts considered Thailand to be a success story of capitalist modernization (Glassman 2004). In the late 1950s and into the 1960s, the Bank worked with the Thai government to create a number of agencies to support an import-substitution strategy (Hewison 2001:81). The Thai government's goal was to increase exports of agricultural goods while increasing investment in industrial manufacturing. A series of policies protecting domestic investments and limiting the actions of foreign banks encouraged the growth of a largely domestically owned industrial sector. As a result, the industrial labor force in Thailand grew 45 percent between 1960 and 1979 (Hewison 2001:82). This strategy remained in place until the mid-1980s when the state, under pressure from international financial agencies and larger domestic corporations, removed the disincentives on exports, switching to an export-oriented strategy (Doner 2009).

Prior to this switch, the *baht*, tied to the dollar, had experienced a rapid climb in value, which made Thai exports in primary commodities less attractive in the global market. In addition to this, agricultural prices in the late 1970s were in steady decline while the Thai public sector debt steadily increased as a result of loans made during the oil crisis (Hewison 2001:83). Export-oriented policies, coupled with a major economic devaluation, made cheap Thai manufacturing labor and agricultural exports attractive to global industries and ushered in an economic boom that would last until 1996. During this time the banking and manufacturing sectors experienced more growth than any other

industry, agriculture experiencing the least amount of growth (Hewison 2001, Glassman 2004, Doner 2009).

Rodan, Hewison, and Robison (2001) report that the boom in the industrial sector, which created a powerful domestic capitalist class in many Southeast Asian countries, eventually led to over-capacity and a fall in the rates of return on industrial commodities. "After all," they write, "markets for products embodying low-cost labour were not inexhaustible" (2001:25). The result was economic stagnation in 1996 and a devaluation of the *baht* in 1997. Although this devaluation centered on the Thai economy, it was felt in many other countries in the region and sent them all into a downward spiral (Hewison 2001, Rodan et al. 2001). Support packages offered by the International Monetary Fund and the World Bank, and their accompanying austerity measures, moved what was an economic recession into a deep depression.

In regard to the cases in this research, the financial crisis meant delays for loan approval of Nam Theun II Dam. As will be explored later, the main economic reasoning for the project was the sale of electricity by the government of Laos to the Electricity Generating Authority of Thailand (EGAT). The crisis, however, meant that EGAT could no longer afford to purchase foreign power and plans for construction were stalled. Had the financial crisis not occurred when it did, the project may have gone ahead and construction might have begun prior to creation of the World Commission on Dams. Beyond this impact, it is necessary to keep in mind Thailand's economic boom during the early 1990s when Pak Mun Dam was constructed. As will be discussed below, adding to the already booming energy sector in a promising developing country was a major justification for this project and contributed to Bank experts ability to construct the

specific realities about EGAT and Thailand that were conducive to further the promise of betterment. With the historical context of both the World Bank and the region economy established, I shall now begin my investigation.

Methods and Methodology

Ferguson and Gupta begin their analysis of neoliberal governmentality by arguing that "mundane bureaucratic state practices" (2002:982) are an important location for the working out of arts of government that "profoundly alter how bodies are oriented, how lives are lived, and how subjects are formed" (2002:984). I include within these mundane practices the research and publications of development experts, especially those assigned to annual monitoring of World Bank projects. The data for this research are drawn from the World Bank website's *Documents and Reports* section and from the World Commission on Dams' Pak Mun Dam case study. Below is a list of the major reports used in this research (for full citations, see List of References):

International Environmental and Social Panel of Experts (Nam Theun II Dam):

- First Report (1997)
- Second Report (1997)
- Fourth Report (1999)
- Fifth Report (2001)
- Interim Report (2002)
- Sixth Report (2003)
- Seventh Report (2004)
- Eighth Report (2005)
- Thirteenth Report (2008)
- Fourteenth Report (2008)
- Fifteenth Report (2009)
- Seventeenth Report (2010)

World Bank:

- Staff Appraisal Report (1991), Pak Mun Dam
- Implementation Completion Report (1996), Pak Mun Dam
- Recent Experience with Involuntary Resettlement (1998), Pak Mun Dam
- Project Appraisal Document (2005), Nam Theun II Dam

World Commission on Dams:

- Pak Mun Dam Case Study (2000)

In my analysis of Nam Theun II Dam, I make occasional reference to reports from the World Bank's International Advisory Group and World Bank newsletters and promotional material. These data, however, do not constitute a major contribution to my analysis. They are used only to contextualize the reports listed above. Citations for these minor data are included in the List of References section. Some of the Panel of Expert reports for Nam Theun II Dam have been only intermittently available through the World Bank's website. As such, not all were included in my analysis. This does not present a limitation to this research as the information in the reports is cumulative and each new report makes clear reference to the recommendations of prior reports and the actions taken to date. Indeed, the writing practices of the Panel of Experts includes heavy repetition from prior reports and many of their positions contain the exact same wording over the course of several years.

My analysis of both cases makes use of scholarly and INGO literature as a comparison to the development discourse utilized in World Bank documents. The use of these literatures is complicated by their heavy reliance on data provided by the World Commission on Dams case study and the Panel of Experts (For Pak Mun Dam, Friedrichs and Friedrichs 2002; Jenkins, McGauhey, and Mills 2008; Foran and Manorom 2009. For Nam Theun II Dam, Hirsch 2002; Lawrence 2009; Middleton, Garcia, and Foran 2009; IRN 2010). That is not to say that these works do not provide their own analysis and contribution. Nonetheless the source of much of the data in these studies on technical performance and confrontations between the World Bank, the borrower, and the population being developed comes from organizations operating within the development discourse (i.e., World Bank reports) or that are sympathetic to the goals of development

as outlined in the first chapter of this research. For this reason, I refer to scholarly and INGO literature only when there is a conflict between their accounts of a case and the account given by the World Bank or the World Commission on Dams.

As a method of reporting data, I follow Ferguson's (1994) format of extensive quotation of development reports. For this research, it is not enough to simply state that certain constructions of borrowers, their problems, and the range of possible solutions are worked out over the life of a development project. It must be demonstrated. At some points, I do this by providing large block quotation and, at others, by quoting short statements integral to demonstrating the maintenance of key constructions in the development discourse surrounding each case. I analyze reports in chronological order to demonstrate how the use of certain justificatory mechanisms translates, first, into institutional relationships and practices with real social and environmental implications and, second, how the rationalizations of project failures are predicated on the institutional relationships created through earlier justifications.

The cases I have chosen for this research are consider as two time periods of World Bank involvement in hydropower development in Southeast Asia. One the one hand, there are many differences between these cases. Pak Mun Dam is a relatively small project funded by the World Bank during an economic boom in Thailand and with a borrower with whom the Bank had a well-established relationship (WB 1991). Planning for Nam Theun II Dam began immediately prior to the 1997-1998 Southeast Asian financial crisis, was a very large project, and was conducted with a borrower with whom the Bank did not have a well established relationship (WB 2005). Further, although domestic and international opposition to Pak Mun Dam did not gain the attention of the

World Bank and the borrower until after construction was completed, international opposition to World Bank dam projects was at an all time high when planning began for Nam Theun II Dam.

On the other hand, there are some similarities between the two projects. Chronologically, planning for Nam Theun II Dam overlapped with World Bank studies of the impacts of Pak Mun Dam. Both projects were also considered by the World Bank to be exemplars of participatory, socially and environmentally sustainable development. However, the most important, and most obvious, connection between these cases is the involvement of the World Bank, as lender and shaper of state apparatus, and the use of development discourse in identifying problems, planning solutions, and rationalizing negative outcomes.

Methodologically, I use Haydu's (1998, 2010) problem solving approach to comparative-historical research, to compare these cases as two instances of dam development *and* link them as two successive periods in the history of the World Bank. The problem-solving approach starts with the identification of "recurrent dilemmas faced by social actors" (Haydu 2010:32). These dilemmas serve to provide continuity over time as social actors seek solutions for problems arising in each case for comparison. The characteristics of each problem solving regime differ, however, leaving room for analysis of why certain solutions were chosen above others and comparison of the outcomes of different regimes.

Although similar to the path dependency approach, problem-solving moves away from the binary between "first movers and initial events" that determine subsequent paths and the degree to which those paths are locked in "by prior investment or the

interdependence of actors within a system" (Clemens 2007:532). The major shortcoming of the path dependent model its focus on key moments, or switch points, wherein social actors experience a high degree of agency in making choices that then over-determine the range of subsequent choices until another switch points occurs. It ignores the influence of prior choices on those made during switch points and, therefore, does not allow for links between periods of comparison. As Haydu explains, "Choices in one period not only limit future options, they may also precipitate later crises, structure available options, and shape the choices made at those junctures" (1998:353).

Problem solving is particularly useful for this research as it offers a way of asking how the World Bank continues to develop hydropower projects in Southeast Asia by emphasizing the continuity of the cases while making use of the historical and geographical differences in each. For this research, the World Bank is the social actor connecting the cases, and the drive to build a dam is the problem present in each. According to Haydu, problem solving requires that "there must be *some* correspondence between the observer's conception of a recurring problem and the social actors' experiences of confronting common obstacles and devising ways to surmount them" (Haydu 1998:355 emphasis in original). In both cases, the explicit aim of the World Bank to plan and implement a hydropower project serves to meet this requirement.

It should be made explicit that problem-solving is a methodological approach and not a theoretical statement about the autonomy of social actors in historical outcomes. It lends itself well to this research, because the study of governmentality is the study of a set of practices designed to foster certain ends, and how those practices maintain the governing institution's position in an unequal power relationship regardless of the

success or failure in realizing intended goals (Foucault [1978]2007). In a certain sense, the study of governmentality is the study of a kind of problem solving. Nonetheless, there is a distinction between the Foucauldian theoretical perspective discussed in the previous chapter and the methodological approach outlined here. The former is a way of discussing how a governing institution employs techniques of control that indirectly, yet all the more effectively, maintain the institution's location in a specific field of power. The latter is a way of asking how social actors in any location in power relations address recurrent problems.

The tendency within development discourse to create models to be repeated in other locations may bring with it striking similarities between the findings of this research and World Bank projects in other places and times. Although I am happy to add what I am able to the literatures on development, dams, and Southeast Asia, the intention of this work is not to create concepts generalizable to all development projects, or even all hydropower projects. The results of my analysis are specific to the cases chosen in this research and should be applied to further cases through comparison and with an equal appreciation for commonality and difference.

CHAPTER II
PAK MUN DAM, THAILAND: CONSTRUCTING A SEASONED BORROWER

In this chapter, I examine the arts of government employed by the World Bank in the planning and construction of Pak Mun Dam (hereafter Pak Mun). Thought of by the Bank and the Electricity Generating Authority of Thailand (EGAT) as a relatively small project, Pak Mun was designed to generate enough electricity to meet domestic demands during peak hours. Despite being determined and economic and social failure by the WCD (2000a), Pak Mun's history is one of devastating impacts to local fisheries and protests for compensation internal to local people and between local people and EGAT (Foran and Manorom 2009). The Bank's justifications for the project and its rationalizations of project failures emphasize a particular construction of EGAT and the Thai economy that focus on a successful record of project implementation (conspicuously leaving out loan repayment) and the ease with which such a small project could be completed. In particular, these documents are examples of a particular type of construction I call the seasoned borrower (WB 1991, 1996, 1998). In short, the seasoned borrower is a borrowing institution with which the structures necessary for lending, planning, and evaluation have already been established through prior projects. It is a construction which locates the borrowing institution as already existing in the realm of expert knowledge such that it is itself already able to competently, from the Bank's perspective, produce knowledge and techniques necessary for the realization of betterment through a particular project. As is shown below, once a borrower is a *seasoned* borrower, project failures can be accounted for and defended through the

construction of project-affected people as malcontents resistant to beneficial change. The seasoned borrower, at least in the discourse around the project, enjoys the benefits associated with expert knowledge as its capacity to plan and implement are negatively confirmed through the supposed unwillingness of project-affected people to go along with its technically rendered solutions to political economic problems. With this concept in mind, it is useful to provide a history of Pak Mun and an overview of the detrimental impacts of the project on local people as the project documents are published in order to give a fuller picture of the project and offer a relief against which to compare the Bank's discourse.

Pak Mun is a small, run-of-river dam built on the Mun River in Ubon Ratchathani Province, Thailand 5.5 km above its confluence with the Mekong River. The reservoir created by the dam is 60 square km and is 108 meters above sea level (msl) at its highest capacity. The upper limit of 108 msl is an important feature of the dam's run-of-river status as it was determined based on estimates of the river's maximum flood height prior to construction (WCD 2000a). The original plans called for Pak Mun to be built at the mouth of the Mun River. SOGREAH Consulting Engineers, a French based company, conducted the environmental impact assessments for the project in 1982 at this location (WB 1991). These studies assumed a maximum reservoir height of 113 msl and determined that the project would call for the resettlement of 4,000 households. The project would also submerge the Kaeng Tana rapids, a natural resource landmark and tourist destination (WCD 2000a).

However, protests began shortly after these studies were conducted, and the project site was moved 1.5 km up stream in 1985 (Foran and Manorom 2009:59). The

new site was intended to spare the Kaeng Tana rapids and, instead, submerged the Ban Hua Heo rapids, which were an important fisheries resource for local people but lacked the already existing national park built around Kaeng Tana (Jenkins, McGauhey, and Mills 2008). Although no new environmental impact assessment (EIA) was conducted, EGAT did perform studies to determine a new, much lower, figure of 248 households to be resettled (WCD 2000a). No studies were conducted to assess the impact of the project on local livelihoods and ecologies until after project completion in 1994.

Four years later in 1989, the Thai government's Cabinet of Ministers approved the new 17 m high, 136 MW project for an original budget of US$155.2 million. This figure subsequently rose based on recommendations in the World Bank's Staff Appraisal Report, and the National Economic and Social Development Board of Thailand approved an increased budget in 1991 (WB 1991; WCD 2000a). Nonetheless, there is some disagreement about the final cost of the project. The Bank reported a total of US$233 million in its report on the resettlement and compensation program with resettlement costs responsible for only 14 percent of the total overrun (WB 1998). In 1999, however, the World Commission on Dams (WCD) placed the figure at US$260 million (WCD 2000a). The latter represents a 68 percent total increase from the original budget with compensation and resettlement costs increasing from US$9.26 million in 1988 to US$44.24 in 1999, an increase of 182 percent. By April 1999, US$15.8 million had been spent to cover loss of fisheries alone (WCD 2000a). The final number of households displaced by the project was 1,700; almost seven times the Bank estimate (WCD 2000a). The ESCR Mobilization Project estimates the ecological damage caused by the project to have affected almost 20,000 people (Jenkins, McGauhey, and Mills 2008).

Pak Mun Dam: A Pre-History

In terms of planning and preparation, the life of a dam often begins decades prior to loan approval and the start of construction. There is often a rotation of several different international and domestic engineering consultancy firms who are responsible for the production of environmental impact assessments (EIA) as well as economic and technical feasibility studies. By the time actual energy production begins, the project, as a specific concept, is quite an old thing. Such is the case for Pak Mun, a project which was met by more than twenty mass protests in the first decade of its existence, many of which were ended by the use of force by the Thai state (WCD 2000a; Foran and Manorom 2009).

In 1967, the National Energy Authority of Thailand (NEA) began conducting studies on the hydropower potential of the Mun River. These studies were conducted at the site of the Kaeng Tana Rapids by French consulting firm SOFRELEC and are the earliest references to Pak Mun I found in my research. The proposed project would have had a drainage area of 185 square kilometers and a normal water level, the average height of the reservoir created by the dam, of 112 msl (WCD 2000a:16). This plan was abandoned three years later, however, when the same firm determined that hydroelectric projects on the Mun River were not economically or geographically viable. The plan would not be revisited for another decade.

In 1978, a study was conducted with the goal of addressing seasonal fluctuations in the availability of water resources in the Chi-Mun River Basin. Farmers in the basin experienced problems in developing year-round cultivation, which were attributed by EGAT and Bank experts to inadequate irrigation infrastructure. The resulting report, entitled “Water for the Northeast: A Strategy for the Development of Small-Scale Water

Resources," was presented to the National Economic and Social Development Board's Water Resources Planning Subcommittee, and a new water policy for the Northeast was incorporated into the National Master Plan (WCD 2000a:2). The new policy had two key aims. First, it called for an emphasis on the use of existing resources in distribution, which meant the development of new irrigation infrastructure from already existing reservoirs as well as extraction from rivers. Second, it called for meeting basic requirements through the rapid development of small-scale irrigation projects, which would be designed to meet subsistence needs and offer minimal irrigation during the dry season (WCD 2000a:2). It was that same year, 1978, that the Electricity Generating Authority of Thailand (EGAT) began its own feasibility studies for a run-of-river dam on the Mun River (WCD 2000a:16).

EGAT was created in 1968 through a merger of three other authorities responsible for the generation and transmission of electricity (WB 1991:14). EGAT sells electricity as a bulk supplier to the Metropolitan Electricity Authority, which supplies power to the Bangkok Metropolitan Area; the Provincial Electricity Authority, which supplies power to the rest of the country; and directly to a few large industrial consumers (WB 1991:14, WCD 2000a:11). From its conception to the late 1990s, the Kingdom of Thailand wholly owned EGAT. In the Staff Appraisal Report for Pak Mun, the World Bank approvingly notes, "EGAT functions as a modern public utility and enjoys a considerable degree of autonomy in its day-to-day operations. Although decisions concerning planning, contracting, pricing, and financing of investment are subject to Government's approval, EGAT management provides the predominant inputs" (WB 1991:14).

The 1978 feasibility study, conducted by EGAT, called for a large drainage area, 117,000 square kilometers, and a lower normal water level, 108 msl (WCD 2000a:16). EGAT hired French consulting firm SORGREAH in 1980 to conduct further studies that showed Pak Mun as economically and technically feasible. In 1981, Pak Mun was added to Thailand's Power Development Plan, a multi-project proposal slated to begin in 1988, ten years before it would be presented to the World Bank as part of the Third Power System Development Project and thirteen years before construction would actually begin (WB 1991, WCD 2000a). The following year, TEAM Consultants Engineers, a Thai consulting firm, produced an EIA for construction at the site of the Kaeng Tana Rapids (Foran and Manorom 2009:59). In 1983, however, the creation of the Kaeng Tana Rapids National Park meant that EGAT was faced with the issue of preserving the rapids for tourism. EGAT and TEAM Consultants came to an agreement in 1984 to reduce the normal water level from 113 msl to 108 msl, and, in 1985, SOGREAH conducted a new feasibility study 1.5 km upstream from the original location at the Ban Hua Heo Rapids (WB 1991:29, WCD 2000a:16).

The decision to relocate Pak Mun is often cited by critics as the beginning of a flawed, top-down planning process on the part of EGAT and the Bank and as representative of the way in which EGAT would manage compensation and resettlement programs after the completion of the project (WCD 2000a; McCully 2001; Jenkins et al. 2008; Foran and Manorom 2009). Technical critics of Pak Mun are keen to point out the lack of planning for the large migratory fish populations, which moved up and down the Mun River prior to project completion and, later, when the Thai government allowed the gates to be opened during part of the migratory season (WCD 2000a; McCully 2001;

Foran and Manorom 2009). The EIA conducted at the site of the Kaeng Tana Rapids stated that, "the impoundment by itself would cause changes in aquatic populations in the Lower Mun River as a consequence of changes in the river flow regime," but that "fish production from the reservoir is expected to increase considerably…socio-economically, fishing occupation would become more important to subsistence fisherman than at present, and a great number of households may be converted from rice farmers to full-time fishermen" (cited in WCD 2000a:39). According to the WCD (2000a) case study, the simultaneous underestimation of existing fish production and overestimation of future fish production were exaggerated by the EGAT's failure to conduct a new EIA after project relocation.

SOGREAH continued to conduct engineering studies at the new site, and, in 1988, EGAT released the Summary Report: Pak Mun Multipurpose Development Project (WCD 2000a:17). This report was presented to Thailand's National Economic and Social Development Board and the Cabinet of Ministers for project approval, which it received in 1990. The project was then included in the Third Power System Development Project in the Staff Appraisal Report (SAR) for the World Bank (WB 1991).

Staff Appraisal Report

In the Staff Appraisal Report, the Bank's explicit justifications for involvement in the Third Power System Development Project are: "(a) to assist EGAT in optimizing its investment decisions and help meet the growth in power demand over the medium term at least cost; and (b) to strengthen the environmental regulatory agencies in the power and mining sectors" (WB 1991:i). Both stated goals are of great importance to the particular arts of government employed during the Pak Mun project and their comparison to the

Nam Theun II Dam (NT2). First, considering the economic boom Thailand was experiencing at the time, the theme of least cost power sector expansion places the Bank in a position to aid EGAT and the Thai people in continuing economic development through the application of its technical expertise. Bank experts used an economic tool known as an equalizing discount rate to justify Pak Mun by assuming its ability to efficiently produce energy at predicted levels and comparing it to the construction and maintenance costs of the next cheapest option – a gas turbine (WCD 2000:34). Second, contextualizing the increased emphasis on environmental conservation and regulation during NT2, the SAR includes plans for the management of immediate harmful environmental effects of dam construction, the further funding of Kaeng Tana National Park, and a requirement that EGAT "develop the dam site as a [eco-]tourist spot" (WB 1991:29). Thus the Bank created a problem the proper solution for which was best reached through Bank intervention

To establish the need for the expansion of the power sector, the SAR first creates an image of Thailand as a rapidly developing country attempting to diversify its own natural energy resources in order to remove its dependence on foreign oil.

> The social and economic transformation of the Thai economy over the past 25 years has resulted in rapid growth in energy consumption. Most of this growth was initially met by energy imports: at the time of the 1979/80 oil crisis, Thailand's dependence on imported oil was in excess of 90% of total primary commercial energy. In the ensuing years, however, efforts made by the Royal Thai Government to promote the development of indigenous energy resources have had a visible impact on the pattern of commercial energy consumption: the share of oil has fallen markedly, being reduced from 91% in 1977 to 64% in 1989, with that of imported oil down to 57%. Conversely, the shares of indigenous lignite and natural gas have grown steadily, reaching 10% and 24%, respectively. This notwithstanding, the energy situation in Thailand remains characterized by relatively modest commercial energy consumption in relation to the country's development…, with traditional energy, particularly fuel wood, remaining the

> predominant fuel in rural households. The outlook is therefore for rapid growth in commercial energy consumption as the economy continues to expand. (WB 1991:1).

According to the SAR, the power system in Thailand was growing rapidly. EGAT and the Thai government are reported to have made a great deal of progress in expanding the availability of electricity throughout the country and especially in urban areas. Yet, while industrial consumption was growing at a rapid pace, the "growth in power demand has consistently exceeded that of commercial energy consumption. This has resulted in a per capita electricity consumption in Thailand…higher than the average for countries at an income level similar to Thailand" (WB 1991:1). The Bank expected these trends to continue with the accelerating expansion of industrial and social development. As regards the state of hydropower generation in Thailand, the SAR reported that much of the energy production potential is "suitable for peaking purposes and there are no major schemes that could be developed for base-load generation" (WB 1991:3). This meant that although large hydropower projects were not an option, smaller run-of-river projects capable of producing energy during peak hours of consumption were technically viable so long as they had "economic viability compared to the next best option of peaking internal combustion turbine generation" (WB 1991:3).

The initial image of Thailand's booming economy is key to the construction of its power generation capacity as a problem and Pak Mun as the most rational solution. Who uses electricity, and for whom new electricity will be generated, is an important piece of the particular version of Thailand created in the opening pages of the SAR. The emphasis is not on the production of energy for industrialization but for domestic consumption. The Bank uses its figures on the out weighing of commercial demand by total growth in

energy consumption as evidence that Thailand is already moving along the path of modernization and betterment. Even this, however, is done with certain contradictions. Domestic use of energy is growing in Thailand in appropriate ways, so it does not need a great deal of assistance. Yet, many in Thailand still depend on traditional resources, wood fuel, so aid is needed to bring them into the modern world. Thailand is both modern and not. The role for the Bank is not to revolutionize energy production but to aid EGAT in diversifying its already robust energy portfolio. Here, then, is the first appearance in these documents of the seasoned borrower. Seasoned in the sense that Thailand is already developing. It is already growing. EGAT is already good at this. In fact, Pak Mun, according to the Bank, is only filling in the corners of an already existing, yet growing, energy production strategy. In reference to hydropower development, EGAT's long term plans only projected "a modest development of peaking hydropower and internal combustion turbine capacity" (WB 1991:10). Indeed, the report-projected contribution of hydropower to total energy production in Thailand estimated a decline "from current levels of 9.6% [in 1990] to 6.2% by 2002" unless, foreshadowing NT2, "hydropower from Laos and Myanmar were to materialize" (WB 1991:11). Nonetheless, EGAT is a borrower, in this construction, insofar as it continues to need Bank assistance.

Energy conservation and EGAT's strategy for sustainable development, according to the Bank's definition, also factored into the construction of a Thailand in which the proposed Third Power System Development Plan represented a sound investment on the part of the Bank in economic as well as social terms. The SAR reports favorably that the Thai government had already established the Sixth Economic and Social Development Plan, a policy framework that included:

> (a) the establishment of the Energy Conservation Center of Thailand charged with promoting energy conservation through public awareness, consulting assistance, training, inspection, research and development; (b) the Industrial Finance Corporation of Thailand and other financing agencies to provide low-interest loans to industrial factories which adopt energy saving processes and systems; (c) reduction of taxes and duties on energy-efficient equipment and appliances; (d) educational institutes to promulgate energy knowledge to students and the public; (e) consideration for enacting an Energy Conservation Promotion law mandating energy efficient designs for new industrial and commercial buildings and systems…; (f) government agencies to translate policy into action plans; and (g) promotion of transfer of technology and close coordination in its exploitation between the government agencies and the private sector (WB 1991:5).

The SAR also emphasizes the Thai government and EGAT's interest in demand-side energy conservation through studies that were being conducted on pricing and other techniques, again with the intent being least cost planning for expansion of the power sector. However, despite the reported "increased emphasis on environmentally sound and sustainable development" and the government's full "commit[ment] to the development of the sector in an environmentally sound manner," the SAR warns of several environmental concerns to which attention should be paid (WB 1991:8). These include the "ecological acceptability of hydropower projects involving dams" and "the adequacy of the existing environmental regulatory framework for formulating policy and standards, enforcing compliance and monitoring the quality of the environment" (WB 1991:8).

The final portion of the SAR prior to the details of the specific projects offers assurance that EGAT and the Thai government have a healthy borrowing record, at the time of the SAR fourteen loans had been made to EGAT for "electrical generation and transmission facilities", and that all recent projects for which EGAT had borrowed from the Bank "were completed on schedule and within the appraisal cost estimates" (WB 1991:12). The Bank reports its own history with EGAT has aided it in becoming a

technically capable and efficient energy producer. By its own estimation, the Bank "has been instrumental in the implementation of adequate overall electricity tariff levels, ensuring the sector's financial soundness and the cost effectiveness of power generation investments" (WB 1991:13). In keeping with Goldman's (2005) portrayal of the Bank's role as a knowledge producer, the SAR reports a close working relationship with important organizations in the energy sector such that "EGAT and the government like to continue borrowing from the Bank, though in modest amounts, to benefit from bank technical assistance" (WB 1991:13). The Bank's involvement in the project was, therefore, desired by EGAT and the Thai government as well as the Bank itself to "ensure that, through adherence with agreed financial covenants, EGAT and the power subsector are financially able to undertake and operate future system expansions effectively" and to "continue to assist EGAT and the government in addressing some of the important sectoral issues, including privatization, strengthening of environmental capabilities and energy conservation" (WB 1991:13).

In her study of Bank-funded community projects in Indonesia, Li observes that experts "locate[d] the model for the perfected community in an imagined past to be recovered, so that intervention merely restores community to its natural state" (2007:233). That is, experts would create a technical rendering of community such that intervention meant tinkering with degraded processes that were nonetheless built on a strong, albeit imagined, foundation. The version of EGAT constructed by the Bank as a seasoned borrower works in a similar fashion insofar as project involvement by the Bank would mean building on a pre-established standard. Li goes on to write that, in the cases she studied, "the objective was to optimize social relations for their intrinsic worth, and

as vehicles for meeting other goals" (2007:223). Although for Li's (2007) work this means the restoration of some bygone natural state of being, for Pak Mun it means to continuation and encouragement of that state of being. On the one hand, the Bank's expressed level of trust in EGAT's capabilities is great: "There are no major risks associated with the program. Although EGAT's Power Development Plan is ambitious, the utility's demonstrated experience with system expansion and its state of preparedness assure the Plan's successful implementation" (WB 1991:i). On the other hand, there is still work to be done in maintaining EGAT's path to development: "Through the proposed loan, the Bank would continue its ongoing work with the power subsector and expects to provide a continuous review of EGAT's PDP [Power Development Plan] to ensure that optimum investment programs are evolved which can be supported by various lenders" (WB 1991:13).

Although diversification of the energy sector and betterment for Thai people who, the Bank argues, have unreliable or no access to electricity is the presumed justification for the project, the much stronger, underlying, justification is what I call the seasoned borrower. It is the seasoned borrower that is already malleable and accustomed to the Bank's stated role as knowledge broker. It is the seasoned borrower who is able to successfully mitigate resettlement and compensation issues, environmental impact issues, and technical set backs while staying on schedule and under budget.

The actual successes of EGAT as regards dam projects are not important to the seasoned borrower justification and, when one considers failures such as the Nam Choan Dam Project immediately prior to loan application for Pak Mun Dam, not necessarily based on the its actual history (for an account of protests which prevented the

construction of Nam Choan see Rigg 1991, McCully 2001). The justificatory logic is, at its root, economic but with the assumption that modernization is equivalent, or at least strongly associated, with betterment (Mitchell 2002). EGAT will be able to get the job done while controlling costs, which is good for the Thai people.

Where concern for the environment is mentioned, it takes the form of energy conservation. Energy conservation, in turn, takes the form of pricing strategies and diversification of resources to decrease dependency on costly energy imports. The initial introduction of environmental impacts of the larger project, the Power Development Plan, is, therefore, also strongly linked to economic justifications. Environmental justifications change, however, as the SAR provides more details into the planning of Pak Mun Dam. More consideration is given to such issues as impacts on fisheries and preservation of eco-tourism areas. The concept of the seasoned borrower continues to be used.

By the time of the SAR, the Bank and EGAT had already been working together on mitigation plans for the impacts to the environment and local livelihoods that Pak Mun Dam would represent. According to the Bank, these discussions were thorough and involved all those concerned with the project, including NGOs and local communities:

> The environmental impact assessment (EIA), the environmental impact mitigation plan (EIMP) and the resettlement plan for the Pak Mun project were reviewed during appraisal and extensive discussions were held with EGAT, concerned Government agencies (including the Royal Forest Department, the Forestry Industry Organization, the Fisheries Department and the Ministry of Public Health), Non Governmental Organizations (NGOs), local resource management agencies and local communities (WB 1991:28).

These discussions are reported to have focused mainly on what the Bank considered the two most important environmental aspects of the Pak Mun project: fisheries and parklands conservation. After appraisal, EGAT provided the Bank with the Resettlement

Plan and Compensation Rates report as well as a revised EIMP, both of which included Bank recommendations.

The SAR reports that this information was thoroughly distributed to local communities and concerned NGOs as "Bank mission members have had substantial interaction with international and Thai NGOs and have provided to them necessary information on the environmental and resettlement aspects of the project" (WB 1991:29). EGAT also conducted "extensive publicity on the project and has provided information on the project's environmental impact and resettlement plan to the affected persons" (WB 1991:29). The Bank thus concluded that all aspect of planning for Pak Mun Dam had been completed and "that the entire environmental assessment process, the EIAs, the EIMP and the Resettlement Plans have been satisfactorily carried out" (WB 1991:29).

This is in sharp contrast to later criticisms of the project, which generally tend to begin by outlining the lack of participation local people and (I)NGOs had in the planning process (WCD 2000; McCully 2001; Friedrichs and Friedrichs 2002; Jenkins et al. 2008; Foran and Manorom 2009). Although EGAT does seem to have made some effort to distribute information about the project, this was carried out in such as manner as to create divisions in affected communities (Foran and Manorom 2009).

Despite the Bank's promotion of an image of participation, most resistance to EGAT's plans for the dam was met with threats of repression by the Thai state. Local police described those distributing information in opposition to the project as an unwanted, yet vocal, minority who were either paid agents or communists (Foran and Manorom 2009). Furthermore, state-owned television and radio consistently reported on the progress made at public meeting in Ubon Ratchathani but refused to give any

coverage to anti-dam positions. When EGAT did distribute information about the project, it was through village leaders who were encouraged to speak out in favor of the project thereby discouraging opposition from spreading (Foran and Manorom 2009). These strategies eventually led to disagreement within communities between those who supported the dam and those who did not. As the WCD reports, "the conflict became intensified due to the divisive strategies used by the state and project authorities to split community opinion, resulting in factions with the community demonstrating for and against the project" (WCD 2000:vii).

Such criticisms offer an important corrective to the narrative found in Bank documents about the planning stages of Pak Mun Dam. However, their use here is not to enter into the game of pointing out broken promises on the part of EGAT and the Bank. Rather, I use them to show the way in which, much as in the use of the seasoned borrower, the justifications given for a certain project need not reflect what may be more appropriately considered as the reality of the project (Ferguson 1994). It does not matter whether, for instance, Thai NGOs were consulted prior to project implementation so much as it matters that reference to such consultation, fictional or otherwise, is present in the SAR. The inclusion, however small, of participatory consultation and planning, as well as adequate distribution of information, are necessary for the Bank to begin outlining the details of the project within the logic of betterment for affected people. Although the emphasis on the role of (I)NGOs and local people is relatively small compared to what will be shown in the case of Nam Theun II Dam, it is important to acknowledge its presence in the SAR and its use in validating the specifics of the EIMP and Resettlement and Compensation packages to follow. As mentioned above, seeds of the eco-

governmentality era of the Bank can be found years before planning for Nam Theun II began (Goldman 2001, 2005).

In the section of the SAR focusing on the Pak Mun Dam project, the Bank's emphasis on Thailand's growing economy is maintained. The SAR reiterates the Bank's convictions about the necessity for the proposed project and its role in implementation in somewhat stronger language:

> EGAT's power development plan, which is supported in part by the proposed loan, is critical to the continued growth and industrialization of Thailand. Its timely implementation is essential to meeting the growing demands of power by industry, commerce, and residential consumers. Strengthening of the environmental regulatory agencies would contribute towards and environmentally sound development of the power and mining sector (WB 1991:44).

Key to this statement is the linkage created between economic growth through expansion of the power sector and the strengthening of environmental regulations. As will be shown in the case of NT2, the linkage of a hydropower project (which causes environmental degradation) to the establishment of environmental regulation and conservation is a justification mutually shared by these cases. The environmental 'good' is packed in, through funding, with the process that causes harm. Although this is an obvious contradiction, it enables the Bank to move forward with the project as one that will improve environmental conditions through the profits it generates. If Ferguson (1994) finds confusion in development discourse of modernization and betterment in Lesotho, Pak Mun represents the fuller confusion of modernization and environmentalism to come (Goldman 2005). With regard to environmental regulation, the Bank and EGAT established four areas of concern for which planning was done: preservation of the Kaeng

Tana National Park, mitigation of impacts to fisheries, safeguards against health issues related to construction, and resettlement of affected households (WB 1991).

Kaeng Tana National Park

The Kaeng Tana National Park was found to be of some concern as its border formed a portion of the boundary of the project, and it was anticipated that headworks and campsites for the construction crew would affect about 1.1 square kilometers of the park. The EIMP called for protecting the forest and improving tourist facilities. In terms of preservation of the park, EGAT and the Bank agreed on three items:

> (1) EGAT would implement a plan, satisfactory to the Bank, for the rehabilitation of the construction site after completion of the construction of the Pak Mun Hydropower dam, and develop the dam site as a tourist spot; (2) strengthen conservation of the Kaeng Tana National Park for a period of five years commencing 1991; and (3) EGAT would implement a subproject site management plan, satisfactory to the Bank, that would: (i) minimize run-off of construction wastes; (ii) stabilize and reclaim spoil areas in a timely manner; (iii) prevent damage to archeological sites; and (iv) prevent damage by materials excavated under the subproject to productive agricultural land and resettlement areas (WB 1991:29-30).

The long-term management plan for the park called for the relocation of fifty families living within the boundaries of the park as well as a plan for the possible relocation of another 300 families living in an area slated for park expansion (WB 1991:86). Although the relocation plans are vague, it seems these families were to be moved to villages just outside the park. The evidence for this assumption is EGAT's assessment that "Park development and management strategy provides for relocation of the people within the Park boundaries and upgrading of the villages along the river" (WB 1991:86).

The two large construction sites necessary for the 4-year period during which Pak Mun would be built are of concern insofar as "traffic noise and blasting would affect

tourist use of the park and its most scenic attractions" (WB 1991:86). EGAT and the Bank, however, view these issues as temporary given the above rehabilitation agreements. The management plan would address concerns of potential future conflicts inside the park through outlining a conservation plan, establishing roads for the maximization of tourist potential, creating guards camps, and establishing a visitor center at the completed dam site.

It is important to note the conception of national park conservation present in the SAR for Pak Mun. Although conservation is present, its form is of a specific type and different from that expressed during the planning and construction of NT2. Conservation in this case takes the form of a park in which human traffic is not only allowed but also encouraged. The stated purpose of the park is overwhelmingly that of tourist attraction. Not only does the state of biodiversity meet Bank approval, it is also "scenically very attractive" (WB 1991:86). In addition to the rapids for which the park is named, "the Lam Dom Noi River has a scenic waterfall and the border overlooking the Mekong River contains spectacular cliff areas with old Buddha images of heritage value" (WB 1991:86). Conservation in this context, then, means the promotion of easily accessible eco-tourism sites. The *nature* within the national park is a spectacle for human consumption facilitated by the construction of new infrastructure included in the EIMP. As will be shown, this is a radically different perspective from that taken by the Environmental and Social Panel of Experts in preparation for Nam Theun II, which treats the conservation aspect of the project as the formation of a legally defined area where human impact is minimized and natural sites such as those described in the Pak Mun SAR are kept out of reach through military force (Scudder, Talbot, and Whitmore 2001).

In both cases, however, local people are either removed and/or their livelihoods are heavily modified to meet the conservation standards of experts.

Fisheries

The SAR reports that the watershed to be affected by the project contained 150 species of fish, at least some of which were known to be migratory from the 1982 EIA (WB 1991:87). According to the report, the worst case scenario in terms of impacts to fisheries would be one in which all fishing is dependent on the seasonal migration of fish from the Mekong River to spawning habitats located upstream from Pak Mun. The best case scenario, however, would be one in which fish movements through the river were a result of feeding habits and unrelated to annual flooding or spawning. The expectation was that both fisheries above and below the dam would undergo some type of impact but that "large numbers of fish are likely to be flushed through the dam" (WB 1991:87). These impacts were of little concern given EGAT's upstream development plan, which was estimated to increase fishery yields by nearly 46 percent (WB 1991:87).

Here the reader should be reminded that no new EIAs were conducted at the site proposed in the SAR. EGAT's estimated fishery production increase of 46 percent is based on the TEAM Consultants studies conducted at the Kaeng Tana rapids. As Ferguson points out, however, "In 'development' discourse, the fact that there are no statistics available is no excuse for not presenting statistics" (1994:41). The numbers game is an integral part of making social reality legible to the Bank. The degraded condition in which the population lives must be quantified not only in order to problematize their situation but also to allow for the later evaluation of project success.

As Goldman (2005) observes, Bank experts are under constant pressure to rapidly evaluate and approve loans as a measure of their job performance. Although some experts may parachute into a country for a few weeks to gather data (Scudder et al. 1997), many others are bureaucrats behind busy desks. The pressure for higher rates of loan approval is aided by quantification of social and environmental reality which cannot account for the actual causes of poverty in the first place (Li 2007).

Nonetheless, the EIA predicted, without data any academic would consider reliable, that the reservoir created by Pak Mun would result in a fish yield of 16 kg/rai/year, a number that could be increased to 35 kg/rai/year with additional fish stocking programs (WCD 2000a:39). In other terms, the total fish yield produced by the reservoir without any additional stocking would be about 600,000 tons and have a value of about US$320,000. The prediction increases with the introduction of a stocking program to 1,314 tons with an estimated value of US$693,000 (WCD 2000a:40).

In its criticism of the EIA's predictions, the WCD (2000a) reports that these figures were based on results from nearby storage reservoirs, which are a different type of reservoir than would be created by Pak Mun because they are not involved in the energy production. Further, the problems experienced by the Thai government in maintaining high yields at these storage reservoirs were ignored in the EIA. After reevaluating pre-dam fish yields, the WCD reports that a more appropriate, yet speculative, prediction of fish yields including a stocking program would have been about 60 tons (2000a:41). Despite these huge discrepancies, the SAR gives little focus to the specifics of the fisheries management plan other than to divert from the original EIA by calling for the construction and monitoring of a fish ladder (WB 1991). The issue seems to be left, from

the Bank's perspective, in the hands of the seasoned borrower, specifically the Fisheries Department managed by EGAT.

Helath Issues

Although health issues are of concern, the programs suggested to deal with them are best understood as safeguards against possible grievances rather than as justifications for the project in terms of future benefits. The SAR outlines control programs for several different types of diseases, including programs for water-borne parasites, malaria, schistosomiasis, and sexually transmitted diseases. These programs, however, are not wholly used as benefits to affected people as a result of dam construction. Liver fluke, for example, is noted as the most prevalent parasitic disease in northeast Thailand. In the plans for controlling liver fluke, the SAR states that:

> As a goodwill measure for the project, the population to be resettled because of flooding will be examined and treated free of charge. (At present, under the self-reliance policy of the liver fluke control project, people have to pay for stool examination and treatment at a very nominal charge). Health education aimed at changing food and defecation habits would also be given regularly (WB 1991:88).

Despite this goodwill, however, the same section also notes "it has been agreed that the preimpoundment prevalence rate will be verified so that it can be used as evidence against possible complaints of the impact of the project on the health status of the people" (WB 1991:87). This somewhat negative language toward possible opposition to the project seems to belie previous experiences either on the part of EGAT, the Bank, or both with complaints of this nature being used as arguing points for higher compensation. This is difficult to establish with certainty, as it is the only instance in the SAR in which such language is used.

Resettlement and Compensation

The SAR reported in 1991 that 248 households, or 11 villages, were expected to require resettlement. In addition to these households, studies were underway indicating, "Lands of a few hundred additional households would be affected to varying degrees" (WB 1991:30). Again, these figures are based on EIAs and other impact studies conducted at a different location. By the time of the SAR, the Thai government's Cabinet of Ministers had appointed two committees to conduct all resettlement activities: the Resettlement Committee and the Compensation Committee. Together, these committees had two objectives: "(i) to provide infrastructure and economic assistance opportunities to improve standards of livelihoods; and (ii) to provide affected households with a choice among alternative resettlement arrangements" (WB 1991:30).

EGAT's resettlement plan in the SAR consisted of two parts. First, households living at the edge of the reservoir whose farmlands were predicted to remain cultivable could elect to have some of their land back-filled and their house reconstructed at the higher elevation, remaining close to the original location. EGAT expected approximately 195 households to choose this option (WB 1991:82). Second, those being relocated could elect to move their household 10 kilometers from the Pak Mun damsite to the base of the already existing Sirindhorn Dam. Each of these households would then be given 1.6 hectares of farmland, irrigated from the Sirindhorn reservoir, and an 800 square meter house plot. At the time of the SAR, EGAT and the Bank expected the second option, relocating completely, to be the more attractive of the two despite having not taken surveys to determine whether or not this preference was the case. Plans were reported to

have been underway to construct an irrigation delivery system, clear land for agriculture, and develop a fisheries stocking program at Sirindhorn. Also included in the plans were an electrical supply system, paved access to the new village, school building, and a public health center (WB 1991:83). EGAT also reported plans to establish an Agricultural Cooperative in the resettlement area near Sirindhorn Dam, which would involve the establishment of a revolving loan fund designed to "enable the cooperative to provide credit to its members to support improvement of their farming systems, input financing, market access and equipment purchases" (WB 1991:83). Although the cost associated with development of new infrastructure were to be assumed by EGAT, those who elected to resettle were expected to use the cash compensation they received for the loss of houses, land, and other resources to reinvest "in replacement housing and economic production system improvements" (WB 1991:83).

Both the Resettlement Committee and the Compensation Committee were to be chaired by the governor of the province. Both committees were to be "composed of a cross-section of officials in executive branch departments of the government as well as the elected representatives of the district government pertaining to affected areas" (WB 1991:83). It was not until after these committees had approved EGAT's resettlement plan that the plan would become publicly available. Project-affected people would then be able to choose from among the options presented to them in the plan as to whether they would prefer moving to the banks of the new reservoir or resettling at the Sirindhorn Dam site. There is no mention in the description of either plan of involvement of project-affected people prior to being presented with the EGAT's resettlement options. EGAT was to be responsible for the execution of the approved plan, supervised by the

Resettlement Committee. The Compensation Committee would oversee compensatory payments for losses to each household. The SAR notes "affected households will have the right of appeal of grievances to these provincial government committees through their village headman" (WB 1991:84).

The SAR's description of the decision making process used in creating the resettlement and compensation plans makes it easy to understand how the WCD came to the finding that "affected villagers were not consulted at the early stages of the decision making process and there were no attempts to include them in the decision making on the project of the mitigation measures" (2000a:x). It is important to remember, however, that these specifics are given toward the end of the report. That is, the specifics of the plans are discussed after the Bank has already established that the Pak Mun Dam project is one that will entail "no major risks…in its successful and timely implementation" (WB 1991:45). Given that the project is linked into a language of betterment from the outset, successful implementation is partially defined by improvement to the livelihoods of project-affected people (and partially in terms of limiting cost overruns). If there are no major risks to successful implementation, which includes betterment for Thai people, then the specifics of the resettlement and compensation plans must be such that they lead to betterment. Further, EGAT's seasoned borrower status means that successful implementation, with all its above-mentioned meanings, is extremely likely. This should not be understood as an *ends justify the means* argument in terms of participatory versus non-participatory planning. By referencing consultation with "Non Governmental Organziations…, local resource management agencies and local communities" earlier in

the document, the Bank has already created a version of the project in which planning is participatory by its definition (WB 1991:28).

In the literature on Pak Mun Dam, the contradictions between stated goals in the planning process and the reality of the project's impacts are the general point of criticism. For instance, the increases to fisheries predicted by the Bank and EGAT are compared to the actual, devastating impacts to fisheries experienced after project completion (WCD 2000a; Friedrichs and Friedrichs 2002; Jenkins et al. 2008; Foran and Manorom 2009). The tendency in this literature is to characterize the actions of the Bank and EGAT as intentional misrepresentations of their actual goals. Rich (1991:10), for example, calls Pak Mun's resettlement policies "little more than a public relations hoax," and Friedrichs and Friedrichs find in their work on Pak Mun that the Bank's "mode of operation…[is] intrinsically criminogenic" (2002:26).

This approach misses the mark insofar as it does not appreciate the Bank as an organization that both shapes and is shaped by development discourse. Whether the versions of Thailand and EGAT in the SAR were created out of a commitment to betterment or as misrepresentations is irrelevant and difficult to assess. What matters is their representation of Bank development discourse at the time the project was proposed. That is, despite the actual decision making process involved in creating the resettlement and compensation plans or the fisheries development plan, it was necessary to create a version of the project in which these plans were developed with consultation from project-affected people as defined by the Bank. The important contradiction in the logic of the SAR is not between stated goals and the results of the project but between the Bank's description of the project as participatory and the plans outlined in the report. It is

there that the state of development discourse at the time of the project can be identified, and from that identification that shifts in such discourse can be traced. In other words, the necessity for projects to be participatory remains while the definition of participation changes.

Pointing out contradictions between stated goals and realities for development projects, however, is not without merit. Despite the Bank's position as a major shaper of what development is, the realities of its projects are invariably different from expectations (Goldman 2005). Opposition to Bank projects has an effect on the constantly changing ideology of the Bank itself. The Bank and the borrower must answer to the technical failures in their projects as well as to the opposition from local and international organizations. These answers can mean new methods of control, and new governmentalities, for the Bank and the organization with which it works. It is, therefore, useful to highlight the technical, social, and environmental failures of the Pak Mun Dam project in order to understand the documents published by the Bank after project completion as well as those published in that same period regarding planning for Nam Theun II.

Technical Failures

There has been much research into the technical efficiency of dams as methods for generating electricity (WCD 2000b, McCully 2001). Generally speaking, dams are often not able to produce the promised supply of electricity, and the combination of pollution created by the construction process, impacts on the environment through changing the hydrological cycle, and emissions from the power plants and reservoir make many dams

as environmentally damaging as some fossil fuel powered electric plants (McCully 2001). Pak Mun dam is no exception. Although designed to generate electricity during peak hours of the day during the dry season, the plant associated with the dam is most productive during the wet season when it is least needed (WCD 2000a). During the dry season, when the water levels in the Mekong River are high relative to its tributaries, the plant has to shut down for lack of generating head, meaning there is not enough pressure on the upstream side to generate energy as water moves to the downstream side (WCD 2000a).

Prior to loan approval, EGAT and the Bank valued the productive output of the dam at 150 MW, the figure that was presented to the National Economic and Social Development Board in 1991 (WB 1991). Based on data collected between 1995 and 1999, Pak Mun Dam is only able to achieve about 15 percent of the promised electricity during the four peak hours for which it was designed. The WCD, therefore, found its actual reliable generating capacity to be roughly 21 MW (WCD 2000a:27). In 1992, the Thai government passed the Energy Conservation Promotion Act, mandating EGAT to create a demand side management program of energy consumption in keeping with what was outlined by the Bank in the energy conservation section of the SAR. EGAT's program, which was still in effect as late as 2000, was aimed at limiting electricity use during the four peak hours through time-of-day-pricing. The effect the new pricing scheme had on electricity demand, however, was to create a 13-hour plateau in peak demand, which Pak Mun Dam is unable to produce (WCD 2000a). The extension of peak demand being an unintended consequence of consumer attempts to use energy at time other than the most expensive hours.

Due to the specific type of economic justification used by EGAT and the Bank for the Pak Mun Dam, it is difficult to compare projected economic benefits with realities. The Equalizing Discount Rate technique, used by both organizations, assumed the output capacity projected by the SORGREAH studies was correct and that the dam would be efficient. The costs of the project were then compared to the next best alternative, a gas powered turbine producing the same amount of electricity projected for the dam. However, given the dam's inability to produce sufficient electricity during the dry season and its lower than predicted dependable capacity (21 MW), the Equalizing Discount Rate analysis comparing the project to an alternative producing 136 MW seems irrelevant. The disparity between predicted and actual electricity generation is so great and the project's ability to contribute to the overall electrical demand is so small that the WCD concluded, "When benefits of the ancillary electricity net support of the dam and the green house gasses reduction benefit of the dam were included in the evaluation of the dam, these benefits were not sufficient to make the project economically justifiable" (WCD 2000a:v).

From an energy production standpoint, Pak Mun Dam is a technical failure. This is important given the emphasis in the SAR on the project's ability to generate a dependable supply of electricity for domestic, meaning non-industrial, consumption. However, in terms of opposition to the project, energy production is at best a minor issue. Much more important, based on Bank documents, the WCD, INGO reports, and academic literature, is the massive impact to fisheries as a result of the dam and the struggles for compensation. Both issues resulted in a stream of committees created by EGAT and the Thai government to handle opposition to the project, sometimes in the

form of concession other times as repression (Foran and Manorom 2009). It is useful, then, to detail these social and environmental failures of the Pak Mun project in order to understand the Bank's response and the impact the contentions over the project had on Bank planning strategies moving forward.

Fisheries

Prior to dam construction, fishing was a primary source of livelihood for communities living on or near the Mun River. Most males living in the area considered themselves fisherman despite any formal employment they might have had. Those with formal employment would often fish to supplement their income. The wives of these men generally dictated the management of daily catches, which were used for consumption, fermenting, sale for cash, and trade for other goods (Jenkins et al. 2008). Pak Mun Dam, however, has had severe impacts on these types of livelihoods. As fish stocks have all but disappeared, opposition to the project has manifested in demands for financial compensation as well as for the dam gates to be opened during migratory seasons to allow fish to pass through. Such opposition has been sustained throughout the life of the project with widely varying responses from the Thai government and EGAT (Foran and Manorom 2009).

Although the SAR reported only 150 species of fish to be affected by Pak Mun Dam, the Bank's figure rose in 1996 to 202 fish species, only four of which were considered to be rare (WB 1996:5). Independent studies conducted by ichthyology experts in 1994, however, found 265 different fish species. Of these, 77 were migratory and 35 depended on rapids habitat for survival. After completion of the dam that same year, only 96 species were found in the upstream region of the Mun River (WCD 2000a).

Other reports site only 45 indigenous species left after project completion (Jenkins et al. 2008). Directly upstream of the dam, fish catches experienced a decline of 60-80 percent. Total losses of communities above and below the dam range from 50-100 percent (WCD 2000a).

In answer to pressure from the Bank and protesters, EGAT and the Thai government incorporated two programs into the Pak Mun project to address the issue of fisheries. First, a fish ladder was installed to allow migratory fish to swim over the dam when headed upstream to spawn. Independent researchers predicted that the fish ladder, taken from a model used in dams in the United States, would be useless as most species of fish in the Mun River would be unable to swim through it. Fish catches began to decline prior to project completion in 1994, and, in 1995, the Thai Department of Fisheries agreed to give cash compensation to local fishers due to the ladder's failure. Without any other means of going around the dam, migratory fish species were blocked from their usual patterns. This outcome did not seem to concern the Department of Fisheries, however, as the same year the fish ladder was admitted to be a failure Plodprasop Suraswadi, then Fisheries Department Director, stated in a Bangkok newspaper that, "This will pose no severe consequences as it would be beneficial for Thailand not to lose this group of fish to other downstream countries" (cited in McCully 2001:53). Second, the Department of Fisheries ran a program from 1995 to 1998 stocking the reservoir with *M. Rosenbergi* prawn. This program also failed. The Department of Fisheries studies for the project were based on a species of prawn that is able to reproduce in fresh water. *M. Rosenbergi* prawn, however, must migrate to salt water to reproduce, which was impossible given the dam (WCD 2000a). By March 2000, US$19.5

million had been spent by EGAT as either cash compensation or in stocking the reservoir with fish and prawn (WCD 2000a). The Department of Fisheries did establish a Fisheries Conservation Unit as outlined in the SAR, but its main duties are limited to public relations, only occasionally carrying out training and extension programs.

The WCD case study found that the EIA used for the Pak Mun severely undervalued the existing fish yields under natural river conditions. Based on its findings, the improvements to fish yields in the reservoir reported in the EIA after project completion even under fish stocking conditions "never could match the existing fish yields under natural river conditions" (2000a:50). Prior to dam completion, around 95% of households in the area used the fisheries as a primary livelihood or as a supplement to other income from rice farming and livestock. After dam completion, the amount of households able to depend on fisheries decreased to 66.7% (WCD 2000a:53). This decline also resulted in a cultural loss. Prior to Pak Mun Dam, fishers in the region used more than 30 different types of fishing tools. The decrease in fisheries meant that many types of traps and other devices were no longer useful. This is especially true for gear used for larger fish, which were no longer present upstream of the dam. During the years immediately following project completion, local fishers were often blamed for the decline in fisheries due to their own overexploitation of resources. Fishers argued, however, that the decrease in fish yields began during the blasting of rapids prior to construction and had only become worse with the dam blocking migratory pattern and creating deep waters, which were incompatible with traditional fishing methods (Jenkins et al. 2008).

Opposition to the project increased after official operation began in June 1994. Organizations such as the Mun River Villagers' Committee and the Assembly of the Poor

gained enough support to hold protests that could last well over 100 days, and a protest village was established close to the dam that lasted from 1999 to 2002 (Friedrich and Friedrich 2002; Foran and Manorom 2009). Although these protests were somewhat successful in winning agreements from the Thai central government for negotiations and large benefits to those affected by fisheries declines, many of the gains were lost with the change in the Thai government's administration after the 1997-1998 financial crisis. Despite the release of the WCD study in 2000, EGAT maintained that Pak Mun's negative effect on fisheries had been exaggerated and that other causes should have been considered. EGAT further argued that the actual energy production of Pak Mun Dam was in keeping with predicted figures, that it had paid compensation for more than 6,200 families for loss of fisheries, and that Thai and foreign NGOs were encouraging local people to demand ever increasing levels of compensation far in excess of what was lost as a result of the dam (Foran and Manorom 2009:67).

In 2001, based on the findings of the Committee to Resolve Problems of the Assembly of the Poor, which did not include any members of the Assembly of the Poor organization, Prime Minister Thaksin Shinawatra ordered EGAT to open all of the sluice gates at Pak Mun from May to August. This original four-month period was extended to an entire year during which studies were to be conducted by Ubon Ratchathani University on the return of migratory fish populations (Foran and Manorom 2009). During this time, independent studies found 129 fish species had returned to the upstream side of the river, and 94.9 percent of affected households returned to fishing; a total number of 6,915 households (Jenkins et al. 2008; Foran and Manorom 2009). Of these households, 23 percent were able to use fishing as their sole source of income (Jenkins et

al. 2008). Before an official assessment could be made, however, EGAT announced it was willing to leave the gates open annually only between the wet season months of July and October (Foran and Manorom 2009). During this time, EGAT held the decision-making power regarding the opening of the gates. Following the coup in 2007, the Surayud administration switched decision-making power to the Ubon Ratchathani Provincial Governor (Foran and Manorom 2009). As of 2008, the gates of the Pak Mun Dam are open between May and August. Most migratory fish in the Mun River move upstream between the months of February and September (Jenkins et al. 2008). Although local fishers have not been able to achieve the catch levels experienced prior to Pak Mun, the current system has allowed for an increase in fisheries compared to year round dam operation.

Resettlement and Compensation

Issues of resettlement and compensation outweighed all other project impacts. Compensation and resettlement packages for the Pak Mun Hydropower project were designed by EGAT and two government organizations, the Compensation Committee and the Resettlement Committee, and approved by the Bank (WB 1991). These organizations developed packages that many villagers found inadequate to address the impacts to livelihoods created by the dam. The actual payments for losses were heavily negotiated late in construction and after project completion in response to opposition from affected people. EGAT's official payment strategies changed several times and often were precipitated by the formation of new government committees for the establishment of compensation criteria. The organization's non-standardized approach to determining compensation rates allowed opposition groups to point out continued inequalities and to

sustain pressure for increased cash payments for loss of livelihoods. I will now analyze the working out of these specific rates as they represent effort by EGAT, backed by the Bank, not only to limit payment of compensation but also to do so by incorporating political contestation into a technical framework.

Although for opposition groups gains made in compensation represented successes, for EGAT and the Bank they were an extension of what could be brought into the realm of governmental knowledge and practice. As is shown below in the Bank documents after project completion, the 'losses' experienced by EGAT eventually helped it remain in its governmental field of power. That is, many of the political economic issues raised by protestors were rendered technical and brought into a corpus of managerial methods employed by EGAT. For the Bank, EGAT's handling of conflicts over compensation further defined it as a seasoned borrower through its willingness to seek methods for improvement of the population being developed and its commitment to doing so through a discourse of development used by the Bank itself.

Prior to project implementation, the Thai Cabinet of Ministers required that EGAT develop criteria with which to decide the level of compensation awarded to project-affected people. The committee in charge of this process was comprised of the Prime Minister's Office's Permanent Secretary, the Director General of the Department of Fisheries, and the Governor of the Ubon Ratchathani Province (WCD 2000a). The committee's focus shifted the plans for compensation from being based on loss of *assets* such as livestock or land to loss of *livelihood* due to fisheries impacts. According to the WCD (2000a), no appreciable attempt was made to negotiate with INGOs, NGOs, or project-affected people prior to completion of the dam.

Resettlement for the project began in 1990 and was completed in 1994, with most people moving in the first half of 1994 (WB 1998). EGAT's 1994 Report on Mitigation of Environmental Impacts of the Pak Mun Hydropower Project separated affected households into seven categories totaling 3,789 households: affected by construction (11); affected due to blasting of rapids (227); living in area below 108msl (136); living between 108-108.5msl (96); living in area above 108.5msl (473); agricultural land inundated (706); and loss of fishing occupation (2140) (WCD 2000a:60-61). As the WCD report points out, this figure represents the number of households that were given compensation for loss of land and other resources by 1994, not the total number of households actually affected by the project.

There were three main groups ignored by this report. First, a group of villagers, including a former headman, from Ban Huay Hai had been advised by EGAT to move away from their land as a way of setting an example for others in the area. Ironically, EGAT later denied these people compensation on the grounds that they had resettled prior to any compensatory agreements with affected people. Second, there were several villagers who found their land surrounded by water but not inundated. These households found their new situation intolerable for their cattle and themselves, and they expressed fears that their children would fall into the water. As a result, many opted to resettle without being eligible for compensation. Third, those who permanently lost income due to the impact on fisheries discussed above were not included in the report (WCD 2000a:61).

Compensation for immediate loss of land also changed several times during the construction phase of the project. The eleven households in Ban Hua Heo living in the

designated construction site were originally offered US$60 per rai as resettlement compensation in 1989 (WCD 2000a:76). (A rai is a Thai unit of land measurement equal to 1,600 square meters. For comparison, an acre is about 4,046 square meters.) Villagers found this compensation to be too low, and, after three years of negotiation with EGAT, each household was given up to 6 rai of land at an equivalent cash value set lower than actual market value at the time. Each household was also eventually given a house built by EGAT and 2 rai of residential land. In addition, each of the eleven households were promised ten chickens, ten tamarind trees, ten banana trees, six mango trees, 8 rai of agricultural land, and a 100kg monthly bag of rice until their new farm could be established (WCD 2000a:76). Those living in Ban Hua Heo who would be temporarily affected by blasting were offered either temporary relocation with rent compensation of US$140 per month; permanent relocation with land compensation and a house provided by EGAT; or permanent relocation with land compensation and building their own house. The last option included an additional compensatory payment of US$5,400 (WCD 2000a:76).

In 1992, the Thai government and EGAT formed a committee to establish the extent to which agricultural and residential land had been submerged and other effects the project may have had on local people. As this committee began dispensing compensation benefits to those whose land had been inundated, the problem arose of how to compensate those whose land had been partially inundated or surrounded (WCD 2000a:77). Those living between 108 and 108.5msl were given two options. They could choose not to resettle and have their land raised above water level of the reservoir, or they could choose to resettle in another area. If they chose the second option, they were to be

given US$4,000 and EGAT would acquire the rights to their old land, including that which was not inundated (WCD 2000a:77). For those living above 108.5msl whose land had been surrounded by water and lived within 30 meters from the flooded area, they would receive compensation for the cost of dismantling and relocating their homes. If people living at this elevation owned agricultural land that had been inundated, they would receive US$1,400 per rai and their land would be replaced with a comparable area not to exceed 10 rai. If the households partially inundated land did not exceed 3 rai, they would be given cash compensation for what was lost and have the remainder raised above flood level (WCD 2000a:77).

It was very difficult to come to agreement on these terms, and many negotiations were held between villagers and the committee before the matter of land compensation could be settled. According to the WCD, this was largely because many households experienced problems arising from inundation differently (2000a:77). Households living below 108msl were quite obviously submerged, and the committee gave them compensation benefits for loss of land more readily than other groups. For those living between 108-108.5msl or above, the severity of the inundation varied. Some were only flooded by backwater effects during the rainy season. Some were perpetually surrounded by water on three sides of their land. Still others had only a small portion of their land inundated but suffered from loss of access to roads or communication infrastructure. This variation in impacts of the project on each household resulted in disagreement about which households would be eligible for what benefits packages.

However, for all the shortcomings in EGAT's strategies as a result of trying to develop technical methods of categorization for exact levels of resettlement

compensation, fisheries compensation became the central issue for local people and (I)NGOs. It is in the fisheries compensation debate that one can see not only the working out on the part of EGAT and the Bank of the appropriate disposing of humans and things toward the achievement of specific finalities, their governing, but also the ability of these methods of control to shape the types of opposition they face. The establishment of cash compensation at the outset resulted in such compensation taking center stages during protests over the negative impacts of the dam. The initial framing by EGAT and the Bank of Pak Mun as a technical and managerial solution to a constructed problem, and technical rendering of plans for project-affected people as ways of determining one-time cash payments oriented public complaints by local people around increased cash compensation. In effect, the technical rendering worked even if not in favor of EGAT and the Bank. Opposition to the project entered into a debate about appropriate policy based on their grievances, which, despite being *opposed* to the project and its institutions, continued to affirm EGAT and the Bank's position of power in a way no one intended.

In 1993, the Subcommittee on the Impacts of Fishing Occupation (SIFO) became the first committee formed to establish levels of compensation for loss of fisheries. The SIFO divided the fishing area around the dam into five zones. Zone one was the site of the actual dam and included Ban Hua Heo. The zone numbers increased from one to five as they moved away from the dam site. Households located in zone one would receive US$3,600 for loss of fisheries income during construction. This amount, however, decreased dramatically as the zones moved away from the dam. For example, villagers living in zone five, the zone furthest from the dam, would only receive US$0.6 for losses during construction (WCD 2000a:81). Finding this scheme unacceptable, approximately

2,000 villagers protested at the Ubon Ratchathani Province Hall in June of 1994 (Foran and Manorom 2009:60). They demanded a flat rate for all affected households of US$1,400 per year for all three years of construction. The Thai government, however, did not agree to this amount and offered a flat rate of US$256 instead (WCD 2000a:81).

Demonstrations continued in protest of the compensation rates until a new committee was formed in 1995 to replace the SIFO and to establish new criteria for compensation eligibility. It was called the Committee for Assistance and Occupational Development of Fish Farmers (CAODFF) and was headed by the Director General for the Department of Fisheries, Plodprasop Suraswadi. The CAODFF decided that each household would receive US$1,200 in compensation for loss of fisheries during construction. In addition, affected households would receive US$2,400 in installments over three years for the development of new occupations (WCD 2000a:81). The latter part of the compensation was to be administered through the Pak Mun Agricultural Cooperative, then being managed by the villagers themselves.

Not all affected villagers were included in the CAODFF's dispensation scheme. In 1994, Kamnan Chanci formed a group in opposition to the protesters who had gone to Ubon Ratchathani Provincial Hall. According to him, the group was designed to present the "80 per cent of villagers who still respected their leaders, and found the protesters' behavior outrageous" (Foran and Manorom 2009:65). After receiving support from the Provincial Governor and EGAT, the Kamnan and Village Headmen's Group was formed. This group tried to discourage villagers from joining protests against the dam, and, instead, made claims for those who agreed to not be involved in anti-dam action. In a curious sort of logic, the group simultaneously organized counter-demonstrations against

dam protesters while reasoning that "whatever claims anti-dam protesters established would eventually be granted, on equity principles, to other fishing households" (Foran and Manorom 2009:65).

As the members of the Kamnan and Village Headmen's Group, and the more than 2,000 people they represented, did not participate in the protests resulting in the formation of the CAODFF, they were not considered for compensation. After payments had been distributed by the CAODFF, the group submitted a petition for the same benefits. With the support of the Provincial Governor, another committee was formed to decide on their petition. This new committee decided that 787 cases would receive compensation paid in two installments (WCD 2000a:81). There are wide discrepancies on how many households received compensation from the CAODFF. The WCD (2000a:81) reports a total of 3,179 households while Foran and Manorom (2009:60) report 2,932 households out of 4,530 applications. The WCD reports that compensation for loss of fisheries was paid to a total of 6,202 households (2000a:81).

In April 1996, the CAODFF decided that no more compensation would be paid for people affected by Pak Mun Dam. In 1997, protesters went to Bangkok to demand compensation for the permanent loss of fisheries. The government of General Chawalit Yongchaiyuth decided to grant 3,080 fishing households 15 rai of land instead of a one-time cash payment. However, the Ministry of Finance was unable to find sufficient land for this type of compensation. The Thai government then offered US$1,400 per rai and encouraged villagers to buy their own land, which could be converted for farming (WCD 2000a:82). General Chawalit resigned after devaluing the Baht, the unit of Thai currency, in 1997 and was replaced by Chuan Leekpai, who refused to acknowledge any promises

of cash compensation made by his predecessor (Foran and Manorom 2009:60). After Chuan, the debate surrounding Pak Mun switched from compensation for loss of livelihoods to decommissioning of the dam. General Chawalit's administration's offer was the last of its kind prior to experiments with periodically opening the dam's floodgates discussed above (see *Fisheries).*

In its report, the WCD concluded, "if all the benefits and costs [of the dam] were adequately assessed, it is unlikely that the project would have been built in the current context" (2000a:99). The report goes further to say that the project "is a legacy with significant level conflicts…and some drastic rethinking on the dam's future can only be arrived at through constructive dialogue among all the stakeholders" (2000a:101). In terms of disagreements over losses to fisheries, a dialogue, though not necessarily a constructive one, has continued. Foran and Manorom label Pak Mun Dam as "perpetually contested", saying that "the dam has made a slim contribution to energy security, but generated two decades worth of hardship for those who dared question its value…If Pak Mun's fate is to be perpetually in dispute, it is for several good reasons" (i.e., cycles of concession and repression by EGAT and the Thai government)(2009:76).

The high level of public attention placed on the issues surrounding Pak Mun Dam impacted the World Bank as well as the Thai government and EGAT. There are two major publications by the Bank regarding Pak Mun Dam and several others that mention the project in preparation for Nam Theun II. These documents offer quite a different perspective from the one provided by NGOs and the WCD. In them, EGAT played the part of the goodly developer, the seasoned borrower, faced with unending complaints from greedy, unappreciative villagers. It is useful now to analyze these documents in

some detail in order to establish the Bank's position on the events discussed above and how certain images from the SAR, fictions such as the seasoned borrower or participatory planning, are maintained while others are changed. To situate these publications temporally in the overlap between Pak Mun and Nam Theun II, both the Implementation Completion Report (ICR) (WB 1996) and Recent Experience with Involuntary Resettlement (WB 1998) were published prior to the WCD (2000) report. The Involuntary Resettlement report, however, was published one year after the first two publications of the International Environmental and Social Panel of Experts (POE) in preparation for Nam Theun II (Scudder, Talbot, and Whitmore 1997a, 1997b), meaning that the Bank had already taken the turn Goldman (2005) identifies as Green Neoliberalism. Let us continue, then, to the ICR (WB 1996), the Bank's first post-construction reaction to Pak Mun Dam.

Implementation Completion Report

The Implementation Completion Report (ICR) opens with misgivings about the successful implementation of the Pak Mun Dam project expected in the SAR, stating, "From its very inception this project was contentious on environmental and social grounds" (WB 1996:ii). The report does not delay in acknowledging the contentions surrounding the project, but neither does it delay in identifying the source of contention, "Pak Mun was strongly opposed by the Thai NGO, Project for Ecological Recovery (PER), an NGO opposed to the construction of dams per se; international NGOs essentially echoed the sentiments of PER" (WB 1996:ii). The report reaffirms the banks main role in the project as providing assistance in the optimization of investment

decisions and helping to meet growth in energy demands. It finds these objectives to have been achieved.

As stated above, the ICR's final project cost differs from that found by the WCD. The ICR reports a final cost of US$233 million while the WCD reported a final cost of US$260 million (WB 1996:ii, WCD 2000a:vi). The report attributes much of the increase in cost from the appraisal estimate of US$178 million to the 1990-1991 Gulf War and resulting rises in fuel and material costs, which "could not have been predicted at appraisal and is considered a force majeure affecting the project" (WB 1996:ii). It also allows, however, that increases in resettlement and environmental costs arose from the increases in compensation packages to "curb protests and accommodate affected people through more diverse resettlement" (WB 1996:ii). EGAT could have avoided this through more careful planning at the outset, and, as a result, participation and consultation of affected people, grievance redress, and distribution of information had to be strengthened during and after the construction period. Opposition groups made the strengthening of these elements difficult, however, as "it was not possible to foster a participatory process of consultation with the NGOs" (WB 1996:ii). Nonetheless, the report finds that resettlement and compensation had been conducted "satisfactorily" (WB 1996:iv).

The fisheries aspects of the project were also carried out satisfactorily, with a fish ladder in place and under study and stocking programs in effect. The ICR notes, "Fishing activities, both downstream of the dam and in the reservoir have been substantial following project completion" (WB 1996:iii). In reflecting on its own role, "the Bank's performance during the implementation phase in supervision of the project is also considered to be satisfactory" (WB 1996:iv). Since Pak Mun was the first run-of-river

project conducted by EGAT and given the significant increases to resettlement and compensation packages during implementation, the ICR finds EGAT's role in the project highly satisfactory. Despite lacking in some aspects of coordination in its handling of health aspects, the Thai government's performance is also rated as satisfactory. This is especially true in dealing with the problems of affected people as "the Government spared no efforts in accommodating the demands of persons affected by Pak Mun" (WB 1996:iv).

The final section of the evaluation summary, the short version of the full ICR, is a list of "lessons learned" from the Pak Mun project (WB 1996:iv). These learned lessons are then repeated throughout the full document and are the most manifest representation of the shift in rationale between Pak Mun and Nam Theun II. As such, they are worth quoting at length:

> Following are the key lessons learned from this project: (a) changes in project design to reduce its environmental impact are essential for hydropower projects; (b) developing an agreed policy and implementation framework for resettlement and preparing a resettlement action plan acceptable to the affected groups at the start of the project is essential; (c) involvement of affected persons (*and concerned NGOs*) in project design is necessary right from the project concept stage; (d) environmental impact mitigation programs entrusted to government agencies other than the Borrower need to have mechanisms for effective coordination; (e) *the Bank needs to take a pro-active stance in responding to issues raised by NGOs* and disseminate project related information periodically; (f) a mid-term review is essential for complex projects; (g) funding for all tasks should be identified at appraisal; and (h) where adverse impacts are foreseen…the Bank should insist on control measures from the start. (WB 1996:iv emphasis added).

From the Bank's perspective, EGAT did all it could to satisfy both the original agreement in the SAR as well as meet the increasing demands of potentially-project-affected people. The report remarks that EGAT went beyond what was required to "meet

the demands of affected persons, often expressed through confrontation" (WB 1996:4). Unintended consequences arose, however, in the attempt to fully compensate affected people as "relaxation of eligibility criteria and the increasing compensation and resettlement entitlements caused discontent among households which were either not or just peripherally affected" (WB 1996:4). The ICR's description of the overage costs for resettlement is curious insofar as it differs somewhat from what the WCD would eventually find. Rather than give detailed explanations of the claims for resettlement compensation for seasonal loss of land or restricted access to communication infrastructure, the report simply states that compensation was paid to "(a) 226 families who were inconvenienced by noise from the construction activities; (b) 445 families that had their houses above the flood level; and (c) 83 families in the free board zone (between 108 and 108.5msl) who opted to relocate" (WB 1996:4). This brief description has the effect of trivializing the hardship felt by many project-affected households. Although all three categories certainly relate to unexpected groups who received compensation, the notion that payments were for loud noises from construction or because households simply chose to relocate takes away much of the severity of the situations for these households and is typical of development writing (Ferguson 1994).

According to the ICR, the new "more diverse and generous" resettlement packages offered by EGAT were the result of two waves of policy modifications: one in 1991 and one in 1993-1994 (WB 1996:59-60). The first wave most notably included the new condition that "persons, who had built houses on lands not owned by them and/or farmed on lands owned by the Government, were made eligible for the same entitlement as those who legally owned the land" (WB 1996:60). As in the above description of

households added to the resettlement plan, one gets the sense that those included in the resettlement plan through this modification are somewhat less worthy of compensation. It is implied that the reason for their inclusion is not the impact of the project but an attempt to pacify opposition. As for the second wave of modifications, the ICR states, "In March-May 1993, additional modifications were made to the resettlement and compensation policy following further protests to demand *more favorable* compensation and resettlement packages. These protests were also accompanied by disruptive behavior at the project site" (WB 1996:60-61 emphasis added). The description of the resettlement packages after the second wave matches that given by the WCD. The emphasis on changes "instituted in response to… protests" is repeated throughout (WB 1996:61).

Further benefits were offered by EGAT in order to "pacify those resorting to protests and disruptive behavior" (WB 1996:62). According to the ICR, EGAT established a vocational training program, which trained 900 people in eight types of occupations; established a Public Service Center for receiving grievances at Khong Chiam district offices; funded studies to assess the prevalence of schistosomiasis and established a mobile unit for identification and treatment of parasitic infections among project affected people; substantially improved infrastructure by raising roads and bridges and clearly marking areas to be inundated; and built new temples, schools, and health centers in project-affected areas (WB 1996:62).

The ICR offers two major explanations for the increase in resettlement package costs during the construction process. First, there was an unintended increase in land prices. The original 1990 offer of cash compensation for loss of land "was generous… in relation to prevailing property/land levels and local income data" (WB 1996:62). This

package resulted in an increase in the price of land surrounding Pak Mun and the Mun River. The delays in acceptance of a compensation package allowed time for land prices to increase further "as others purchased properties on the river and around the lake for investment or development purposes" (WB 1996:62). The packages themselves then had to be increased to match the rise in land prices. The second reason for increases in resettlement packages was dissatisfaction among some project-affected people who had received less compensation than others. According to the Bank, those you received resettlement packages enjoyed such an increase in economic status that discontent arose among those who had not been affected by the project. This discontent created an avenue for protesters to increase their ranks and generate further opposition to the project. The report states, "This was often exploited by advocacy groups opposed to the dam project. Frequently, unreasonable demands were made for redress of grievances which did not have a basis" (WB 1996:63).

The ICR also finds that the fisheries development aspect of the project "had been implemented satisfactorily" (WB 1996:5). According to the report, fisheries development and conservation centers were not only completed but also scheduled to begin fish stocking that year. In keeping with their high standards, by the Bank's estimation, of commitment to "improve the lives and income stream of villagers and households in the project area, EGAT and the Department of Fisheries (DOF) evolved a program to provide households affected by the dam with fish culture ponds, backyard cement ponds, cement and earthen ponds at schools and large rice field culture ponds" (WB 1996:5). The Bank is also pleased with the work done by EGAT and DOF in their efforts to conduct studies on fish populations and migratory patterns in the Mun River. The studies were conducted

in two phases. The result of the first phase was the discovery of 109 fish species in the Mun River and 93 in the Mekong River. Thirty-two species of fish were found to live exclusively in the Mun River. The Mun River was found to have 53 fish species of commercial value, while the Mekong River had only 45. Of the different species in both rivers, only four were discovered to be rare. The second phase of studies was conducted in October 1993 and September 1994. The results of this phase "were in line with results obtained under Phase I" (WB 1996:5). In the Mun River, this phase of studies found "40 species of fish are commercially important, while 20 represent ornamental varieties" (WB 1996:4).

In regard to the migratory patterns that independent researchers and local people were claiming to have been interrupted, these studies found antiseptically that "the characteristics for each species vary. Spawning and migration occurs throughout the year, depending on the species. There is evidence that some fish descend the Mun for feeding, and others go up the Mun from the Mekong for this purpose" (WB 1996:6). As mentioned above, EGAT and DOF constructed a fish ladder to allow for fish migration, a project that would ultimately fail and be abandoned. Despite evidence from independent researchers that fish in the Mun River would not be able to navigate the ladder, the ICR reports that "based on data and experience to date from operation of the ladder, particularly over the two major migration seasons (May-June and October-November, 1995), about 60 species of fish native to the river can migrate over the ladder. A total of 1,200 fish migrating up the ladder have been tagged" (WB 1996:6).

These studies display a difference between independent scientific scholarship and the kind of work done by development experts. Although it is likely that both groups

found the same fisheries situation at Pak Mun, they arrived at drastically different conclusions. In this case, the experts are muddying the water by claiming that what is thought to be seasonal migration is, in fact, more random movement in search of food. Although it is admitted that some species may migrate for the purposes of spawning, it is also dismissed as unknowable by mentioning that there are various reasons for movement and placing equal emphasis on non-migratory patterns. The operation of the fish ladder, however, can be observed and falls within the appropriate field of knowledge for these experts. It is subsequently found to be functioning well by giving a number of species that are reported to be able to traverse it without reporting any figures on how many fish would be migrating without the presence of the dam. There is a connection between these two findings. On the one hand, it cannot be known how many fish move up and down the river for spawning and how many do so following food (for the experts, the latter is an invalid reason for movement, so whatever interruption the dam causes it is less important). On the other hand, there is evidence that some fish are able to use the ladder. Ignoring any evidence of prior migration figures, the ladder is proved successful as there are *some* fish using it, casting doubt on the reasons for the movement of other fish prior to construction.

The ICR discusses compensation for loss of fisheries in the same tone used when reporting on the increases to resettlement packages. It notes that the 1994 Bangkok protests, supported by NGOs, were conducted not only for those who derived their main source of income from fishing but "also for households deriving income from fishing as a sideline pursuit" (WB 1996:63). It notes the flat rate offered by the Thai government following these protests, which were also being held at the Ubon Ratchathani Province

Hall, and the refusal of this rate by protesters. From EGAT and the Bank's perspective, the formation of CAODFF following these protests was a participatory process as "the committee included members from among affected people, NGOs who supported these people, EGAT representatives, members of the Government of Ubon Ratchathani province, and representatives of agencies of the province of Ubon Ratchathani concerned with fisheries" (WB 1996:63).

The ICR questions the validity of the claims made by groups seeking to be added to compensation spending during and after construction. In regard to the 1994 protests, it remarks, "The protesters *alleged* that the project had adversely impacted the fishing catches and income of households dependent on fishing" (WB 1996:63 emphasis added). Even after compensation levels had been agreed upon the ICR reports that "CAODFF decided that a compensation level of Baht 90,000 each should be paid to 2,932 households *allegedly* affected by the project with regard to the fishing income" (WB 1996:63).

Despite these problems, the ICR finds the "institutional arrangement for planning and implementation were satisfactory" (WB 1996:4). It finds that the structures established by EGAT for handling both resettlement and compensation as well as construction were well developed. As a result, "consistent with EGAT's excellent record in the past, the Pak Mun Hydropower project was commissioned… within the planned schedules" (WB 1996:12). According to the Bank, changes made to the structures created for the appraisal agreement were necessary in part because of poor initial planning, but, more to the point, they were necessary to combat NGOs' attempts to create strong opposition to the project. Expansions of policies and creation of new committees of this

and department of that are best understood as EGAT and the Bank vying for control from NGOs and local people of how to manage project impacts. The reaction from the former to opposition was in keeping with the technical managerial approach used in planning Pak Mun, but its success was not in the actual meeting of public demands. Rather, the expansion of government apparatus kept EGAT and the Bank in a position of power through maintaining status as providers of all possible solutions.

As regards information dissemination, for example, "efforts to disseminate project related information and involve affected persons in resettlement planning and implementation, which were initially lacking, increased as project implementation progressed" (WB 1996:65). One aspect of this increased dissemination of information involved the inclusion of village heads as representatives on various committees who could quickly relay information back to project affected people and ensure their involvement in committee decisions. This new process also included monthly meetings in affected villages on specific issues, monthly meetings of sub-committees in the district offices, and "at least one meeting… held in the district government office of the affected district" (WB 1996:66). The report notes, however, "these efforts were substantially prompted by the increasing reliance by affected persons on NGOs and anti-project activists for project related information" (WB 1996:66). Indeed, nearly all initiatives for information dissemination, which did not begin until late in construction, were to ward off the efforts of NGOs opposed to the project. The ICR openly states this, saying, "The main reason for increasing information dissemination and participation of the affected people was the strong anti-project campaign launched by NGOs" (WB 1996:66). Nonetheless, the actual effect was to maintain power relations such that the thinkable

solutions for local people lied in interaction with EGAT and the Bank as providers of compensation.

NGOs were such an obstacle for the smooth implementation of resettlement and compensation plans, the report assigns the problem its own heading. The ICR laments, "It has not been possible to foster through the project a participatory process of consultations between the prominent Thai NGOs on the one hand and EGAT and the Government on the other. The NGO movement against construction of dams in Thailand, in particular, and on the Mekong River, in general, was focused on the Pak Mun Hydropower project" (WB 1996:5). These NGOs argued that EGAT would not give them the information about the project they requested and eventually abandoned any attempt to discuss project issues with the organization. According to the Bank, NGOs refused to participate in the mid-term round table, which was organized by the Thai government and EGAT following a Bank request. As a result, the review's recommendation that "the Government make additional efforts to reopen the dialogue between the project authorities, the NGOs and itself and endeavor to convert the adversarial relationship on the Pak Mun project…did not materialize during the remainder of the implementation period, as the NGOs did not change their stance" (WB 1996:5). This account of negotiations should be considered in light of Foran and Manorom (2009) who find that it was EGAT who oscillated between willingness to work with NGOs or not. Here, the ICR is bracketing out those (I)NGOs who took positions not easily accounted for in a technical and managerial framework.

Some aspects of the project, however, were free from the failures resulting from poor planning and NGO opposition, at least for the Bank. In terms of environmental

impact mitigation, the ICR reports that reclamation of the construction site and stabilization of run off were completed satisfactorily in compliance with the SAR agreements. EGAT, in fact, "complied with all agreements reached with the Bank on the mitigation of environmental impacts during and following the construction of the project" (WB 1996:67). This section includes a review of fisheries development and monitoring, which, as mentioned above, were conducted satisfactorily according to the Bank. It also mentions the advancements made toward preservation of Kaeng Tana National Park. Although not an important feature of much of the literature about Pak Mun, the park remained a central feature of the project's EIMP from EGAT and the Bank's perspective. In keeping with the conservation plans in the SAR, "fully equipped protection and guard units [were] installed at the Kaeng Tana National Park" as well as "a fully equipped first aid station for providing contingency aid to tourists and a National Park patrol road" (WB 1996:67-68). Bridge access to an island in the middle of the Mun River was also built, which "considerably enhanced the attraction of the park as a tourist facility" (WB 1996:68).

Despite these improvements to tourist facilities, the WCD found that tourism to Kaeng Tana National Park decreased during and after dam construction. From a high of 248,516 tourists just prior to 1990, the period between 1993 and 1999 saw annual tourist number between 92,279 and 159,935 (WCD 2000a:38). Although part of this time period admittedly includes the financial crisis, the decline in tourism actually begins during Thailand's economic boom period and continues into the crisis (economic stagnation beginning in 1996) (Hewison 2001:84) Based on this trend, it seems that an already declining rate of tourism was exacerbated by the crisis but began with dam construction.

Of those households involved in tourism in the area prior to Pak Mun, average annual income from tourist related activities was between US$166 and US$207 (WCD 2000a:39). These households experienced loss of income due to low visitation of Kaeng Tana and the upstream loss of "50 natural rapids, 9 beaches, along the mid-river-dune or island, [and] 3 mid-river islands… including Don Klang, Don Nok Iang, and Don Non Soong" (WCD 2000a:38). This loss of income, however, is small compared to the loss resulting from impacts to fisheries and did not feature prominently in the contestations made by project-affected people. The ICR does not mention the loss of any natural tourist sites as a result of Pak Mun.

There is one aspect of the Pak Mun project that the ICR finds lacking without applying blame to NGOs and opposition from project-affected people. The Thai government's Ministry of Public Health (MOPH) was responsible for the implementation of the Health Impact Mitigation (HIM) plan, which included monitoring of water-borne diseases, conducting research on schistosomiasis in the area, and improving the affected population's health status. The MOPH developed five work plans to meet the basic outlines of the HIM: "(a) increasing the efficiency of local health services; (b) preventing local endemic disease; (c) establishing primary health centers in the resettlement area; (d) improving nutrition and environmental sanitation; and (e) conducting vector survey" (WB 1996:71). Despite such planning, however, "the mid-term review of the [HIM] plan in 1993 found that the implementation of the plan by MOPH had been tardy and implementation had not been coordinated between the various departments" (WB 1996:72). A 1994 review came to the same conclusions, finding that no available information on the progress of any work plans except research on schistosomiasis. A

committee was formed in 1995 to oversee the implementation of MOPH's plans, but no data on committee findings was available at the time of the ICR.

The ICR is consistently displeased with the performance of the Thai government and MOPH in implementing its HIM plan and in communicating results to the Bank and EGAT. It finds that "while all the [HIM] programs formulated were implemented by MOPH, its actions were not well coordinated with EGAT and its documentation was not readily accessible (a significant weakness in entrusting implementation to a Government agency when the Borrower has no control over its performance)" (WB 1996:6). This is in sharp contrast to the report's estimation of EGAT's performance for the health services program at Pak Mun: "EGAT's performance of health surveillance and assistance program has been satisfactory, and EGAT has regularly kept the Bank apprised of its activities in this regard" (WB 1996:76). The Thai government and MOPH were found to be so lacking that EGAT was placed in a monitoring position over MOPH by the Bank. Indeed the report concludes by stating that, based on the "cause for concern with regard to the scope of some tasks and methodologies to be pursued on some of these tasks" by MOPH, the Bank "has impressed upon EGAT to continue monitoring MOPH's implementation of the HIM plan" (WB 1996:76).

It is clear in this document that the Bank's position on the quality of EGAT as a borrower has not changed. In fact, EGAT is presented as more competent and trustworthy than the government to which it answers. Such praise is continued, if not increased, in the Bank's final document focused on the Pak Mun project. The caustic attitude about the role of NGOs in opposition to the project, which begins in the ICR, is continued as well. This presentation of NGOs is maintained with the recommendation that "the Bank needs

to take a pro-active stance in responding to issues raised by NGOs" (WB 1996:17). As mentioned above, in the year between the publication of the ICR (WB 1996) and the Bank's final document focusing on Pak Mun (WB 1998), a team of experts was hired to begin planning for Nam Theun II. This team was staffed largely by former members of large INGOs and remained a central part of the project until construction was completed. It is interesting, then, that the Bank documents on Pak Mun during this time take such a stance about NGOs as seen in the ICR.

During these reports, the Bank is at an impasse. It must maintain its previous assertions about EGAT as a seasoned borrower and Pak Mun as a necessary project while answering to pressure from an international opposition movement. The Bank finds its way out of this impasse by admitting poor planning on the part of EGAT but only in a certain way. EGAT did not plan properly, but it was not EGAT who kept resettlement and compensation packages from being fairly assessed and distributed. Had NGOs not involved themselves in the project through playing on the fears of project-affected people, all aspects of social and environmental mitigation would have run smoothly. It is necessary, therefore, to engage strongly with NGOs not to benefit from their expertise but to keep them from interfering with the good intentions and capabilities of the Bank and the borrower. This is the perspective continued in the following report. The seasoned borrower becomes an even more central concept in the construction of the EGAT in Bank reports while (I)NGOs become even more of an obstacle.

Recent Experience with Involuntary Resettlement Report: Thailand – Pak Mun

The purpose of the Recent Experience with Involuntary Resettlement report was to assess the impact of resettlement as a result of the Pak Mun project, considering both the performance of the Bank and EGAT. As such, economic data and technical information about Pak Mun's value as a generator of hydropower are kept to a minimum. It was created as part of a large self-study of the Bank conducted internally by the Operations Evaluation Department (OED). According to the report, Pak Mun was selected as a case study for three reasons. First, it was the only dam in Thailand to have been completed with Bank assistance since 1993 (WB 1998:1). Second, it offered a unique opportunity to "analyze the evolution of EGAT's resettlement policy and practice, as well as that of the Thai government" (WB 1998:1). Third, Pak Mun was seen as particularly interesting as it was "subject to unusual scrutiny by NGOs, the Bank, EGAT, and the Thai government" (WB 1998:1).

The report finds that, despite all the public attention to what would happen after, "the relocation was extraordinarily easy" (WB 1998:3). Most of the families were resettled in the first half of 1994 with no notable complications. This is partly due to how close their new locations were to their old homes: "Some households literally moved across the street" (WB 1998:3). The major points of contention around Pak Mun, then, surround compensation for project impacts to livelihoods rather than resettlement. As well they should, according to the OED, given that "EGAT actually committed to exceed the World Bank resettlement policy, to improve the living standards of affected households, to provide a range of options, and to implement resettlement with the

participation of affected people" (WB 1998:4). In fact, EGAT's resettlement standards are reported to have exceeded that of the Bank's since the 1970s. The problem, therefore, surrounding Pak Mun "was not one of EGAT commitment, *which is not subject to doubt*, but how to establish fair compensation" (WB 1998:4 emphasis added). Involuntary Resettlement, then, is not a report about the failures of EGAT as a development organization, but about how difficult establishing *appropriate* resettlement and compensation packages can be for any development project "even with the best of intentions" (WB 1998:4).

The version of EGAT created in *Involuntary Resettlement* places an even greater focus on the merits of EGAT's development mitigation strategies. It is not enough to describe EGAT's resettlement and compensation packages as generous, which the current report certainly does. Now the organization's intent in planning and implementing the project is put beyond doubt. The image of the Pak Mun project as one conceived in a genuine spirit of betterment cannot be questioned. Complications only arose during negotiations to establish compensation. These complications, as will be shown, were exacerbated by several factors outside the control of EGAT, including jealousy and greed among affected people and interference of NGOs. The report provides evidenced time and again by the behavior of protesters after receiving increased compensation from EGAT.

For example, EGAT's original strategy to pay compensation rates for land in excess of current prices "succeed in overcoming resistance" to the project among resettlers (WB 1998:5). However, as mentioned in the ICR, this strategy also had the unintended consequence of increasing the price of land in the area. According to this

report, prices quickly jumped to 75 percent of what EGAT was offering to pay resettlers, and "by the spring of 1993, resettlers were again protesting, including disruptive behavior at the project site, to demand *even more favorable* compensation and resettlement packages" (WB 1998:5-6 emphasis added). Households voicing uncertainty about the project's impact made still further modifications necessary, and a second wave of changes was included into the resettlement package, including the 226 households inconvenienced by noise mentioned in the ICR (WB 1996). According to this report, "This was mainly because of the generous cash compensation and the value of the replacement house EGAT offered;" indeed, "resettlers were most interested in the cash benefits EGAT offered, not land-based options" (WB 1998:6).

According to the Bank, situations similar to this example are to be expected when development organizations offer resettlement and compensation packages in excess of what is necessary to replace the value of what was lost. The overly generous compensation packages also made it difficult for the OED to determine the perceptions resettlers had about the compensation packages they received. This was because "as long as the possibility for further compensation exists, resettlers are naturally inclined to make the case for additional benefits, that what they have received so far is inadequate" (WB 1998:7). The OED found that attitudes about compensation varied widely, with 40 percent of affected people believing compensation to be fair and 50 percent believing it to be unfair (WB 1998:7). Generally, however, in-depth interviews revealed that recipients believed compensation rates to be fair (WB 1998).

High compensation rates also "generated discontent among noncompensated (unaffected) people," which is a common "drawback of overly generous compensation"

(WB 1998:7). Those who were not compensated at all or only received compensation for loss of fisheries are reported to have feelings of envy toward those who received land or house compensation. Jealousy between local people, however, is seen in the report as one of the best indicators of the quality and effectiveness of EGAT's plan. The OED reports that the surveys it conducted "show unaffected people would have liked to have been resettled themselves if they could have received house compensation" (WB 1998:7). Such jealousy was found to be even more the case when considering land compensation.

One complication resulting from resettlement that was not handled well by EGAT "was all the *minor inconveniences* of being relocated that were not directly compensated" (WB 1998:7 emphasis added). Such *inconveniences* include loss of common property resources, such as land that was previously shared by many villagers for grazing but had been inundated by the reservoir. Without this resource, many people in the area who previously received income from livestock chose to sell their entire herds. Another inconvenience was the loss of forest products. Whereas prior to Pak Mun, many people collected materials such as mushrooms or bamboo to supplement their income, these products were available in decreasing quantities after construction was completed. In addition, riverbank gardens and the freedom to fish at any time have been lost. Project-affected people also experienced such minor inconveniences as increases to travel time and costs when going to work or community facilities and access to the river as a source of clean water. Despite these issues, the report finds that "overall the compensation rates are believed to have more than made up for these inconveniences, for those who received compensation" (WB 1998:8).

One reason to believe that compensation rates made up for such losses is the specific uses of cash benefits from affected people. Households who received compensation did not spend the majority of it on house construction or land. Rather, "the largest single use of compensation money, about one third, was savings" (WB 1998:8). Many older recipients of compensation are reported to have put their funds in banks and lived off of the interest. Still others used their cash benefits to build homes for their children and assist them in finding better jobs. Compensation, therefore, went beyond replacing losses to actually assist in much need financial reallocation in many households. In regard to the experiences of the elderly resettler population, the report states, "In effect, they 'retired,' put some of the money in the bank, and gave the rest to their children. This was a natural lifestage transition, and a welcome one at that, not a deleterious effect of resettlement" (WB 1998:8). EGAT's performance in this aspect of the project was executed so well that "no one, *not even the NGOs*, complained to the OED mission about the house and land compensation rates" (WB 1998:8 emphasis added).

This is part of a curious position toward project opposition maintained by the OED in this report. EGAT's compensation rates are simultaneously seen as so generous that no one complained to the OED but also so high that the Pak Mun project became mired in complaints about resettlement and compensation rates. This contradiction is overcome in this report, and in a slightly more subtle way in the ICR, by discerning whether complaints arise from legitimate grievances, legitimacy in this case being defined by EGAT, the OED, and the Bank, or attempts to take advantage of EGAT's

generosity. Nowhere in the report is this made clearer than in the introduction to the section on resettlers' perceptions of resettlement:

> Despite the generous compensation for houses and land and many other social infrastructure and service benefits, many people claim they are not satisfied, that they are worse off. There is such a culture of complaint, of trying to win sympathy for even greater compensation claims and assistance, that it is difficult to get affected people to be balanced about their resettlement experience. People are reluctant to mention how their lives have improved, but when directly asked about improvements, readily acknowledge them (WB 1998:17).

Complaints are interpreted by the OED not as reactions to actually experienced grievances but as a scheme for receiving a new type of income from EGAT. Resettlers and other affected people cannot afford to admit that they have been justly compensated without losing the opportunity to take even further advantage of any and all possible benefits packages. The OED finds that continuous attempts to extract superfluous compensation from EGAT result from an apprehension felt by affected people toward "being integrated into the modern economy, with its competitive, wage-based forms of income" (WB 1998:17). Many people in the region prefer their traditional lifestyles and do not care for travelling into large cities for several months out of the year to find jobs that require fixed hours, separation from family, and the increased expenses of urban living. The negative perceptions of resettlers to Pak Mun, as a symbol of the broader modernization process, are "profoundly psychological and emotional, not economic" (WB 1998:18). If such an explanation of resettler complaints is accurate, as it well may be, there is no compensation package EGAT could offer that would put the culture of complaint to an end. The complaints are a resistance to development as whole, which, from the OED's perspective, is something that can only be settled with time and transformation of the traditional population into a modern, developed one.

The OED cannot simply state that resettlement was successful. Some evidence must be provided to bolster claims about the successes of EGAT's plan. To do this, the OED analyzes household incomes among project-affected people. According to the report, the average household income for those families who lost both their house and land did not significantly decrease in the years after construction. Annual income among these families was US$2830 in 1994, the year the project was completed, and US$2,800 in 1996 (WB 1998:10). Average annual income in 1996 for those households who lost only land was US$2,630 and US$2,420 for those households unaffected by the project (WB 1998:10). Data for the incomes of these latter two groups in 1994 is not reported. These land losses, however, are seen as false by the OED for three reasons. First, the director of the survey conducted for the OED's study underreported many of the cases by approximately 25 percent. No further explanation for the underreporting is given. Second, many households split up as a strategy for receiving greater compensation, and, therefore, created more houses with smaller incomes. Third, the anticipated increases to income from aquaculture were not present, as the programs had just begun. If a household did experience a drastic decrease in income, the report dissociates it from the project itself, claiming that many of these households "contained sick or disabled members, members died or left the household, etc." (WB 1998:10).

The OED found that nonfarm income, the most important of which was fisheries, decreased only slightly after 1994 and expected these figures to increase as a result of shrimp based aquaculture. (WB 1998:11). The OED also found that transition from farm to nonfarm-based income began prior to dam construction. Eastern Asian economic booms, especially in Japan, had opened new markets for shrimp during the 1980s and

1990s (Hall 2003). This process was merely accelerated by resettlement. This is partly due to the low soil quality in this area of Thailand. The report notes that income from agriculture was so low that, "in fact, interest income from compensation payments deposited in banks often produces a better return than crops on replacement land" (WB 1998:11). Further, those who lost the most land expressed a marked lack of interest in purchasing new farmland, "or even continuing to farm existing land" (WB 1998:11). Those households who did continue to farm experienced an increase in crop prices during the 1996 drought.

Income from livestock is reported to have increased between 1994 and 1996, but only temporarily. Although numbers of chickens, pigs, and duck remained roughly level, many households sold their larger livestock, buffaloes and cattle, after resettlement. The OED found several reasons for this. First, machines were now available to replace larger livestock previously used for tilling and hauling. Second, as households shifted to nonfarm work, they were increasingly less able to care for large livestock. Third, the loss of communal resources mentioned above prevented many households from finding land on which their livestock could graze. Fourth, economic returns from livestock became less attractive than wage labor (WB 1998:11).

Although income from fisheries is known to have decreased drastically since project completion, the OED found that "there still is no conclusive evidence of any impact by Pak Mun Dam on the fish population, fish catch levels, or change in the composition of species in the reservoir" (WB 1998:11). The report claims that the decreases in fish catches may be from historical cycles that take place over the course of several years. In any case, measures taken by EGAT to avoid disrupting migration

patterns seem to have been successful as "well over half the species native to the Mun river have been found to successfully migrate up the fish ladder that EGAT built at the dam" (WB 1998:11). One likely reason for the decline in fish catches is the increased depth and width of the reservoir compared to the river before. Fishing in these new conditions is particularly difficult for local fishers "given the simple equipment and methods that many fisherman use" (WB 1998:12). This problem is compounded by the DOF's decision to prohibit fishing during May, the month when migration begins, the river is at its lowest levels, and the use of traditional equipment would be most appropriate. Decreases in fish catch, however, do not necessarily mean decreases in fish levels. The OED finds reason to believe that the fish levels in the reservoir have actually increased as a result of the dam "precisely because fish are now harder to catch and are protected during their most vulnerable month, and due to restocking of the reservoir by the DOF" (WB 1998:12). It therefore seems that the complaints about Pak Mun's impact of fisheries is somewhat unfounded. Local people are no longer able to exploit the river as they once were, which has resulted in possibly larger fish levels as well as larger sized fish. In any case, the OED notes, "There certainly appears to be an abundance of fish for sale in local markets." (WB 1998:12).

As for its own role in the Pak Mun project, the Bank ranks its performance as highly satisfactory. Pak Mun was so successful that "resettlement implementation and outcomes are among the best experiences with resettlement among Bank-assisted projects" (WB 1998:20). EGAT and the Thai government, however, took most of the responsibility for resettlement and compensation through their own initiatives. They, therefore, "deserve[s] most of the responsibility and credit" (WB 1998:20). The report

finds that Bank oversight of the resettlement project was well executed and remained thorough due to political pressure. The report states, "Due to NGO criticism and the high political profile of this project, Bank attention remained focused on resettlement throughout the project. There was no lapse of attention, and as problems became apparent, they were addressed quickly" (WB 1998:20). The Bank planned to have their resettlement specialist remain for the final scheduled year of the Pak Mun while it continues to assist and finance further EGAT projects. It is noted that it is rare for a resettlement project of this small size to command so much attention from the Bank, but that the "results speak for themselves" (WB 1998:20).

Despite admitted flaws to the planning process, and due to its efforts after construction began, EGAT's overall performance is ranked as highly satisfactory as well. EGAT, it is noted, "withstood a tremendous amount of public criticism over the Pak Mun project, out of all proportion to its defects. While EGAT did get off to a poor start, it recovered nicely and has systematically addressed practically every complaint concerning resettlement" (WB 1998:21). The major flaw to be found in EGAT's performance in the later part of the project is, perhaps, over responsiveness. Its over-sized compensation packages exacerbated the culture of complaint among NGOs and resettlers. When compared to other OED case studies, EGAT's managers and officers had the most sympathetic views of resettlers. The organization's efforts are of such note that when compared to others of its kind, the report states, "It is unfair that one of the agencies that has tried hardest to do resettlement fairly and well has come under some of the most intense criticism, while other far less satisfactory resettlement agencies and operations have received very little public scrutiny or criticism" (WB 1998:21). Although the

organizational structures of the Resettlement and Compensation Committees was such that plans could often be dictated to EGAT without the approval of the latter, EGAT was profitable enough and Pak Mun small enough for all amendments to the original plan to be included: "EGAT could afford to be generous at Pak Mun, and it was" (WB 1998:22). This is one of the reasons why, according to the report, many experts agree EGAT is among the best organizations of its type throughout the world at resettlement – a seasoned borrower indeed.

The tone of this document differs greatly from the ICR, which handled the review of Pak Mun in a positive, yet bureaucratic tone. The authors of *Involuntary Resettlement* tend to emote somewhat compared to other Bank documents. The theme of EGAT's generosity remains constant and is repeated throughout the document, maintaining the seasoned borrower construction. One is not allowed respite from the OED's position that EGAT's goodwill was the main reason for the longevity and strength of project opposition, that EGAT "was generous, so generous that it led to jealousy and fraudulent claims" (WB 1998:22). This version of EGAT's role in the project does more than trivialize prior claims for compensation. It enables the Bank and EGAT to halt further compensation altogether as the best method for settling project opposition. That is, if EGAT wants to create the best possible results from the Pak Mun project not only in terms of adequate resettlement but also in a better quality of life for those affected by the project, it must cease to validate claims for further compensation.

This possibility is arrived at through two points, both of which are essential to understanding the version of Pak Mun created by this document and the implications that version has on future projects. First, more-than-adequate compensation has been paid.

Income restoration has been a success. As shown above, this is proven by the OED in several ways including estimated increases in income once fisheries development has fully matured, estimates of the increase to household income once nonfarm wage labor becomes more common, and evidence of how the compensation packages are being used to benefit multiple households in the same family and provide retirement funds for elderly affected people. EGAT's success is further displayed through analysis of household assets, almost every type of which has increased among resettlers. Post-construction, assets increased at such a consistent rate that "the only asset that appears to be decreasing is black and white TVs, because so many people now own color TVs" (WB 1998:14). Those assets that have remained stagnant, such as radios and bicycles, have done so because better options have been made available, stereos and motorbikes. Contra these findings, the WCD reports that only those who were relatively wealthy prior to dam construction were able to afford these items. According to the ICR, however, resettlement could not have gone better. Even the fisheries compensation issue, "the main remaining contentious issue, may ultimately work out for the best" (WB 1998:22).

Second, generous compensation is causing further conflict. EGAT has been far too good to a population unwilling to step into the modern world. That is, their generosity has enabled the population to resist modernization, therefore resisting betterment. As long as there is a possibility for compensation, protests will continue. Project-affected people will not be able to get on with their lives in the new, improved context unless EGAT ceases enabling their disruptive behavior. Lack of planning in the beginning of the project led to a dangerous situation for EGAT in which its efforts to make good on a past mistake continue to haunt the organization. Referring to the exploitation of lack of

baseline data by NGOs, the OED reports, "EGAT has paid a high price for what appeared to be a relatively minor oversight at the time" (WB 1998:22). Refusal of further compensation claims after so much has already been paid actually improves the outcomes of the Pak Mun project.

According to the Bank, much of the perpetual complaint from resettlers was fostered by NGOs opposed to the project. However, resettlers who joined NGOs in their opposition did not necessarily oppose the project for the same reasons. The OED finds that "more than half the resettlers joined the NGO protests, mainly to get improved resettlement packages, not to stop dam construction" (WB 1998:19). These numbers diminished as EGAT improved its packages and worked to develop better relations with affected people. The majority of resettlers "realize they have benefited from the NGO protests on their behalf but have come to terms with EGAT in most regards" (WB 1998:19). The NGOs, then, have been rendered superfluous to any further resettlement issues. Given EGAT's generosity and the reported refusal of NGOs to participate in any discussions, the implication for further projects is that NGOs must be dealt with as quickly as possible. This is a position first stated in the ICR, "*the Bank needs to take a pro-active stance in responding to issues raised by NGOs* and disseminate project related information periodically," and continued in the OED's report (WB 1996:iv emphasis added).

Pak Mun Dam: A Project Summary

In the eyes of NGOs, Pak Mun Dam has had a very difficult history. Chosen as the least-cost, and therefore best, option for energy sector expansion by the Bank and EGAT, it soon fell under harsh criticism and would eventually be condemned as an overall failure

by the WCD (WB 1991, WCD 2000). EGAT and the Bank, however, have consistently maintained an alternate perspective on the project (WB 1996, WB 1998, McCully 2001, Foran and Manorom 2009). These organizations have maintained that Pak Mun is not only a financial success but also a model for similar development projects in terms of social and environmental impact mitigation.

In a certain sense, both assessments are correct. Although Pak Mun has failed in nearly all categories, this failure has not stopped the Bank from continuing to plan, fund, and evaluate hydropower projects in Southeast Asia. For the Bank, the success of Pak Mun is not in the realization of stated goals, but in the working out of arts of government that continually locate the Bank in a position of unequal power relative to those being improved. By constructing EGAT as a seasoned borrower, the Bank was able to justify its actions as already up to the task of building Pak Mun both morally and technically. In the case of the former, EGAT had rational economic justifications for building a dam, which were linked morally to the cause of betterment through modernization. In the case of the latter, according to the Staff Appraisal Report, EGAT's institutional track record allowed it to generate its own technical problems and solutions. The institutional apparatus for monitoring of Pak Mun and EGAT by the Bank had already been established, initially making the entire project a minor undertaking for both organizations.

A further Bank success in terms of arts of government lies in the protests for higher compensation rates. If, following Foucault (2007), one moves the analysis of power away from the functions of the Bank as an institution and into its strategies, it becomes apparent that, whether or not the Bank perceived it as such, the focus on EGAT and the Bank as the institutions capable of solving compensation problems actually

maintains their place in the governing field of power. It is clear in the reports following project implementation that the Bank and EGAT are facing opposition that they understand as problematic for the realization of their goals (WB 1996, 1998). It is also clear from the scholarly research that local people, although somewhat divided, opposed Pak Mun and its consequences and located blame squarely on the shoulders of the Bank and EGAT (Rich 1994, McCully 2001, Friedrichs and Friedrichs 2002, Foran and Manorom 2009).

As Bank and EGAT policies centered contestation around compensation rates, and later on operation schedules, they also centered the entire process on technical problems, something the seasoned borrower is equipped to resolve. The establishment of new compensation rates for new groups of people was, in effect, the successful rendering technical of political economic problems in such a way that it shaped opposition to the project. Those suffering from political economic problems protested for technical and managerial solutions. This process continually produced results counter to the intentions of the Bank and EGAT, which suffered from ever increasing compensation payments, but also to the intentions of the opposition, which suffered great losses to livelihoods. Nonetheless, if a language of success and failure is to be maintained, Pak Mun with its affirmation of the Bank's and EGAT's ability to govern, even if poorly in the eyes of the opposition, was a success.

The lessons learned by the Bank about NGOs are of great importance for understanding the POE documents in the lead up to Nam Theun 2 Dam (NT2). Although statements are made about the importance of including NGOs and keeping them informed on project plans, it is clear from the documents that these suggestions spring from

avoiding the same level of opposition in future projects. NGOs, then, are not to be included as a mechanism for improving future projects in terms of resettlement planning so much as they are needed to disarm arguments against these projects. Given the timeline between the reviews of Pak Mun and the beginning of plans for NT2, it is likely that this position had an influence over the Bank's hiring decisions for the POE.

The well-published failures of Pak Mun Dam continued to merit mention in Bank documents well into planning for NT2 (OED 2000, Warford 2002, WB 2004). In a statement published in reaction to Thai NGOs opposing the NT2 project, the Bank assures those concerned that "Pak Mun Dam did provide some important lessons" and, as a result, the "consultation process [for NT2]… is far beyond anything seen in Lao PDR before" (WB 2004:3). As will be shown in the following chapter, many of the arts of government employed by the Bank during NT2 are best understood as direct continuations of those worked out during Pak Mun Dam.

CHAPTER III
NAM THEUN II DAM, LAO PEOPLE'S DEMOCRATIC REPUBLIC

In this chapter, I examine the working out of a particular constellation of practices of government employed by the World Bank in the Lao People's Democratic Republic (Lao PDR), one that Goldman (2005:181) calls "eco-governmentality." Writing specifically about Nam Theun II Dam (NT2), Goldman identifies a new way of doing things at the Bank which involves the creation of new legal structures, environmental rationalities, and conservation-centered state agencies. The move toward environmentalism, however, is not the result of the inevitable spread of Northern conservation values (Mol and Sonnenfeld 2000). Rather, Goldman (2001, 2005) finds, this new eco-governmentality is a product of the needs of transnational capital to continue development projects in an international context where new projects are highly publicized and critics are quick to cite ecological devastation as a major source for opposition. This new set of governing practices takes place within neoliberal ideology and the latter's focus on placing responsibility for the welfare of any given person on the individual.

As Foucault (2007) points out, the rise of liberalism as a rationale for governing was not a movement away from governing as the appropriate arrangement of humans to humans and humans to things in order to meet various goals of improvement. Instead, liberalism established a new logic for governing based on the idea that there are natural laws at work in the economy that will bring it into equilibrium if allowed to function properly. Under this logic, the conduct of conduct takes on a different set of governing practices, a new governmentality, focused on maintaining the conditions in which the natural laws of the economy can work themselves out. In Indonesia, Li (2007) finds that a

large part of World Bank projects on community development focus on placing responsibility for a particular community's improvement on the community itself. This process involves study of the community by Bank-hired anthropologists who generate a particular type of knowledge used by Bank experts to create problems and render them technical. Individuals in the community are then encouraged to create their own solutions, which must themselves be technical and managerial, for their own problems as identified by the Bank.

Goldman takes a similar step. He states that under green neoliberalism, eco-governmentality is the "political rationality of compelling states and citizens to improve their care of nature and their care of each other for the greater good of the economy" (2005:184). That is, not only the responsibility to care for each other but also to care for the environment is placed on the population being developed at an individual level by development institutions and experts. The capacity of those being developed to act on this responsibility, however, is mediated by neocolonial power relations. Although, in the case of NT2, Laotians are encouraged to seek what employment is available in new state-run conservation agencies, these jobs are most often lower in organizational ranking than those held by Northern experts contracted in as consultants. Insofar as Laotians are able to get mid-range positions, they must first undergo training at Northern institutions in order to return with a skill set that in valid in the minds of the experts (Goldman 2005:208).

As I show in this chapter, these new environmental agencies are tasked with identifying degraded areas of biodiversity and enforcing conservation through a range of different practices, including removing the human population or, if they cannot be

removed, developing new livelihoods focused on the preservation of biodiversity through various incentives. As Goldman (2005) observes, and as is shown below in Bank documents, these agencies also represent a strong link between development projects and conservation. Although they may work to improve biodiversity along expert-defined lines, they also work to determine how best further hydropower projects can continue. Lao PDR's river basins are effectively being divided into nationally protected areas and completely transformed development-approved zones.

On the surface, Pak Mun and NT2 do not offer ideal cases for comparison. In the case of Pak Mun, despite its damaging effects, the Bank and EGAT intended to construct a relatively small project. NT2 was understood as a large undertaking from the beginning of the planning stage. In Thailand, opposition was allowed enough freedom to mobilize in protest of Pak Mun. In Lao PDR, a heavily indebted nation with an oppressive single-party state, INGOs had three options regarding NT2: remain silent about the project and continue working inside the border, openly oppose the project and be expelled from the country altogether, or work with the Bank and the Government of Laos (GOL) in planning and monitoring the project (Goldman 2005:195). Finally, as will be shown, the planning for NT2 is markedly more extensive than the work that went into Pak Mun.

Although these differences should be acknowledged, they do not interfere with the goals of this research. As mentioned in the introduction and methods chapters, this research is intended to be a single history of World Bank governmentality involving two hydropower projects. The inability of opposition to mobilize within Lao PDR's borders should not be understood as the absence of opposition to the project internationally. Therefore, the degree to which the Bank is able to bring the grievances of opposition

within its technical and managerial purview remains important. Further, several Bank documents admit the importance of the contestations surrounding Pak Mun for planning and monitoring NT2, creating a link between the projects within the organization itself (OED 2000, Warford 2002, WB 2004). Finally, as is shown below, the location of the Bank in an unequal power relationship as an institution capable of governing is maintained throughout both projects. Let us now consider the case of NT2.

Nam Theun II Dam: Project Overview

Nam Theun II Dam (NT2), also referred to as the Nam Theun II Hydroelectric Project and the Nam Theun II Multipurpose Project, is a 39m high dam on the Theun River on the Nakai Plateau in central Lao PDR (IRN 2010). It began full operation in December 2010 in violation of its Concession Agreement, which stipulated that all resettlement activities must be completed prior to full operation (IRN 2010, WB 2010, McDowell, Scudder, and Talbot 2010). The reservoir created by the dam covers 450 square kilometers and has forced the resettlement of 6,200 people in the area, mostly ethnic minorities (Lawrence 2009). Water from the reservoir is sent down a 350m drop to the power station after which it flows down a 27km channel and into the Xe Bang Fai River (Lawrence 2009:89). This transference of water has resulted in negative impacts to over 110,00 people in 71 villages along the Xe Bang Fai River (IRN 2010:1).

The project was built by the Nam Theun II Electric Consortium (NTEC), which changed its name to the Nam Theun II Power Company (NTPC) after the signing of the Concession Agreement with the Government of Laos (GOL) in 2002 (Lawrence 2009:83). Transfield Holdings Ltd, an Australian construction company, created NTEC after being awarded the rights to develop NT2 by the GOL in 1993 (Lawrence 2009:83).

The original consortium consisted of Transfield, the GOL, Electricité de France (EDF), Ital-Thai Development (ITD), Merrill Lynch Phatra Thanakit Securities, and Jasmine International (Lawrence 2009:83). EDF eventually acquired the largest shareholder spot from Transfield and took over the role of lead contractor on the project. After several changes in shareholders during the planning stages, four companies currently own NT2: EDF (35 percent), Lao Holding State Enterprises (25 percent), the Electricity Generating Public Company of Thailand (25 percent), and Ital-Thai Development (15 Percent) (Middleton, Garcia, and Foran 2009:33).

As with Pak Mun Dam, NT2 existed as an idea for decades prior to construction. The Bank financed feasibility studies for NT2 as early as the mid-1980s. During these studies, both the Bank and the GOL believed that Thailand would be the most likely market for the energy produced by NT2. The 1997 Asian financial crisis brought the project's realization into question as Thailand's power market shrank and the second most likely option for export, Vietnam, began to focus on the development of its own hydroelectric capacity. In 2003, however, Thailand's economy had grown to the point that EGAT was able to recommit to purchasing power from Lao PDR, specifically from NT2 (Middleton et al. 2009:33). In 2009, the GOL began exporting 95 percent of NT2's 1070MW output to Thailand (Lawrence 2009:81). As will be shown below, the revenues from this exporting of energy were linked to the sustaining of resettlement programs for those affected by the project. The Bank claimed that this strategy was the best solution for improving the lives of project affected people as the GOL would have the available funds to reinvest in resettlement and livelihood restoration projects as well as maintain

the environmental aspects of the project recommended by the POE (Middleton et al. 2009).

The final cost of NT2 is between US$1.3-1.45 billion, with a few INGO and academic sources claiming the former and Bank-associated publications claiming the latter (Lawrence 2009:84, IRN 2010:1, Porter and Shivakumar 2011:14). Of this amount, US$90.5 million was set aside for mitigation of social and environmental issues and compensation for those who experienced loss of livelihood (Lawrence 209:91). Despite this seemingly large amount, INGOs and other independent researchers have heavily criticized NT2. Lawrence (2009) provides an outline of several key assertions made by the Bank and the GOL that have been refuted by INGOs. First, the Bank claimed that the participatory consultation process provided NT2 public acceptance. INGOs, however, have argued that the lack of independent NGOs and independent media in Lao PDR severely limit villagers' ability to fairly assess the information provided to them by the GOL. Many villagers were consulted only after logging and other construction activities had begun, and were, therefore, only presented with resettlement and compensatory options. Second, the Bank and the GOL asserted that NT2 was the best option for Lao PDR and Thailand in terms of revenue generation for the former and energy solutions for the latter, continuing the justification used for Pak Mun of diversifying Thai energy. INGOs argued that no comprehensive assessments had been conducted for other options. Since the Bank was only estimating a five percent increase to total government revenue, it was possible that this could be achieved through other means such as broadening the tax base or making investment in agriculture (Lawrence 2009:87). Third, again harkening back to justifications for Pak Mun, the Bank and the GOL claimed that NT2 would be the

least expensive method for meeting Thailand's growing energy needs. INGOs responded by using a Bank-commissioned study released after NT2's approval that found demand-side management, conservation measures, and renewable energy investments in Thailand would produce more energy that NT2 at 25 percent less cost to the customer (Lawrence 2009:88). Fourth, the Bank and the GOL justified NT2 by claiming it was the most studied dam project in history. INGOs, however, found the hydrological data used to predict power generation and establish baseline water quality to be largely deficient.

From the perspective of INGOs, some truth is imbedded in the Bank's claims about the amount of study done in preparation for the project, as well as the monitoring conducted during and after implementation. Middleton et al. (2009:36) find that despite myriad problems with the project, NT2 did surpass previous hydropower standards in Lao PDR and "can be credited with piloting several innovative aspects in Laos, such as the presence of independent monitors, a revenue management framework and a commitment to public reporting". As Goldman (2005:182) notes, the project also incorporated "new ideas and tools of conservation, preservation, and sustainability" as part of the Bank's new green neoliberal strategy. Through the NT2 project, the Bank created an environmental state in Lao PDR (Goldman 2005:188). As mentioned above, the new eco-governmentality means that key state apparatus are restructured in two ways. First, they must be able to study natural resources in manner that produces knowledge useful to local and transnational capital. Second, they must be able to police new cultural, environmental, and economic norms while maximizing the extractive capacity of natural resources (2005:189-190).

NT2, therefore, means the creation of state apparatus beyond the succession of committees for compensation and resettlement created by EGAT for Pak Mun. The state level creations that arise during NT2 must not only find new livelihoods for resettlers but also generate knowledge that can be used for further development projects in Lao PDR. It should be noted that the documents justifying NT2 do not portray the GOL as a seasoned borrower. Rather, both the Panel of Experts reports and Project Appraisal Document construct a version of the GOL that is, at best, looking to make positive social and environmental improvement but lacks the institutional ability, and at worst, a government that has no concern for its population or the possible negative effects of a new hydropower project. The Bank experts' cautiously hopeful position meant that these new state apparatus had to be carefully planned and implemented throughout the life of the project. This was done in large part by the International Environmental and Social Panel of Experts (POE), who published extensive recommendations for the creation of conservation areas, environmental management agencies, and resettlement plans designed to reorient project-affected people to their ecological surroundings. As will be shown, funding for these types of projects was linked directly to the anticipated GOL revenue increases resulting from the sale of power to Thailand, power generated by NT2. In this way, the POE made the project, which they reported would put the local ecology at risk, the best method for preserving local ecology.

To understand this particular group of experts, I first discuss who the POE was and why they were chosen. I then analyze the first POE report and identify important themes that will be followed through the subsequent reports until loan approval in 2005

(WB 2005a). I then trace the POE's assessment of project implementation until the final report in 2010 (McDowell, Scudder, and Lee 2010).

The International Environmental and Social Panel of Experts

Prior to the formation of the International Environmental and Social Panel of Experts, the Bank had designated the Nakai Plateau and Nam Theun watershed as globally important ecological zones worthy of preserving. This was done through pressure from both the Bank's Global Environmental Facility (GEF) and international conservation organizations as such designation generally results in global institutional support while simultaneously limiting governmental and private exploitation of the area. The GEF removed this status, however, in the early 1990s after a Bank loan manager became interested in the NT2 project (Goldman 2005:195). INGOs located in Lao PDR discussed the issue for several months with much anxiety until the GOL threatened to expel a Vietnamese INGO if it continued its plans to hold debates about the proposed dam. Following this, many directors of large environmental INGOs decided they would be better able to meet their goals by staying in the country and working with the Bank and the GOL than by working from outside. As Goldman puts it, "[T]he powerful forces of development insisted that there would be no alternative to dams, and the NGOs felt it was better to be a part of the dominant development stream than to be on its banks" (2005:196). Many of these INGOs began to work very closely with the Bank in order to try to improve the standards it would hold for the NT2 project. This group included the International Union for the Conservation of Nature (IUCN), the World Wildlife Federation, the Wildlife Conservation Society (WCS), CARE, and Oxfam, all of which

played a part in making environmental and social issues key aspects of the project. It is from this group that the Bank hired the members of the POE.

The original POE consisted of three members: Thayer Scudder, Lee M. Talbot, and T.C. Whitmore (Scudder, Talbot, and Whitmore 1997a). Scudder is a professor emeritus of anthropology at the California Institute of Technology (Scudder et al 1997a). He was a POE member for Swaziland's Maguga Dam and was a member of the Internal Review Panel of the International Water Management Institute during the time he was working on NT2. He served as a commissioner for the World Commission on Dams from 1998-2000, and has also worked with IUCN reviewing water development projects (Scudder et al. 1993). Talbot is an ecologist and geographer in the Department of Environmental Science and Policy at George Mason University (Scudder et al. 1997a). He was director general of the IUCN from 1980-1982. Whitmore was a professor in the Department of Geography at Cambridge University (Scudder et al. 1997a). He died prior to the seventh POE report (Scudder and Talbot 2003). David McDowell eventually became the third member of the team and first author on reports published after his inclusion. McDowell was director general of the IUCN during the planning and implementation of NT2 (Goldman 2005:197). He was also a member of the International Advisory Group (IAG) for the Bank on the NT2 project (McDowell 2003). In short, these men were respected scholars of development whose work was taken seriously by many INGOs. This is important when considering the relationships between the POE, the project, the GOL, and the Bank. It means that the work conducted for the POE reports, in terms of development discourse, was regarded as serious research and, while many of the POE's techniques and conclusions may have fit with the Bank's project goals, they were

also taken seriously outside of the Bank. Many NT2 critics of the variety sympathetic to the goals of development institutions, if not the outcomes, use the POE reports as corrections for claims made by the Bank and the GOL (Hirsch 2002, Middleton et al. 2009, Lawrence 2009).

As is evident in the planning and monitoring reports, the POE had, to some extent, its own interests in supporting the NT2 project. Many of the POE members had previously been vocal opponents of Bank hydropower projects, and each report contains positive and negative assessments of Bank policies and actions. The POE was, then, both separate from and part of the Bank. As an active part of a development discourse that separates valid from invalid knowledge and continually identifies those being developed as part of the latter category, the POE was at the forefront of problematizing degradation of biodiversity and creating technical solutions in the from or strategic relocation of and new livelihoods programs for local people. Although it was the Bank that decided to incorporate INGO experts into its realm of acceptable knowledge producers, it was the POE who most aided in the working out of the Bank's eco-governmentality.

First Report of the International Environmental and Social Panel of Experts

The report begins by outlining the POE's role in the NT2 project, a designation that does not have any formal changes until after loan approval. It states, "According to the Panel's Terms of Reference, its primary responsibility is 'to provide independent review of and guidance on the treatment of environmental and social issues associated with a project under preparation'" (Scudder et al. 1997a:4). It notes that although the POE's recommendations are submitted directly to the GOL's Ministry of Industry and

Handicraft and the Bank, “it is free to make its own determination on which environmental and social issues it should focus” (Scudder et al. 1997a:4). The POE’s own interpretation of its purview “include[d] the entire Nam Theun River basin from the border of Vietnam to the Mekong River, interbasin transfers from the Nam Theun to the Xe Bang Fai and Nam Hinboun rivers, the NT2 transmission line, and whatever enhancement and other projects are impacted upon by water releases from the Nam Theun reservoir” (Scudder et al. 1997a:4). At the time of the first POE report, NT2 was a larger dam with less predicted generating capacity. The report describes a 50m high dam capable of producing 681MW of power (as opposed to the final 39m height producing 1070MW of power). It also predicts the resettlement of only 4,500 of the final 6,200 people in the area (Scudder et al. 1997a:8, Lawrence 2009:89).

This report establishes several key issues that have been found to be “non-prioritized”, presumably by the Bank, the GOL, and the NTEC, and on which the attention of the report is focused (Scudder et al. 1997a:8). They key issues can be separated into two categories: conservation and resettlement. Under conservation, the POE is expressly concerned about the management of the Nakai-Nam Theun Biodiversity Conservation Area (NNT-NBCA), “including conservation of its unique biodiversity, maintenance of its watershed values, and consistent with these objectives, treatment of the 5-7,000 people now resident within it” (Scudder et al. 1997a:8). The NNT-NBCA, also known in the reports as the Nakai-Nam Theun Conservation and Protected Forest Area, originally spanned 3,500 square kilometers between the east side of the proposed reservoir and the Vietnam border (Scudder et al. 1997a:8). It notes that funds from the NT2 project will be directed toward managing the area and that combining development

and conservation efforts is the key to the project's success. Yet, the POE finds this to be the most difficult aspect of the project and the one with the most uncertainty. Other conservation issues include proposed extensions to the NNT-NBCA and their management as well as thoroughly studying "biodiversity values of the Plateau area to be inundated" (Scudder et al. 1997a:9). Under resettlement, it is concerned with "resettlement with development" of those living in the area to be inundated, the impacts to those living near the canal that will be used to channel water to the Xe Bang Fai River, and the ability of the GOL to establish a renewable resource of funds to maintain resettlement initiatives (Scudder et al. 1997a:9). The lessons learned by the Bank during Pak Mun protests over compensation rates are immediately apparent as the POE repeats several times the need for livelihoods programs over cash compensation. Although the stated motive is to insure continued livelihood support, the outcome is a population responsible for its own betterment through various programs organized by the Bank and funded by the expected profits from NT2.

Conservation

The POE notes that much of the plateau area has been either heavily logged or subject to shifting cultivation. Further, collection of non-timber forest products (NTFP) and hunting has been substantial. The POE finds these kinds of human pressures on the environment extremely problematic and disappointing, noting, "most of the terrestrial area of the plateau is considered to be substantially modified by human activity and from a biodiversity standpoint substantially degraded from its original status" (Scudder et al 1997a:9). The plateau's slow moving riverine habit it also home to many rare species of birds and several different kinds of fish. This too, however, "has been significantly

affected by human activity" to the degree that "in many areas there is cultivation (at least swidden shifting cultivation) right up to the river bank, and nearly all larger trees apparently have been cut down," all of which is very harmful to the ecosystem's imagined original status (Scudder et al 1997a:9). The report also expresses concern about the impact of local farming practices on sedimentation in the reservoir, which is scheduled to be unusually shallow for a large dam. That is, farming practices on the riverbanks are found likely to increase sedimentation, which decreases dam's energy generating capacity. The POE notes:

> Consequently, it is our belief that protection of the water catchment area is absolutely essential to the success and sustainability of the NT2 Project, and particularly to the achieving and maintaining the generating capacity which has been used as the basis for the cost/benefit rationale for the project. Therefore, stopping the expansion of shifting cultivation and other clearance in the PCF will be crucial to the success of the NT2 Project (Scudder et al. 1997a:11).

These comments represent the first in a long running, less than subtle condemnation of project-affected people's relationship to their environment. Those living in the area are found to be out of sync with nature time and time again by the POE, and many different schemes are conceived to try to reorient local people's relationship to the ecosystems in which they live.

The POE considered the ecosystems found in the 40 percent of the plateau scheduled for inundation severely degraded. Pine forests represented the most important ecosystems in the area, however, and would be well represented after the filling of the reservoir. Of the four river types identified in the area by the WCS, only one was scheduled by NTEC to be lost to inundation. It was expected, however, that this type of river would be well represented elsewhere after inundation, offering other homes for the

rare white winged duck. The trade-off, then, "from the environmental standpoint" was "the loss through inundation of approximately 40 percent of the Nakai Plateau, plus impact on aquatic biodiversity and environments downstream in the Nam Theun and Xe Bang Fai rivers; versus the possibility of effective conservation of the NNT-NBCA and extensions" (Scudder et al 1997a:10). Because the Bank and the GOL seem determined to build the project, and because of a promised US$1 million each year for 30 years from NTEC, the POE finds that "the NT2 Project appears to offer the best available chance to save at least key parts of this truly important area with its biodiversity" (Scudder et al. 1997a:10-11).

Prior to the 1975, the plateau was part of a royal hunting preserve, and biodiversity was protected by the isolation and status of the area. The POE reports that it is unknown how long people have been living in the area but that their numbers have significantly increased over recent years, which has lead to increased amounts of land used for cultivation and, worse, the construction of many roads. The history of the area is concluded with what is probably the strongest statement about the local population's impact on biodiversity and is worth quoting at length:

> The result of this increased human occupation is that while the NNT-NBCA apparently remains outstandingly rich in biodiversity in terms of total number of animal species which still occur there, the density of wild fauna has been greatly reduced and the biodiversity as a whole is increasingly threatened by expanding cultivation, increasing population pressure, intensification and commercialization of hunting and other traditional practices, aggravated by logging and the threat of expanded logging, and by construction of logging and other roads. If the present trends continue, the Panel believes it will only be a matter of time until the unique biodiversity status of the area is lost (Scudder et al. 1997a:12).

Above all these issues, the POE gives special attention to hunting. In the villages visited by the POE, and reportedly in many others, males above the age of ten are

generally equipped with a village-made muzzle-loading gun. These rifles are smooth bore and can be used as rifles when hunting mammals and as shotguns when hunting birds. Hunting is done whenever the individual is able and "an often successful attempt is made to shoot or catch virtually every bird, mammal, amphibian and reptile which is seen" (Scudder et al. 1997a:12). Although much of the hunting is later blamed on Vietnamese and Hmong poachers, there is no attention paid to why such devastating hunting practices might be in places. The only clear explanation from the POE is a lack of knowledge and concern for conservation of biodiversity among local people, a problem which lends itself well to later technical solutions including education, removal of firearms, and incentives for those villages able to increase biodiversity in their area.

As can be seen in the passage above, the timber industry in the area is also of great concern in the report. The Bolisat Phathana Khet Phudoi (BPKP), the Mountainous Region Development Company, conducts logging in the NNT-NBCA, which serves as a major source of income for the organization. Little is stated about BPKP in this first report other than that it is a "government parastatal body responsible for both the development and the conservation of the central mountainous areas including the upper Nam Theun basin" (Scudder et al 1997a:6). Some of the timber from the Nakai plateau is harvested as logs as sold to Thailand and Vietnam, and some of it is processed domestically, which, according to the POE is the source of many jobs in nearby Thakhet. Many trees are cut illegally in the area and shipped abroad. The Bank suspended the cutting of Fokienia, a high value conifer, in the NNT-NBCA in 1996 (Scudder et al. 1997a:13). However, the POE report seeing stockpiles of this type of tree in the proposed northern extension to the NNT-NBCA awaiting export "through Vietnam to Hong Kong

and Japan" (Scudder et al. 1997a:13). By the time of the first POE report, the Bank and the GOL had restricted legal logging on the plateau to the area scheduled for inundation.

The POE finds management of the NNT-NBCA to be of particular importance for the project. Specifically, it calls for clarification of the NNT-NBCA's status. At the time of the report, the GOL had already designated 12.5 percent of the nation's total area, 30,000 square kilometers, as NBCAs (Scudder et al. 1997a:14). This status, however, was not accompanied by standard rules for what activities were allowed inside the NNT-NBCA and what were not. Improving management, therefore, required establishing new guidelines to be implemented. To this end, the POE suggests establishing areas that allow varying degrees of human activity, which includes areas where no human activities other than research are allowed; halting all immigration to the plateau; enforcing where cultivation is and is not allowed; restricting hunting, which includes the selective banning of hunting or gun ownership in certain areas; completely stopping commercial hunting; maintaining the borders of the NNT-NBCA; stopping all road construction except that recommended by the POE for resettlement; and developing an armed guard to patrol the NNT-NBCA (Scudder et al. 1997a:15).

The POE notes that these are only a few examples of the types of conservation enforcement policies that are necessary for the serious maintenance of the area. It is convinced, however, that the GOL have a real commitment to the protection of the NNT-NBCA and will take steps similar to those outlined above. Further assurance that such policies are not only possible but, indeed, likely is that, "with the high international interest and participation in the NT2 [Project]…ineffective conservation of the NBCA part of the NT2 Project would constitute a serious risk for the whole project" (Scudder et

al. 1997a:15). According to the POE, the key to this success is to create policies with "the support and active participation of local people" (Scudder et al. 1997a:15). It is here that the POE begins a long project of linking an environmentally destructive hydropower project to what is hoped to be a world-class conservation project. It is a contradiction but one the POE maintains with ease.

There are several proposed extension to the NNT-NBCA included in this first report. First, the area north of the current NBCA was then under consideration as a new NBCA. The POE found that this forest was lusher than the NNT-NBCA partially surrounding NT2 and provided a wetter climate. It was feared that this area was in danger of becoming degraded through the same mechanisms mentioned above (chiefly the ignorance of the local population). The report notes the presence of a logging road and the northward movement of shifting cultivation. Were this extension to be granted, it could share a border with an NBCA in Vietnam and become a "transfrontier international reserve" (Scudder et al. 1997a:17). Second, the POE proposed an extension to cover a belt of forest between NNT-NBCA and the Khammouane Limestone NBCA, which was already receiving funding from the Bank through the GEF. The POE considered this extension important for providing seasonal migration for elephants and other large animals and because, like the northern extension, it represented a much richer forest environment than NNT-NBCA. The establishment of the corridor extension would completely surround the NT2 project with protected areas, which, according to the POE, could have unintended consequences for future damming projects in Lao PDR. The report states, "The Panel recognizes that there is the danger that this action could be misused as a precedent, i.e. to argue for constructing dams with protected areas

elsewhere" (Scudder et al. 1997a:18). The POE, therefore, recommends that the "GOL should make an explicit statement that the action should not be taken as a precedent which could promote dam construction in protected areas" (Scudder et al. 1997a:18).

Resettlement and Development

The POE defines four general categories of project-affected people for large dams: resettlers, receiving communities, other communities within the boundaries of the project, and immigrants employed for construction. Of these, it notes, "Only immigrants have tended to receive major benefits from programs of river basin development elsewhere in the world" (Scudder et al 1997a:18). The relationship between the other three categories, however, is different for the NT2 case, because the receiving community where the resettlers will be moved is quite small, as is the resettler population. Two distinct, new categories must be considered as project-affected people for NT2. First, the population of the NNT-NBCA must be considered and development projects specific to their situation must be devised. This is a major difference from Pak Mun's resettler population as it includes groups affected by the project only by way of living within the proposed conservation area rather than by flooding or construction effects. Second, the POE notes the potential harms suffered by villages living along the proposed 38 km transfer canal between the NT2 reservoir and the Xe Bang Fai River. There is a concern that the impacts of NT2 may be greater for these two populations than for the resettlers.

The POE's original estimate of the number of people to be resettled is 4,500 across 22 communities (Scudder et al. 1997a:19). There are two key features about the resettler population. First, the entire population is found to meet the Bank's definition of indigenous people, none of whom want to leave the plateau. The POE believes that the

connections between communities of different ethnicities create a wider plateau culture from which the resettlers are hesitant to separate themselves. Second, all members of the resettler population are experiencing problems growing sufficient amounts of rice and other crops. This issue is partly linked to the lingering effects of the Vietnam War, when many villagers lost land and livestock that have never been replaced. It is also partially explained through increases in seasonal flooding, which make rice cultivation during the rainy season particularly difficult. Many households reported loosing their entire crops to floods the year prior to the POE visit. In the eyes of the POE, local adaptation to these changes has made the biodiversity situation all the worse: "Today people must over utilize the natural resources of their habitat in order to survive. These resources include both forest products and fauna. Extraction of resin adversely affects the pine trees, while the almost total absence of any birds is a striking feature of the landscape" (Scudder et al. 1997a:20). These problems, however, make the POE feel all the more confident that successful resettlement is possible.

The POE is also hopeful based on the already advanced stage of resettlement planning, but notes that a properly staffed, educated, and financed resettlement organization has yet to be developed. The report encourages further study of resettlement possibilities by allowing one village, which has already selected a desired new location, to move, provided some type of resettlement model is available. It is foreseen that this model will be arrived at soon given the atmosphere surrounding NT2 as a new model for dam construction in the area. One misgiving, however, involves the wording of NTEC's resettlement action plan. The plan focuses on achieving living standard improvements, but does not necessarily imply that resettlers and other affected people are to be the

beneficiaries of the project. The POE gives as example the frequent use of the word compensation throughout the plan "in a way that could imply a form of unacceptable cash compensation" (Scudder et al. 1997a:21). Again, historical and geographical context is important to understanding the POE's reticence about cash compensation. As they are conducting studies for this first report, protests groups are fighting for higher compensation rates at Pak Mun less than six kilometers from the Thai-Laotian border.

The POE commend actions taken by NTEC and the GOL in the establishment of a range of resettlement and occupational options. Particularly encouraging is an experimental farm established by NTEC in 1996 containing three households (Scudder et al. 1997a:22). The model, which is designed for resettlement along the southwestern border of the reservoir at full storage level, includes a 0.4 hectare, irrigated home plot for paddy field cultivation, forest land up to 3 hectares, use of the reservoir drawdown area for agriculture and livestock, fisheries development, handicrafts and wage labor. Implementation of the model would also include the phasing out of swidden cultivation according to national policy. The POE finds this model favorable largely because it includes paddy fields and livestock, both major priorities of affected people, and because it makes extensive use of the reservoir drawdown area, which "tends to be ignored by planners as a development resource in spite of its potential for flood recession agriculture, grazing, and small weirs across annually flood inlets for fish farming" (Scudder et al 1997a:22). It is noted, however, that careful attention must be paid to planning such that those households who predominantly graze livestock do not come into conflict with those households who predominantly farm.

Planning for those who live in the NNT-NBCA but do not need to be resettled is reported to be more difficult. Both groups experience decreased food supplies due to effects of past wars, increased flooding, and increased pest populations. At the time of the first report, the GOL had been providing famine relief by dropping supplies into villages via helicopter. To reduce costs, the GOL had begun construction of a road into the area, which, as mentioned above, was halted by the Bank in 1996 until an NNT-NBCA management plan could be completed (Scudder et al 1997:23). The intention of the GOL, however, was to complete the road as soon as possible so that it might continue its work consolidating villages in the NNT-NBCA into a smaller number of settlements. The report disagrees with this practice and suggests that stabilization of villages in their current boundaries is preferable to consolidation. Stabilization is especially preferable if conservation and village development are to remain simultaneous goals for NT2. In other words, the POE is concerned that village consolidation will make the areas attractive to outsiders, thereby bringing in new markets for resource extraction and environmental degradation.

The POE offers several suggestions for village stabilization, including restriction of agriculture and settlement extensions; restriction of immigration to the NNT-NBCA; intensification of agriculture of currently used land; restriction of road width to only allow for the passage of two-wheel tractors with trailers; encouragement for families to have fewer children born with better spacing; and decentralization of land and natural resource management to the community and household level. The final suggestion for decentralization is the clearest in terms of placing responsibility for environmental and social improvement on the people of the NNT-NBCA. On the one hand, the POE is

suggesting creating around these people a tightly controlled environment, restricting community growth and activities. On the other hand, they are placing responsibility for the realization of their own desired outcomes on those being developed. It is easy to lose sight of what is actually being discussed when looking so closely at mundane, bureaucratic reports. However, if one steps back and considers the ramifications of such plans, the actual implementation of such intricate exercises of control, the unequal power relationship between these experts, brought in to make NT2 an environmental and social model for development, and the local population, increasing being made legible to the GOL and transnational capital, is staggering.

In order to measure the outcomes of resettlement plans, the POE call for increases in benchmark studies prior to construction and careful monitoring once resettlement has begun. The short-term studies already conducted by NTEC will not suffice to produce the kind of information necessary for successful development. The project's success means "a major need for longer, more research-oriented benchmark studies such as those undertaken by students and faculty at academic institutions" (Scudder et al. 1997a:27). Monitoring of the resettler population should begin one year after removal, as should monitoring of those living near the transfer canal. This monitoring should be done via a small, carefully stratified sample of households, with particular attention paid to those households headed by women. Additionally, monitoring studies should be conducted by independent organizations. The POE states, "Ideally it should be done by a local university, NGO or council of NGOs, or social science research institution. If such institutions need strengthening then affiliation with a relevant university or research institution could be arranged so that local monitors will have the opportunity to work

with more experienced colleagues" (Scudder et al. 1997a:28). Essentially, monitoring should be conducted by Laotian institutions, but under the tutelage of more experienced, presumably Northern, institutions who can guide and train local researchers.

Immigrants are the final population discussed by the first POE report. It is expected that immigrants living in the construction town could outpace local people in terms of income and use of natural resources if left unchecked. The proposed site for the construction town is in the proposed corridor extension of the NNT-NBCA at the corridor's narrowest point. The POE is concerned that "any permanent settlement there would compromise the effectiveness of the Corridor, as would a large and unregulated construction town, even if it was only relatively temporary" (Scudder et al. 1997a:28). To prevent any harmful effects from the construction town, the POE recommends the size and area of the town be planned in advance of construction and strict prohibitions on hunting and cultivation be put in place. Further, local people are to be given hiring preferences where possible, and "NTEC [should] consider what positions can be filled locally if short training courses (several weeks to several months) are offered" (Scudder et al. 1997a:29). Wage employment for local people could also help restore income sources lost from herd depletion during the war.

As can be seen from this report, the POE, although it represents a new strategy for the Bank, brings with it its own set of problematic interests and approaches to development. Although resettlement gets roughly equal treatment in terms space in the report and many suggestions are given for how to move forward with the project in terms of affected people, conservation and biodiversity command the place of primary concern. This concern, then, shapes the recommendations given for resettlement projects. The

POE stresses throughout the report that "the basic problem is how to link the people's development with conservation in a sustainable way" (Scudder et al. 1997a:25). Time and again the POE suggest that those living on the Nakai Plateau exist in a fallen state and are out of tune with their natural surroundings, a theme Li (2007:233) finds Bank experts also apply to community structures. Successful resettlement cannot be achieved by simply compensating those who will lose livelihood resources or establishing income restoration projects. Indeed, even income restoration projects that improved the quality of live for those living on the plateau would be unsuccessful by the POE's standard if they did not include conservation.

Successful resettlement is defined as the development of new livelihoods that result in betterment for the population through conservation. Beginning in this report and continuing until loan approval, the POE push for a peculiar type of development that selectively reinforces some current aspects of local livelihood while discouraging others. To be sure, the plateau is to remain, despite the massive dam, a pre-modern space. As is common with conservation initiatives in the South, biodiversity is the first priority (West, Igoe, and Brockington 2006). Humans that are not relocated from such areas commonly have their relationships to natural resources drastically altered, a practice which can quickly become completely misanthropic (Siurua 2006). For the people of the Nakai plateau, contact with the outside world should be limited both through restricting contact with immigrants hired for construction and through restricting transportation infrastructure into the area. At the same time, however, locals should be considered as a hiring pool by NTEC and should be taught modern values of conservation, values that are apparently alien to them. The POE prefers subtle pressures on the population to leave the

NNT-NBCA coupled with harsh restrictions on new immigrants to the area. Villages should be kept from becoming too large and should be kept isolated from one another save for a few tiny roads wide enough for a two-wheel tractor. The only groups that should be allowed full access to the area are environmental and social researchers who have been trained by Northern institutions on how best to render the NBCA legible to relevant academic and development discourses.

The full goal established by the POE in this first report is the manufacture of a section of Lao PDR out of place in space and time. On the one hand, the NNT-NBCA should be a museum for ethnic cultures curated by environmentally concerned, Northern orientalists (Said [1978]1994). Those living on the plateau are not simply people. They are indigenous people. Although this status does have implications for Bank policy that may be more favorable for affected people, it also means, for the POE, they have a past that must be known and restored from its degraded position. The people of the plateau must be brought back into a state of indigenousness and traditionalism with caveats based on the values of the POE. Maintaining and respecting aspects of indigenous population's culture the POE finds favorable, such as language, kinship ties, paddy field farming, is very important to the success of the project. However, prohibiting other aspects of the population's culture, such as swidden cultivation and hunting with guns, is equally important. A key feature of all the POE's suggestions is that, if implemented, they would render the people of the plateau self-sustaining and environmentally conscious but largely isolated. Project-affected people would be developed without being modernized. On the other hand, the NNT-NBCA should be a laboratory for research. With newly developed groups patrolling the NNT-NBCA for illegal, destructive activities, NGOs and

universities will be free to study the biodiversity of the area as well as the social development of the newly (re)structured communities. As will be shown in the following review of the POE's further planning, even the social research is conducted to measure the degree to which the plateau's population has adopted conservation values and practices.

Planning Nam Theun II Dam: 1997 – 2005

The POE officially endorsed the NT2 project in their second report (Scudder, Talbot, and Whitmore 1997b), which was published the same year as the first. Despite many of the environmental and social plans being in an unfinished state, the POE "support[ed] in general the *Management Strategy* prepared by the IUCN and the *Resettlement Action Plan* prepared by NTEC" and "the concept of the Nakai Nam Theun Conservation Area…as presented in the IUCN *Management Strategy* which includes the proposed extensions to NNT-NBCA" (Scudder et al. 1997b:4). In the section detailing the rationale for the endorsement, the POE acknowledge the dangerous history of large dam projects but provide three reasons for their decision. These reasons frame the justifications in all reports leading up to loan approval and are worth quoting at length:

> The first concerns the current state of both environment and inhabitants on the Nakai Plateau and within the NNT Conservation Area. The second is the clearly demonstrated commitment of the private sector consortium not just to follow World Bank guidelines relating to environmental and resettlement issues, but to improve upon them – combined with the fact that the private sector consortium's participation in this project is dependent upon that of the World Bank. Our third concern is the commitment of the Lao PDR to develop its hydropower potential with or without World Bank assistance, and the probable future losses to the people and environment of the area if the NT2 Project is not undertaken with World Bank participation (Scudder et al. 1997b:5).

To the first justification, the POE reiterates the findings of the previous report. Famine and starvation are increasing issues on the plateau, which put biodiversity all the more at risk as those living in the area turn to destructive methods for finding food and sources of income. Immigrants who come to the plateau to hunt are also putting the biodiversity in the area under pressure. The report states, "In both the plateau and the NNT-NBCA the intensive hunting of villagers, along with that of the Hmong and Vietnamese intruders, had dramatically reduced wildlife" (Scudder et al. 1997b:5). The number of project-affected people is now increased to 10,000, all of whom are classified as indigenous (Scudder et al. 1997b:5). Of these, four cultures are found to be particularly at risk: the Atel, the Themarou, the Mlengbrou, and the Ahoe. These groups' chances of survival are thought to be better with the project than without it due not only to "the 'state of the art' nature of the various project-associated management plans but also to a much wider range of economic opportunities that their implementation will provide" (Scudder et al. 1997b:6). The first justification ties in with the second as NTEC has committed to improving the living standards of project-affected people, rather than merely restoring them.

To the third justification, the POE reports that the GOL has only two options for generating the revenue needed to raise the living standards of its people. The first is the timber industry, which is not currently being managed in a sustainable manner. Resources for this option are dwindling fast through both commercial harvesting and conversion of more and more land to agricultural use. The second option is the sale of energy produced through hydropower. The POE is convinced that the GOL will develop this option no matter what actions are taken by the Bank, and this could have terrible consequences for

the people of Lao PDR: "With or without World Bank assistance, the Government believes it has no option but to continue developing its hydropower resources. Unfortunately, its record with such development during the 1990s in regard to environmental and resettlement issues has been very unsatisfactory" (Scudder et al. 1997b:6). Without the Bank's influence, logging in the area will begin again, as will road construction. There will also be less motivation and resources to police the actions of Vietnamese and Hmong immigrants who are now being blamed for their large role in the destruction of local environments.

The idea that Bank involvement in NT2 is essential for project success is pressed further in a report published after Thailand's economy had recovered from the 1997 economic crisis and EGAT's interest in the project had resumed. The POE states that it "remains convinced that if the NT2 Project is not carried out as planned with WB involvement, the effect will be to increase rather than decrease rural poverty, and to seriously degrade or lose entirely the globally recognized biodiversity values of the NBCA" (Scudder, Talbot, and Whitmore 2001:10). This is evidenced by the great strides the GOL had taken with Bank support to establish legal protection for the NNT-NBCA, protect the watershed from inappropriate development, and halt illegal logging. This reasoning is stated again in the following report in nearly the same words, noting again that "if the WB was to withdraw and the NT2 was not to be constructed by the Company [by this time NTPC], we believe that GOL would have the greatest difficulty maintaining the present encouraging situation," referring to advances made with Bank support similar to those mentioned above (Scudder and Talbot 2003:9). This message is strengthened in

the same report as the POE's entire Bank-directed recommendations urge for appraisal before it is too late. The report recommends:

> 1. that the World Bank should recognize that further delays in initiating the pre-appraisal studies can be expected to make implementation of the resettlement program more difficult…Further delays have occurred since the Panel's January 2001 report as has further village impoverishment simply because households are hesitant to make new livelihood investments.
> 2. that because further delays will have an increasingly adverse effect on implementation of the NT2 environmental and social components, the World Bank should decide NOW to initiate pre-appraisal…Action yet to be taken by the World Bank.
> 3. that, recognizing the extensive studies completed to date, and positive government initiatives in response to those studies, WB pre-appraisal and appraisal should be combined…Indications are that pre-appraisal and appraisal will be combined should the World Bank proceed with the NT2 Project (Scudder and Talbot 2003:31).

The *Interim Report of the International Advisory Group* (IAG), also submitted to the Bank in 2003, expresses a similar level of exasperation at the Bank's delay in granting funding to NT2 (McDowell 2003). The report covers a POE visit in which David McDowell, then Director General of the IUCN and member of the IAG, joined Scudder and Talbot conducting interviews in Vientiane and some of the project-affected villages. McDowell's findings are similar to the POE's of the same year (Scudder and Talbot 2003). However, in the conclusion to the IAG report, McDowell openly complains of the seemingly endless requirements of the Bank. Commenting on a new round of requests for preparatory work, he states:

> I counted twelve new requirements for assessments, studies, plans, analyses, frameworks, programmes and visions in the last week we were in Vientiane. This is already the most studied dam project proposal in the Bank's history… At some stage a moratorium on new requirements will have to be called and the project submitted to the WB Board for a decision (McDowell 2003:11).

It is clear from the POE reports that over the course of the planning stage of NT2, the members of the INGO community who agreed to work with the Bank transitioned from uneasiness about the Bank's new project to impatiently encouraging the Bank to officially fund it. Prior to loan approval in 2005, the POE were so anxious to secure funding they "warmly welcome[d] the decisions of the ADB and AFG to participate with the WB in the NT2 Project" (Scudder and Talbot 2004:13). This should not, however, be interpreted as a direct desire to see the project built. Rather, the impatience expressed by the POE has its source in concerns that implementation would begin without the Bank's environmental and social standards in place. This fits well with the justifications for Bank involvement given in the second report. That is, the Bank should be involved because, if it is not, NT2 will be built using the GOL's poor standards for development practices.

The construction of the GOL as a borrower is nearly opposite that of EGAT during Pak Mun. Rather than try to construct the GOL as a seasoned borrower fully capable of completing NT2 to Bank satisfaction, the POE stresses its poor record with similar projects. Although the POE does discuss the willingness of some agencies in the GOL to build NT2 along Bank guidelines, those that are interested are constructed as essentially helpless to act on their own and in need of the kind of support that only Bank can provide. Contra Pak Mun, the Bank should become involved precisely because of the lack of ease with which NT2 could be realized. In this way, Bank justifications for both cases hinge, albeit differently, on whether or not the institutional structures necessary for successful project implementation are in place.

The development discourse across these two cases offers definitions of necessary and successful that differ in relation to the construction of the particular problem the

hydropower project is designed to address. For Pak Mun, necessary institutional structures meant those that would allow for the easy transference of technical expertise (i.e., how best to built the dam), while successful implementation meant quick, low-impact project completion. For NT2, the absence of the necessary institutional structures is the reason for Bank involvement, but the specificity of these structures is defined by the meaning of successful implementation under the Bank's new eco-governmentality (Goldman 2005). That is, successful implementation (a hydropower project that fosters conservation) shapes what types of institutional structures are deemed necessary (environmental agencies capable of realizing conservation goals in a manner that is legible to development experts). It is a contradictory, convoluted logic, but nonetheless central to both projects and the practices of government worked out over the course of each. Put in Foucauldian terms: can the borrower be considered a seasoned borrower capable of arranging the relationships of humans to humans and humans to things to reach a particular range of specific finalities as defined by the Bank? If yes, then there is good justification for loan approval. If no, then there is also good justification for loan approval.

Over the planning period, the Bank became seen as the only hope to save the people of Lao PDR from the GOL. In this way, although the POE reports maintain that it is independent from Bank pressures in terms of what to study and what recommendations to provide, the group actually provides the Bank with one of its most powerful project justifications. Report after report strongly urge the acceleration of the loan approval process so that the Bank may swoop in and enforce its own higher development standards and save indigenous people and their environment from their corrupt government. In

order to understand the nature of the betterment the POE hoped the Bank could provide, it is necessary to look at some other aspects of the planning process in greater detail.

Planning Conservation: Creating the National Biodiversity Conservation Area

In the report originally recommending Bank involvement in NT2, the POE provided several conditions for their endorsement pertaining to issues of conservation (Scudder et al. 1997b). First, the NNT-NBCA should be extended to include the Northern Extension and Nam Theun Corridor Extension discussed in the first report, as well as an additional Southern Extension. Second, additional funds should be provided by nearby hydropower projects for the maintenance of the extensions. Specifically, the POE suggests that the Northern Extension should be funded by the Nam Hinboun Dam for which it is a key catchment area. These funds, however, would not buy those involved in that project management rights over any part of the NNT-NBCA. Third, zoning should be put into place along the lines suggested by the IUCN, and areas should be established where no human activity is allowed. Agricultural areas should be clearly identified, and work should begin to stop the Vietnamese and Hmong incursions into the plateau. This condition recommends that humans in general be encouraged to leave the NNT-NBCA. The reports states, "It is clear that the interests of both the human and non-human environmental considerations will be best served by a significant reduction of the numbers of humans within the NNT-NBCA. Therefore, the Panel strongly recommends that, as a high priority, incentives be developed to encourage the voluntary movement of the population out of the NBCA" (Scudder et al. 1997b:8). Fourth, the GOL should apply for World Heritage status, which would provide further conservation funding through the

Word Heritage Fund. Fifth, the NBCA should be extended to include the reservoir and the area of the plateau south of it, which would include the resettlement villages.

The creation and proper management of the NNT-NBCA continues to be of major concern throughout subsequent POE reports. In a 1999 report, the POE push harder for the proposed extensions in Khammouane Province, where most of the NNT-NBCA is located and which includes the proposed Southern Extension, and in Bolikhamxai Province, the location of the proposed Corridor Extension. These extensions are of utmost importance to the project as "the ultimate objective should be to conserve all these watershed forests and to thereby conserve the globally important biodiversity that they contain" (Scudder, Talbot, and Whitmore 1999:10). In 2000, the GOL granted the Bolikhamxai Corridor Extension protected area status but did not include it as part of the NNT-NBCA. Although the POE considered this a step in the right direction, other shifts in conservation management were treated as causes for concern (Scudder et al. 2001:15).

Between 1994 and 1999, the Center for Protected Areas and Watershed Management (CPAWM) was the GOL's "body responsible for wildlife, protected areas, wetlands, watershed management, and conservation education and extension" (Scudder et al. 2001:15). It was the organization responsible for the management of Lao PDR's entire NBCA system. The CPAWM was abolished in 1999 and replaced by the Division of Forest Resource Conservation. The total number of staff dedicated to conservation was reduced from 55 to 14 (Scudder et al. 2001:15). The POE reports that this move was accompanied by increasing accounts of the GOL pushing to increase exploitation and development at the expense of biodiversity. Although this is "understandable in a developing nation with urgent economic needs," it is also a reason for the POE to push

for Bank loan approval to ensure that "conservation activities, including education and extension, be an effective part of GOL policies and activities" (Scudder et al. 2001:15).

By 2001, the GOL had granted National Protected Area status to the Nakai-Nam Theun-Phou Hin Poun Corridor (NNT-PHP) and the Nakai-Nam Theun-Hin Nam Nor Corridor (NNT-HNN) (Scudder and Talbot 2003:14). A Prime Ministers Decree that same year included the NNT-PHP and NNT-HNN Corridors within the larger NT2 watershed, therefore, including them under the NNT-NBCA management. The same decree, however, exempted the reservoir itself from NT2 watershed status. This created debates between the POE, the Bank, and the GOL about the exact boundaries of the NNT-NBCA as the northern edge of the reservoir, the agreed upon boundary, was expected to fluctuate from year to year according to the necessary storage level (Scudder and Talbot 2004). The final boundaries of the NNT-NBCA include, the northern shore of the NT2 reservoir; the NNT-PHP Corridor located north of the reservoir and downstream from the dam and connects to the PHP National Protected Area; the NNT-HNN corridor located on the eastern side of the NNT-NBCA, connecting it to the HNN National Protected Area; and the border with Vietnam (Porter and Shivakumar 2011).

The organization created by the GOL to manage the NNT-NBCA was the Watershed Management and Protection Authority (WMPA), which was chaired by the Minister of Agriculture and vice-chaired by the Governor of Khammouane Province. The organization was designed to work "mainly with Lao nationals with some international technical assistance which will focus on training" (Scudder et al. 2001:23). The POE viewed the major responsibility of the WMPA as managing conservation and development, or conservation *through* development, in the NNT-NBCA and was pleased

with the decision to exclude the reservoir from the organization's authority. One report states, "[T]he number one priority of the WMPA is biodiversity conservation not optimizing reservoir-based hydropower generation and resettler livelihood improvement" (Scudder and Talbot 2003:14). Despite agreement on what the WMPA was not supposed to do, there is much disagreement about its actual responsibilities in the POE and IAG reports leading up to loan approval.

In a 2004 report, the IAG finds that "the sensitive task of fostering biodiversity conservation in parallel with and linked to livelihood development among watershed peoples" is the job of the WMPA (Zeeuw, Salim, and McDowell 2004:8). The report congratulates the GOL and the WMPA for the progress made to these ends but complains that clarification on the exact extent of the WMPA's authority is still needed. This sentiment in echoed in a POE report from the same year recommending that if NT2's conservation aspects are to be successful the WMPA must develop a strong central authority with established boundaries and policing procedures (Scudder and Talbot 2004). As is made clear in the first POE report, however, successful conservation means enforcement of a long list of restrictions on harmful human activities as well as creating development projects to reorient the plateau population toward conservation values.

Roads and other Access to the National Biodiversity Conservation Area The POE believed that two factors contributed to the NNT-NBCA's relatively intact biodiversity. The first factor is the "low human population with its relatively light impact on the biota of the area" (Scudder and Talbot 2003:17). This is a marked departure from the tone taken concerning human activity on the plateau in earlier reports. Rather than comment

on the decreases in biodiversity from swidden cultivation and hunting, the POE reports, "Many villagers, especially those who have been longest resident in the area, have established as sustainable relationship with the biodiversity" (Scudder and Talbot 2003:17). In later documents, much of the decrease in biodiversity is blamed on foreign poachers who terrorize local villages (see *Hunting and International Trading*).

The second factor is "lack of access" (Scidder and Talbot 2003:17). According to the POE, the remoteness of many of the villages in the NNT-NBCA has precluded much trade between villages as well as outside the plateau. Both factors, however, are seen as fragile and likely to change unless proactive steps are taken by the GOL and the WMPA. The POE warns, "If there is immigration into the NNT NBCA and/or the rate of local population increase continues, any present sustainability between the villagers and their natural resources will be lost" (Scudder and Talbot 2003:17). The degree to which the population is separated from the rest of Lao PDR is, therefore, linked positively to proper development and conservation. The more remote the villages are, the more successful the development project. Access is linked to commercialization, which would "degrade or destroy the globally unique biodiversity values of the area, as well as…reduce the resources available to the villagers" (Scudder and Talbot 2003:18).

The POE does, however, agree that completely restricting access between the villages could also have negative results. They recommend that all access to the NNT-NBCA should be from the plateau and many roads should be converted into footpaths. If access tracks are absolutely needed, they should be kept wide enough only to allow for the passage of a two-wheel tractor with a trailer. The report expressly states, "They must not be designed to allow four-wheeled vehicles" (Scudder and Talbot 2003:18). It is

recommended that the number of these access tracks be kept to a minimum, and the WMPA should develop a framework to cease all ad hoc road development. The tractors that are used along the allowable tracks should be monitored to ensure that they are not "used as conduits to exploit the biodiversity of the area" (Scudder and Talbot 2003:18). Most important for monitoring traffic, any and all tracks must be prevented from linking with the Vietnamese border. The POE report that the Vietnamese, it is not stated exactly which Vietnamese, have constructed a road to the international border for the express purpose of trade in biodiversity.

These concerns are repeated in the POE's 2004 report with the addition of strong objections to the officially suggested road width for the area. At the time, the Social and Environmental Framework and First Operational Plan for the WMPA called for an access track width of 2.5m, which was based on the width used in a Bank-led resettlement pilot village (Scudder and Talbot 2004:18). The width used in the pilot village was established so that two tractors could pass one another. The POE finds this recommendation highly problematic and unnecessary, stating, "A high volume of traffic is not anticipated nor should it be, and there is almost always room for a tractor to pull off a narrower track for passing" (Scudder and Talbot 2004:18). This debate continued into 2005, and no plan or specific dimension of the access path was agreed upon by the final report prior to loan approval (Scudder and Talbot 2005:19-20). As Ferguson states, "It is astonishing how much importance 'development' accounts seem to place on roads" (1994:57).

Hunting and International Trading Based on a 1999 IUCN study, the POE determined that "the most serious threat by far to the biodiversity, especially the animals, is

commercial hunting by poachers from across the international frontier" (Scudder et al. 2001:20-21). Cross-border traders are reported to reside in the NNT-NBCA for several weeks while on hunting trips. The IUCN study found that at any given time there are "probably more foreign wildlife poachers in the area…than there are Lao citizens" (quoted in Scudder et al. 2001:21). These poachers not only represented threats to biodiversity but also to the Lao villagers. The POE reports having spoken to many villagers who were afraid to go out into the forest because of the armed hunters. An earlier report, however, gives a slightly different image of the relationship between villagers and poachers. In that report, a recommendation is made for "the establishment of border markets and phasing out of trans-border trading within the area, since wildlife and forest products are the currency which the traders receive for their products" (Scudder et al. 1999:15). This recommendation seems to suggest a much less hostile relationship between the villagers and the poachers. In this version of the relationship, the villagers do at least some of the hunting while the poachers do not simply extract biodiversity from the area. They also bring goods needed by local people.

The latter image of the international poacher/villager relationship is returned to in the 2003 report, which also recommends trying to develop alternatives to international trading with Vietnamese sources (Scudder and Talbot 2003). New trading sources, however, are not enough to be certain that incursions into the NNT-NBCA from Vietnam will cease. Placing the responsibility for the resolution of expert-created problems on the affected population, the POE recommended the development of a patrolling system that would involve "both village-based patrols and Lao military patrols" (Scudder and Talbot 2003:20). Although the villages of the NNT-NBCA should be responsible for patrolling

their own area, there is the "possibility of village patrols encountering heavily armed poaching gangs" (Scudder and Talbot 2003:20). For this reason, the Lao military should not only provide support for village militias, but it should also begin a program of creating a less porous border between Lao PDR and Vietnam. The POE note that this would ideally be accompanied by an inter-governmental agreement between the two countries, but the responsibility should fall first to the GOL to protect its own resources. The military are also needed to guard another section of the border near Hmong communities. The POE state, "The Hmong are renown for their hunting/poaching abilities and the threat that they pose to the biodiversity of a protected area" (Scudder and Talbot 2003:20). The Hmong, it is noted, may be of some use in guarding the NNT-NBCA from Vietnamese poaching groups "if their honest participation could be enlisted" (Scudder and Talbot 2003:20). (The repetition of history through yet another Northern power considering training Hmong groups to combat the Vietnamese is glaring.) These recommendations are repeated up to loan approval without any clear advancements being made to address the POE's concerns (Scudder and Talbot 2004, Scudder and Talbot 2005).

Other Conservation Issues Road construction, hunting, and international trade are only a few of the many conservation issues commented on by the POE. Most pre-loan approval reports also include pushes for World Heritage Status, for which the GOL did not apply; recommendations for new WMPA standards and procedures; and the need to find sources of funding for the conservation projects outside of the profits from NT2. One area of emphasis for the POE early in the project was the confiscation of firearms from the

population in the NNT-NBCA. The success of the GOL's effort to collect firearms is mentioned in a 2001 report, which states, "On this visit the only guns observed were in the hands of village police and soldiers, although cross bows and sling shots were evident" (Scudder et al. 2001:12). It is not surprising in a country known for government corruption and human rights abuses that this particular recommendation would be followed so swiftly and so thoroughly (Goldman 2005). Nonetheless, the POE reported being gladdened by the sound of birds on the plateau, something they had not heard on their first trip. Although relations with Vietnamese poachers and traders is mentioned in a prior report, it is not until after the guns have been removed from the Lao villages that the Vietnamese are characterized as the main threat to biodiversity (Scudder et al. 1999).

A similar statement can be made about agricultural practices. In early reports, as has been shown, the cultivation practices of everyone in the NNT-NBCA are decried as harmful to biodiversity. Such is not the case in later reports, which characterize the indigenous population's practices as low-impact and sustainable. That is not to say that the POE did not deem it necessary to alter the cultivation practices of the indigenous population. Indeed, the POE explicitly states that the WMPA's development duties "must be attuned to the significant cultural diversity and indigenous knowledge of the people while involved in the participatory stabilization of the swidden system and of population" (Scudder and Talbot 2003:12). In other words, the WMPA should allow some cultural practices to continue while altering agricultural and reproductive patterns.

As with hunting, the blame for continued loss of biodiversity through agriculture is shifted to a non-indigenous population, the Hmong. Although the POE's 2004 report congratulates the GOL on its progress in limiting swidden cultivation, its emphasizes "the

threat that the Hmong cultivators represent – in addition, of course, to their destructively efficient poaching and fishing" (Scudder and Talbot 2004:23). The report cites several examples of Hmong farmers continuing swidden practices "in defiance of the rules" (Scudder and Talbot 2004:23).

These shifts in blame for the decreased biodiversity in the area make it much easier for the POE to justify creating the museum of ethnic cultures found in the original report. It is unclear from the reports to what degree the cultivation practices of the NNT-NBCA groups were altered by the WMPA and the GOL. It is clear, however, that the alteration was successful by the POE's standards. The success of these alterations is discussed in many of the reports in which the harmony between indigenous cultures and the environmental is espoused. Indigenous cultures, whose cultivation practices have been altered during the planning stages, somehow also seem not to need alteration, according to the POE. It is the foreign groups who are committing acts of devastation on the biodiversity and who must controlled. Further, they have no place in the NNT-NBCA as an ethnic museum.

Resettlement and Development

Focusing predominantly on issues of conservation, the POE's endorsement of Bank involvement in the NT2 project included very few conditions for resettlement. It does, however, require that resettlers be given exclusive rights to fishing in the reservoir, "which, after all, has inundated their former fishing grounds as well as dryland areas used for agriculture, livestock grazing, and gathering and hunting of forest products" (Scudder et al 1997b:10). It also recommends that studies be conducted in the Xe Bang Fai river basin to determine if methods for utilizing increased flooding can be developed.

Resettlement planning for NT2 was largely based on results from several pilot villages, some of which were run by the IUCN and some of which were run by the Bank. These villages were used to test new strategies for collective farming, community forestry, and other techniques that could be used to further the conservation aspects of the project while also improving the lives of those in the communities. According to the POE, however, conducting studies in the pilot villages over long periods of time was difficult "in good part because of delayed project approval by the World Bank" (Scudder et al. 2001:25). Bank related delays also impacted the resettlement related functioning of the WMPA, which, despite approval of its institutional framework, would only receive funds after NT2 had been approved. For its part, the IUCN looked for funding from several different resources, including the Bank, but was never able to secure enough resources to conduct the studies it deemed sufficient. Frequently, a pilot village would be established with conservation and agricultural education, and NGO members and other experts would have to leave for lack of resources. The villagers would then be forced to tend to themselves for varying amounts of time until those groups who started the village were able to return (Scudder et al. 2001). Discussion of resettlement and development issues in the reports is separated into two geographic categories, the Nakai Plateau and the Xe Bang Fai basin (XBF). This section follows that model.

Nakai Plateau In 1999, NTEC and the GOL began their first pilot village on the Nakai Plateau (Scudder et al. 1999:18). By 2001, a nursery and farm had been established for the villages on the plateau with three-day training classes being held for local people (Scudder et al. 2001:27). In its 2001 report, the POE was pleased to find training

activities at the farm that focused on farming diversified crops and livestock. The report warns, however, that, for the three pilot families at the farm, far too much income was from wages at the project farm rather than the sale of produce. This was taken as a sign that the resettlement projects were moving slower than expected and that many livelihood projects should plan to secure funding for a time period longer than ten years.

By 2003, the POE began to express concern that the training courses offered by NTEC and the GOL were not having the desired effect of livelihood transition. Specifically, the POE were concerned that the villagers would not be able to transition "from their present system of open range use by buffaloes and cattle to a much more intensive system based on fodder crop cultivation, stall feeding, and controlled herding" (Scudder and Talbot 2003:30). The report expresses further concern that too little emphasis is being placed on pigs and fowl as sources of cash income. The POE worried that if the new diversified household economies were not put into place, the villagers would return to their reliance on NTFPs, which had contributed greatly to the decrease in biodiversity and were themselves in low quantities near the pilot villages. The POE maintained this concern at the time of loan approval, recommending "further attention be paid to livestock management as a component of the resettlement livelihood models and the RAP" (Resettlement Action Plan)(Scudder and Talbot 2005:24).

As for the nursery, the POE believed that forestry could become a major contributed to livelihoods on the plateau if conducted appropriately (Scudder et al. 2001). In 2001, the POE found that the parts of the plateau designated for community forestry were partially logged for pine, which had been left in piles on the ground. Although much of that timber had no commercial value due to rapid degrading, it was hoped that some

could be sold for fuel to the constructions camps while new trees were planted. This discovery was significant as many households were expected to rely heavily on timber harvesting during the first few years of resettlement. In 2002, the GOL authorized the sustainable harvesting of timber by the resettlement communities in a 22,000-hectare area on the plateau (Scudder and Talbot 2003:29). That same year, however, NTPC limited the area scheduled for forestry practices in the RAP from 10,000 hectares to 5,700 (Scudder and Talbot 2003:29). This was done based on results from an NTPC forestry consultant who determined that "the planned US$100 dividend for each household" could be met by harvesting pine and deciduous trees in a smaller area. The POE worried that this would result in fewer villagers finding work in forestry, and that the ability of the villagers to manage the forest area would be questionable due to the slow pace of education projects and unfamiliarity with new related institutions.

One livelihood option for those scheduled to remain in the NNT-NBCA after project completion is of particular note. In an effort to link conservation to development, one POE report suggests an incentives scheme based on direct payment for conservation results (Scudder and Talbot 2003). Basically, the POE recommends the strategic placement of cameras in the forest surrounding plateau villages as a method for monitoring levels of biodiversity. Once the cameras are installed, a WMPA official could periodically retrieve the film to test for frequency of certain indicator animals. Villages would then be paid varying amounts of cash in proportion to increases in indicator animal sighting. The POE explains, "The aim [is] to make the species more valuable to the village as live animals than if they were killed for their one-time value as food or for trade" (Scudder and Talbot 2003:21). This approach would simply offer better prices for

some species of animals than could be gotten from international poachers. It is unclear at what point the economic valuation of animals, dead or alive, would transition to Northern conservation values. This offers an interesting look at how little the POE assumed local people knew about and valued their environment.

By March 2003, the POE had become very concerned about the continued delays in loan approval, which meant a lack of funding for resettlement projects. Both the sixth and seventh reports state, "The main constraint to livelihood improvement on the Nakai Plateau is the further delay in the implementation of the NT2 Project or project implementation without a World Bank financial guarantee" (Scudder and Talbot 2003:27, Scudder and Talbot 2004:29). Creating further complications, the eighth report, the final report prior to loan approval, mentions that if the eight most affected villages are not resettled by 2006 they will be subject to dangerous flooding during the rain season. The POE further complained that a livestock management plan for the drawdown area had not been completed and that NTPC was making no discernable moves toward that end. Little else is mentioned about resettlers in these reports beyond the POE's continued push for loan approval. Again, one is reminded of the emphasis on conservation planning over resettlement.

Xe Bang Fai River Basin The introduction to this chapter mentions that green neoliberalism and eco-governmentality mean the linkage of conservation and development in two ways. First, various state apparatuses are created to identify areas with significant biodiversity, and reshape them as protected areas for conservation funded by development projects. Second, the same state apparatuses work to identify other areas

which offer natural resources useful for further development project, rendering the environment and population legible to development organizations. Although the POE worked for conservation on the Nakai Plateau throughout the planning and implementation of NT2, their recommendations for the Xe Bang Fai (XBF) river basin consistently suggest the opportunities for further development projects (Scudder and Talbot 2003, 2004, 2005).

As briefly mentioned above, people living along the XBF river have also been directly affected by NT2 as the river is the recipient of the large amounts of fast-moving water used to generate electricity. The normal operation of NT2 has had negative impacts on fisheries and increased risks of flooding due to the changes in river flows (Lawerence 2009). For the POE, however, the increased water flow and the energy generated by NT2 created the potential for large irrigation projects, which could lead to an anticipated doubling of annual crop yields (Scudder 2002, Scudder and Talbot 2003).

The differences in resettlement and development recommendations between the Nakai Plateau and the XBF river basin are startling. Whereas the POE maintains constant advisement that the people of the NNT-NBCA may only be given very narrow roads, they remark on the enhancements to the development potential of the XBF region with the completion of Route 12, a road linking Thailand, Lao PDR, and Vietnam (Scudder and Talbot 2004). They approvingly note other ongoing projects in the region such as the Swedish International Development Cooperation Agency's Lao-Swedish Roads Sector Project II, the GOL's Agricultural and Rural Development Projects, and the World Bank's Rural Livelihoods Project (Scudder and Talbot 2004:31).

In 2000, NTPC completed initial surveys to establish fisheries and agriculture levels along the XBF River and to determine the number of households that would need to be resettled as a result of flooding. By 2003, NTPC had published plans for the further development of the XBF region as part of the NT2 project (Scudder and Talbot 2004). By 2004, the Bank's Rural Livelihood's Scoping Mission report was calling for reviews of GOL programs, "including those supported by donors/NGOs", to determine the types of financial and technical support necessary for village development programs (Scudder and Talbot 2005:25). All of this took place prior to loan approval for NT2 in 2005.

As mentioned above, conservation projects in the NNT-NBCA hold the place of greatest importance for the POE. As such, the planning reports spend little time discussing livelihood programs not directly relevant to generating increases in biodiversity; the XBF region and resettlement areas outside the NNT-NBCA receive comparatively brief attention. Nonetheless, it is clear in these reports that the Nakai Plateau and the XBF River basin are opposite sides of the same coin. Although the POE argue for as little non-research based human activity in the NNT-NBCA as possible, they push for irrigation, fishery, electrification, and roads projects along the XBF River. The latter area is not left out of the Bank's new eco-governmentality. It is an essential part of it.

Li's (2007) will to improve is expressed in both areas as development experts continue to work out ever more complex arts of government useful in arriving at specific ends; sometimes the ends are in the name of conservation, and sometimes they are in the name of modernization. In the NNT-NBCA, such governing practices take the form of limiting access to villages, creating incentive schemes to discourage hunting, and

including lower level employment at environmental agencies in overall livelihood development plans. Along the XBF River, such practices take the form of gravity-fed irrigation infrastructure, road construction, and community-led aquaculture programs (Scudder and Talbot 2005). The connection between the two is the dam itself. All of the above mentioned programs were born out of and paid for by NT2.

Moving forward with my analysis, I begin to use data not available to Goldman (2005) at the time of his work on NT2. In fact, the most recent Bank publication Goldman (2005:342) cites is from 2003. To this point, my addition to the concept of eco-governmentality has been a closer analysis of the Bank documents in which much of the associated arts of government were established. From this point, however, my addition is to apply the concept to justifications used in the loan approval documents and to the POE reports published during project implementation (WB 2005; McDowell, Scudder, and Talbot 2008a, 2008b, 2009, 2010).

Project Appraisal Document: Nam Theun II Hydroelectric Project

The Project Appraisal Document (PAD) (WB 2005a) is the Bank publication in which the projected costs for NT2 are presented and loan approval is recommended. The PAD begins in much the same way Pak Mun's Staff Appraisal Report (WB 1991) began, with the construction of a borrower facing exactly the types of challenges the Bank is able to help it meet. However, whereas EGAT needed only a small boost toward energy sector diversification, Lao PDR requires much more involvement from the Bank due to its low stage of development and poor record with similar projects. Nonetheless, the Bank sees hope for Lao PDR in the abundance of under utilized natural resources.

According to the PAD, Lao PDR's economy went through strong growth performance between the years of 1991 and 2003 due to its steadily increasing market orientation. In the same time period, the GOL is reported to have made great strides in reducing poverty rates from 46 to 33 percent (WB 2005a:3). Despite such progress, the Bank finds severe poverty issues in many districts and especially among minority ethnic communities. In addition to poor policy structures on poverty reduction, Lao PDR also suffers from "limited capacity in the central and provincial governments, a fledgling private sector, lack of infrastructure, and the absence of a strong civil society" (WB 2005a:3). In 2003, the GOL began its National Growth and Poverty Eradication Strategy, a program designed bring rapid growth through sustainable development. Although the Bank supported the overall strategy "through a program of analytical and advisory activities, and ongoing and new operations", it notes that meeting the GOL's goals will require an annual GDP growth rate of 7 percent (WB 2005a:3). Such a sustained growth rate is possible, but only with certain important caveats. The PAD states:

> [W]ith its significant natural resources and central position in the rapidly growing Greater Mekong Subregion...Lao PDR is well placed to achieve quality growth and reduce poverty, provided that the Government manages to increase the contribution of natural resources (especially sustainable hydropower and mining) to development; fosters a more enabling environment to promote private sector investment; and undertakes reforms to improve the quality of governance, management of public finances, and service delivery (WB 2005a:3).

The introduction to PAD points to two key national priorities that the development of hydropower infrastructure is particularly well suited to address. Both involve the connection between environmentalism and development established by the POE. According to the report, hydropower expansion benefits the GOL by, "first, promoting economic and social advancement by providing a reliable, affordable, and

sustainable domestic source of electricity; and second, mobilizing foreign exchange and budgetary revenues to finance poverty reduction and environmental and social programs" (WB 2005a:4). Lao PDR's geographic location between Thailand and Vietnam, two countries with reportedly high demands for energy imports, further strengthens the case for hydropower expansion. The already signed memorandum of understanding between the GOL and EGAT for the latter's purchase of 95 percent of NT2's output, along with two preexisting dams serving the Thai market, serves as further evidence for the Bank that dam development is the best answer to Lao PDR's problems.

As reflected in the concerns of the POE over delays in loan approval, the Bank is not the only international financial institution capable of planning and funding a new dam in Lao PDR. The construction of the need for hydropower expansion is, therefore, not sufficient to justify taking on the risk of such a large loan to such an indebted country given the international attention focused hydropower projects at the time. The Bank's eco-governmentality, worked out through confrontation with international opposition, requires a further step in terms of project justifications. In the PAD, it is not enough that the Bank is able to fund NT2. It is harmful for project-affected people if it does not. The report establishes a concern that the problems of previous dam projects will be repeated if the Bank is not able to enforce its own technical and managerial expertise. For example, although Bank planning so far has helped create "transparent financial management", "further progress will be essential if NT2 revenues are to be applied transparently and efficiently to the financing of priority expenditure programs for poverty reduction and environmental conservation/management" (WB 2005a:6). Indeed, despite the possibilities of funding from other institutions, "the Bank is one of the few institutions

with the broad range of skills needed to assist the GOL in the sustainable development of a large, private sector-financed hydropower project with multiple social and environmental impacts" (WB 2005a:6).

Most of the environmental and social planning details included in the PAD are built on the programs described above by the POE and to review them in the section would be redundant. The themes of transparency and monitoring of the GOL, however, run throughout most of the document and are of particular interest to this research, as it constitutes a major difference between the constructions of the GOL and EGAT as borrowers.

Monitoring an Unseasoned Borrower

The PAD makes continual reference to the GOL's "relatively weak country capacity and...weak track record on governance" (WB 2005a:7). Due to previous environmental and social failures in Lao PDR, the "risks of the project [are] considered to be Modest to Substantial" (WB 2005a:36). In keeping with the technical rendering of political economic problems in development discourse (Mitchell 2002, Li 2007), the solution offered by the Bank is a complex arrangement of management and evaluation strategies designed to ensure that NT2 revenues are used to fund poverty reduction and conservation programs, "ensuring early detection of problems and the timely implementation of appropriate compensating measures" (WB 2005a:36).

In exchange for loan approval, the GOL agreed to create an "effective, transparent and accountable" system for the expenditure of all revenue related to NT2 (WB 2005a:16). To do this, the Bank and the GOL developed the Public Expenditure Management Strengthening Program (PEMSP), which covered: "fiscal planning and

budget preparation, treasury, accounting and reporting, the development of information systems and the legislative framework for public expenditure management" (WB 2005a:17). The PAD mentions a series of smaller scheduled loans from 2005-2007 from the Bank for the implementation of the PEMSP. In addition to these loans, the GOL agreed to hire two long-term consultants of the Bank's choosing. Once operational, the PEMSP would also integrate assistance from present and future World Bank and Asian Development Bank projects in Lao PDR. The PAD mentions health, education, and roads projects which have already been approved by the Bank and which include financial management systems, "particularly systems designed to channel resources close to the field level, as well as the formulation of sector level expenditure policies" (WB 2005a:17). After project completion, the GOL would work with Bank consultants to adjust the use of NT2 revenues toward some projects and away from others on an as needed basis. The PEMSP was enacted by the GOL in November 2005, and in 2008 the Bank reported that its Financial Management Capacity Building Project had worked with the GOL to "improve budget preparation, execution, reporting, and auditing, all of which are essential for better management of funds generated from Nam Theun 2" (WB 2008:1).

The PAD's description of the PEMSP calls for some translation. According to the Bank, it is a program created to render the GOL's spending practices legible to the Bank's monitoring agencies, the justification for which is the historical likelihood that NT2 revenues will not be used for environmental and social development as planned (i.e., the high risk involved with conducting such a large project in Lao PDR). At its inception, however, the program is linked directly to myriad other Bank-funded projects.

Continuing the power relationship between development experts and those being developed, the GOL is required to hire Bank-approved consultants for an undetermined, yet lengthy, amount of time. These expert consultants will then assist the GOL in creating new development projects requiring Bank funding.

As mentioned in discussion of the POE, the absence of the institutional structures necessary for successful project implementation is as central a justification for Bank involvement in NT2 as the presence of such structures was in the case of Pak Mun. Yet, the absence of these structures obviously does not go unaddressed by the Bank. The creation of the PEMSP is, in fact, the establishment of the specific type of Bank/borrower relationship used in the seasoned borrower construction. By hiring Bank consultants into long-term positions at a GOL agency with the task of identifying new problems and creating technical solutions, the Bank is bringing the GOL into its own realm of knowledge production and governmentality.

Although NT2 remains a high-risk project, mechanisms like the PEMSP are included in order to facilitate future low-risk projects. Since a major justification for Bank involvement in NT2 is the governing of GOL practices such that the project's revenue is directed toward public programs, and since the Bank has already connected future public programs to its own lending, it can be said the justifications for the current project are the projects yet to come. That is, NT2 will not only bring betterment through direct project-related programs (livelihood, conservation, etc.), it paves the way for other projects that bring the Bank, the GOL, and people of Lao PDR into ever closer contact with one another. The PEMSP establishes a power relationship between all three that is totally irrelevant to the realization of NT2's stated goals. If development experts are to be

believed as somewhat earnest in their stated agendas (Ferguson 1994, Mitchell 2002, Goldman 2005, Li 2007), or even if they are not (Rich 1994, McCully 2001), programs such as the PEMSP maintain the Bank and the borrower as the legitimate authorities to identify problems and create solutions even in the case of project failure or public opposition. They, therefore, do so "behind the backs or against the wills of the 'planners' who may seem to be running the show" (Ferguson 1994:20).

In the previous chapter, my analysis paid a significant amount of attention to the Staff Appraisal Report concerning Pak Mun Dam (WB 1991). This was done to compensate for a lack of data on the planning process and the evolution of the environmental and resettlement plans. Such attention is not necessary for the NT2's Project Appraisal Document as information on environmental and social programs is available through the POE reports. I have shown how the Bank positioned itself within the PAD as the organization most capable of funding and monitoring the construction of NT2. I have also shown how the Bank's management and evaluation strategies, justified as safeguards against possible GOL abuses of NT2 revenues, were also designed to intensify the Bank/borrower relationship through the production of new project proposals by GOL agencies. The POE only mentions the PEMSP in reference to funding conservation projects and the program's explanation is unique to the PAD among the major reports used in this research. I now move to an analysis of the POE reports conducted during the construction phase of NT2.

Implementing Nam Theun II Dam

After loan approval, the POE's role in the NT2 project changed. During the planning phase, the POE was charged with assessing "the extent to which planning for the NT2 project [met] relevant World Bank guidelines including those for environment, indigenous people, and resettlement" (Scudder et al. 1999:5) As part of the Concession Agreement between the Bank, the GOL, and NTPC, however, once implementation began, the POE was contractually obligated to monitor the environmental and social development projects for no less than nine years. The difference between the former period and the latter is the legal ability of the POE to continue to criticize NTPC and GOL performance beyond the initial nine years and require further environmental and social development work until both reach POE satisfaction.

The POE remain generally supportive of NT2 in the introductions of their reports, stating, "As it has steadily evolved in more recent years from a single hydropower project into a multipurpose development enterprise we have become the more convinced of its potential as a global model" (McDowell, Scudder, and Talbot 2009). They remark, however, that the contractual obligation of the Concession Agreement and their overall support for the project have not "inhibited the Panel from frankly criticizing those aspects of the project with which we have found fault" (McDowell, Scudder, and Talbot 2008a:8). The power of this group of experts to influence the actions of the GOL and NTPC is made clear by comparing the somewhat frantic recommendations of the thirteenth report to results commented on in the fourteenth (McDowell et al. 2008a, 2008b). Yet, the limitations of its ability to control the population being developed are

expressed in the reports immediately prior to commercial operation (McDowell et al. 2009, 2010).

By 2008, resettlement and conservation schedules had fallen far behind dam construction (Lawrence 2009). Early that year, the POE published a report outlining several resettlement and livelihood programs that were either incomplete or had not yet begun. These were of particular importance as NTPC had announced April 10, 2008 as the date for the closure of the diversion tunnel (McDowell et al. 2008a:10). Closure of the tunnel would fill NT2's reservoir and prepare it for commercial operation. The POE expresses frustration at the discrepancy between the construction and resettlement schedules, stating that they have "reported on implementation deficiencies and constraints on the part of all stakeholders over the years," yet "the situation has not changed markedly" (McDowell et al. 2008a:10).

The thirteenth report points out that although many people living in the inundation area had been relocated to resettlement villages, the impacts on their livelihoods was not recognized. Reminiscent of the livelihood indicators used in Bank reports after Pak Mun Dam, the POE reports "a tendency on the part of NTPC officials to over-emphasize, for example, the living standard importance of housing and of the acquisition of such assets as hand tractors, satellite receivers and television sets and motorcycles" (McDowell et al. 2008a:11). It is reported that the more expensive of these items were only actually owned by a small percentage of resettlers and were purchased with cash from wage labor related to dam construction, a resource that would not be available for much longer. Further complicating NTPC's positive evaluations of resettlement, many of the villages resettled prior to loan approval (as early as 2002) were beginning to experience decreases in living

standards as they became more reliant on their new farming situation and received less direct food aid. According to the POE, these issues would be exacerbated by the loss of the farming and grazing land in the reservoir's drawdown area after tunnel closure. Based on these concerns, the POE outline several resettlement requirements that must be completed before April 10, 2008 to be in "compliance with the Concession Agreement and achieve its [NT2's] promise as a world class model for development projects" (McDowell et al. 2008a:13).

The POE found that, although resettlers were pleased with the houses that had been completed, nearly a quarter of the scheduled houses were not built. Many other villages lacked road access due to exclusive use of current roads by salvage trucks, access to clean running water, and irrigation for farm plots (McDowell et al. 2008a:14). These concerns were reported in February 2008. By April 2008, the POE reported, "The housing program must be counted one of the most impressive aspects of the entire project" (McDowell et al. 2008b:39). Of the total 1,272 houses to be built, only five percent remained incomplete. Access to clean drinking water had also been provided along with construction beginning for several schools and healthcare centers. Pleased with the quick response from the GOL and NTPC, the POE remarks that "there are few other governments that could mobilize and achieve such a set of actions in such a short time" (McDowell et al. 2008b:38).

Despite meeting these improvements, the POE found that much work still needed to be done before commercial operation. By 2008, many of project-affected people who were not scheduled for resettlement had still not received land to replace what they would lose through inundation (McDowell et al. 2008a; WB 2008:5). If replacement land could

not be found before the next wet season, many would lose an entire harvest worth of rain-fed crops. The Concession Agreement required that if a households lost ten percent or more of their productive land, they would received land "of equal productivity," meaning that rain-fed land would be replaced with rain-fed land or irrigation for irrigation (McDowell et al. 2008a:15). In addition to replacement land, project-affected people were to receive two years of assistance and monitoring of land productivity.

NTPC, however, concluded that adequate land was not available and that the Concession Agreement allowed for other forms of compensation. The POE reports with disappointment, "The option preferred by PAPs [project-affected people] is a cash payment so that they can purchase paddy land which they believe is available" (McDowell et al. 2008a:15). Project-affected people told the POE that they could purchase irrigated land through their own networks and were willing to move nearer such land if it were purchased. This is disconcerting to the POE in two ways. First, if purchasable land is available, then NTPC was not working diligently enough to compensate for loss of livelihoods around the reservoir. Second, the POE considers cash payments the least desirable form of compensation despite the preference for it among project-affects people. Although the report cites several international cases where cash compensation has resulted in poor living standards, there is also a resistance to allow project-affected people to receive a form of compensation the benefits of which may be difficult to measure.

An Interim Progress Report from 2008 notes the danger of such compensation becoming "cash spent unproductively", and explains that in cases where cash payment is unavoidable "the agreed two-phase approach is to pay cash compensation for land, with

this cash compensation going into special accounts that can be used either to purchase alternative land when it is found or to invest the compensation in livelihood activities, with NTPC and GOL providing technical assistance" (WB 2008:5). It is difficult to find a better example of governing, of the conduct of conduct, than this. For those losing land to the reservoir, the range of possible livelihoods is shaped, first, by the physical existence of NT2 and, second, by a range of development experts who have determined for them what types of livelihood restoration and development are available. Under the guise of improving the decision making of the people being developed, the Bank, NTPC, and the GOL control even the individual management of cash compensations.

Resettlement and Development: Nakai Plateau

By 2009, the construction schedule had outpaced the environmental and social programs schedule again, and the POE was "frankly disappointed by the slow implementation of the livelihood program" (McDowell, Scudder, and Talbot 2009:24). The five pillars of the livelihood program in the resettlement villages on the Nakai Plateau were agriculture, forestry, fisheries, livestock, and off farm enterprise. Since loan approval, several workshops had been held with the Bank, NTPC, GOL, and project-affected people. Although the POE reports that consensus on livelihood plans had been reached prior 2008, the major sources of income for resettlers for that year were subsidies from NTPC (22%) and fisheries (21%) (McDowell et al. 2009:26). These two sources, however, were expected to decline as NTPC would be required to pay less to resettlers and the fish population dwindled. Complicating the issue for the Bank and the POE, each household compiled its own income data, and the GOL reported most village figures as averages. Reported in this way, NTPC and GOL could argue that income targets had already been

met. The issue for the POE was that "a significant amount of income in each village is earned by less than five households", meaning that those who were better off prior to resettlement remained so in the new villages (McDowell et al. 2009:26).

This remained an issue when commercial operation began on December 9, 2010 (McDowell, Scudder, and Talbot 2010:10). The POE reports that data from its own interviews of resettler families shows income decreases and debt increases over recent years. As incomes fell and livelihood programs remained only partially implemented, many families received most of their resources from fishing and non-timber forest products. In 2010, these resources were also on the decline as authorities began policing the NNT-NBCA and decreases in fish yields were not matched by decreases in fishing equipment (McDowell et al. 2010:11). Although many resettlers owed debt to NTPC for experimental livelihoods projects and to merchants for fishing equipment, the POE reports that the most alarming debt is associated with the purchase of rice. Beyond the obvious immediate lack of food, the risks associated with rice debt "are that creditors, mainly merchants..., will demand payment in resettler services and property including access to resettler labor..., and to their boats, land and housing, questionable though this may be in legal terms" (McDowell et al. 2010:11).

Part of the Social Development Plan for NT2 included a Village Forestry Association (VFA), which would involve community forestry development and business management. For the POE, the benefits of the VFA included watershed protection, biodiversity conservation, and reliable annual income for villagers. By commercial operation, the VFA was still suffering from several problems: "Not for the first time in Lao history these hopes in the forestry sector have not been realized" (McDowell et al.

2009:27). The POE places most of the blame for this failure on the history of the area as a target for poachers and other "unscrupulous elements" but admits that it was overly ambitious to place such a project in the hands of "a group of villagers with little managerial or commercial background in an enterprise like this" (McDowell et al. 2009:27). In 2009, the VFA was able to sell enough timber for each resettler household to receive US$205 in two installments. The revenue was generated from selling timber to NTPC to build resettler houses, however, and could not be relied on in the future.

Yet another problem for resettlers came from raising livestock. Once relocated to new villages, many could not find adequate land for buffalo grazing. Some households lost over fifty percent of their livestock to starvation, and many others were forced to sell their buffalo at less than half the price originally paid (McDowell et al. 2009:30). The POE recommends a legal framework that will reserve use of NT2's dry season drawdown area for resettlers that includes farming and grazing. Use of the drawdown area will allow for more grazing but also solve another problem for the POE created by livestock issues. In 2009, several groups of buffalo were found grazing in the NNT-NBCA, where families had sent them to graze prior to NT2 and where adequate resources were still available. The presence of buffalo in the NNT-NBCA presents two threats for the conservation objectives of the POE. First, the POE is concerned that large numbers of semi-wild buffalo will out compete other species for food and minerals and may destroy the wetlands created to replace those inundate by NT2. Second, and "far more serious", is that the buffalo may "provide an excuse for the resettlers to enter the NPA [National Protected Area] for poaching wildlife and rosewood" (McDowell et al. 2010:30). The POE notes that resettlers "should not be punished" but that an equitable program should

be established by the GOL to remove them from the protected area as soon as possible (McDowell et al. 2009:31).

Resettlement and Development: Xe Bang Fai River Basin

The downstream projects around the XBF River required the resettlement of far fewer homes. As such, the negative impacts of NT2 had not been felt prior to commercial operation, and little is included in the reports about this aspect of the project. Although NTPC's initial plans only accounted for livelihood restoration for project-affected people along the XBF River, the company became involved with the Bank and the GOL in planning further development projects throughout the river basin. Much of the POE's criticism of XBF programs surrounds a lack of funding for livelihood restoration projects yet to be planned. According to the POE, the US$16 million allocated in the Concession Agreement is an unrealistic estimate of the costs of fisheries restoration and other "unforeseen hydrological events which will require further food and/or income support for downstream communities" (McDowell et al. 2009:17).

In contradiction with the situation on the Nakai Plateau, the POE approves of the high number of people who "availed themselves, sometimes several times," of the credit schemes instituted by NTPC and the GOL to lessen the impact from the upcoming loss of fisheries (McDowell et al. 2009:18). This is a perplexing position as it essentially creates debt in nearly all downstream households prior to commercial operation.

In addition to the credit scheme, a Livelihoods Restoration Program was created to provided technical advice for fishing new waters the conditions of which were not yet known, as well as support for dry season rice farming and raising livestock (McDowell et

al. 2009:19). As in the example of cash compensation on the Nakai Plateau, the restoration programs along the XBF River heavily shape the range of livelihood options available to project-affected people while also making them responsible for their own well-being in a manner that can be quantified and monitored. The POE reports, "Options are put before the villagers who make their own choice of which livelihood paths they wish to follow – sensibly, most seek a diversified set of options" (McDowell et al. 2009:19). The POE finds that downstream livelihood projects conducted so far have benefited the better off families more than the poor.

Conservation

The conservation aspect of the NT2 project remains, at the end of the construction phase, the most important outcome to the POE and the "primary reason for the involvement and support by the World Bank and other international financial institutions and key environmental organizations" (McDowell et al. 2009:35). Despite the discussion of livelihood restoration on the plateau and downstream, the POE maintains that the NNT-NBCA is the reason NT2 is a possible global model for hydropower development. The protected area is the largest in Lao PDR and extends from the upper edge of the NT2 reservoir to the border with Vietnam. The POE continues to tout the value the area has for global biodiversity and notes the five species of large mammals, previously unknown to science, that have been discovered since planning for NT2 began. The reports also note the cultural diversity of the 6,500 humans inhabitant and their ten ethnic groups, "three of which have only been described since 1966" (McDowell et al. 2009:35). The NNT-NBCA maintains it static, museum-like status for the POE.

The reports continue the planning period position that the largest threat to biodiversity in the NNT-NBCA is its human inhabitants. Like earlier reports, though, the population considered indigenous to the area is excluded from the groups causing harm. Rather, "the greatest threat to the NPA's biodiversity comes form outside its borders" (McDowell et al. 2009: 36). Vietnamese poachers continue to cross the border on long hunting trips, bringing many wire snare traps and assault rifles. In addition to this threat, resettlers have begun using boats to cross the reservoir and poach rose wood. The POE reports on two incidents where employees of the Watershed Management and Protection Authority (WMPA) were threatened with weapons for trying to remove resettlers from the area (McDowell et al. 2009:36-37). To resolve this issue, the POE calls for increased authority of WMPA officials to arrest trespassers on site and to require all boats on the reservoir to be registered and carry color-coded flags for identification. The POE also recommends using a portion of the funds from the last years of NTPC's guaranteed support to increase immediate patrolling in order to establish a precedent for the swift prosecution of intruders to the area (McDowell et al. 2009, 2010).

The final POE reports prior to commercial operation express dissatisfaction that WMPA officials do not value the area's biodiversity along lines desired by the POE. The reports complain that the staff do not understand or "believe that the area's wildlife is severely degraded" (McDowell et al. 2009:38, 2010:28). The Concession Agreement requires the WMPA to hire an Independent Monitoring Agency to annually report to NTPC as to whether the Authority's actual operations are consistent with conservation and development objectives. The WMPA fired the first monitoring agency in 2009 and hired a second in 2010 (McDowell et al. 2010:28). The second monitoring agency

discovered that many of the WMPA objectives described in the Concession Agreement were not part of its daily operation. As a result, NTPC, at the POE's suggestion, withheld the WMPA's 2010-2011 funding. It is important to note that the WMPA, through NTPC funding, is charged with implementing the livelihood programs in the NNT-NBCA as well as enforcing conservation. By withholding funding, the NTPC and the POE effectively delayed livelihood programs in the area to enforce desired conservation values and practices at the WMPA. As mentioned above, conservation projects conducted in the South by Northern experts can quickly become misanthropic (Siurua 2006). Discipline of the WMPA by the POE also involves holding the people inside the NNT-NBCA hostage for the sake of Northern biodiversity and conservation imperatives.

Livelihood programs for those living in the NNT-NBCA, as with all NT2's livelihood programs, were behind schedule at commercial operation, and the POE fears that the result will be a reliance on harvesting wildlife and valuable timber from the forest. While those living in the resettled communities and along the XBF River are encouraged to participate in irrigated farming, those inside the NNT-NBCA are directed to continue swidden-farming practices on geographically limited basis (McDowell et al. 2009). Although some progress was made through experiments with new species and the use of chemical fertilizers, the POE is open about its doubts that NNT-NBCA villages will be able to produce their own rice within a few years of commercial operation.

Nam Theun II Dam: A Project Summary

As commercial operation for NT2 began, many of the much lauded, long discussed livelihood and conservation plans designed to make the project a model for global hydropower projects fell apart. Although there are few opportunities for the assessment

of actual conditions outside of publications from Bank-approved INGOs, many groups continue to use what resources are available to monitor negative project impacts in continued opposition to the Bank and to dams generally (IRN 2010). These failures seem to have had little effect on the Bank's active interest in further development projects in Lao PDR, or its continued construction of NT2 as an environmental and social success story, as how to do a dam better (Porter and Shivakumar 2011).

Insofar as costs to livelihoods are such that the Bank, NTPC, or the GOL cannot ignore them, they have been incorporated into new development projects, planned and implemented in the name of conservation and betterment (Porter and Shivakumar 2011). From a governmentality perspective, NT2 is a Bank success. However, it is not a success in the sense of the realization of stated goals. As with Pak Mun, the success is not the functionality of the Bank's projects, "but is in fact inserted within strategies and tactics that find support even in these functional defects themselves" (Foucault [1978]2007:118). Although many INGOs refused to participate in the NT2 project and maintain highly critical positions, the Bank was able to incorporate many of the larger conservation INGOs into the role of knowledge producers in development discourse. On the surface, this was an attempt to offer the project more legitimacy. In practice, these new experts opened up new avenues for development projects and brought the Bank and the GOL into closer relations than might have been the case without them. As I have shown, the POE not only planned and monitored NT2 but also pushed for an entire range of new projects along the XBF River, offering support for development schemes only loosely related to the conservation practices they were hired to foster.

Even the poor human rights history of the GOL's hydropower projects was used to justify an indefinite succession of development projects ranging from road construction and irrigation to micro-financing and environmental protection incentives (WB 2005). Government programs, headed by foreign consultants, were established to direct revenue from NT2 in such a manner that both success and failure of stated goals resulted in an increased role of the Bank in bringing Lao PDR into its version of the modern world. Programs like the PEMSP used the GOL's lack of seasoned borrower status to create the institutional relationships necessary for its use in the justification of future projects. At the conclusion of this case, it is this set of institutional relationships that seems most important to the justificatory logic of development discourse at the Bank. In both cases, the seasoned borrower is necessary for successful present and future project implementation. The difference between the cases is the ease with which EGAT could be constructed as a seasoned borrower compared to the need to establish the relationships necessary for that construction of the GOL by including specific monitoring and evaluation programs into the NT2 project.

Chapter IV
Conclusion

The title of this research contains a question I have, so far, only implicitly addressed: Is the increased environmental (and social) emphasis in World Bank governmentality simply new means to old ends? Has all the bluster about Nam Theun II Dam actually amounted to a better way of going about hydropower development, or is it a green colored version of the same power relationships that produced Pak Mun Dam? Has there actually been improvement, or is this all business as usual? In response to technical critics and those looking to work with development institutions, my answer is probably not, but maybe.

Much remains to be seen with regard to livelihood improvements among NT2 resettlers and those living in the rapidly developing Xe Bang Fai River Basin (McDowell et al. 2010). On the one hand, the International Rivers Network, an INGO opposed to the NT2 project from its conception, reported that many livelihood and compensation programs were behind schedule when commercial operation began, but their information is limited to what is provided by the Bank, the Government of Lao PDR, and the Nam Theun II Power Company (IRN 2010). The tight control of knowledge produced about NT2 has limited INGOs and others to reporting frustration at NTPC's and the GOL's

refusal to allow independent research and to "doubts" about project-affected people's livelihoods given what is expressed in the POE reports discussed above (IRN 2010:2). Given the well-documented record of previous disasters in Bank-funded hydropower projects, there is reason not to hope for the best (Rich 1994, McCully 2001, Friedrichs and Friedrichs 2002, Bakker 2010).

On the other hand, it is possible, albeit unlikely, that those living in areas scheduled for further development might be able to enter into agricultural and fisheries markets that establish a new type of unequal power situation based on market relations that nonetheless decrease incidence of starvation and absolute poverty. This would be a kind of best-case-scenario result of Harvey's accumulation by dispossession (2003:137). For those development critics inside the discourse, this would constitute a measure of improvement and a justification for continued projects, which, with even better planning, could ultimately lead to poverty eradication. The 'maybe' in my answer should be qualified, then, as in reference only to possible, slight material improvements. Based on the two cases chosen for this research and the literature on similar projects, little else should be expected from NT2. The POE reports give the clear impression that livelihood restoration in all areas of the project was secondary to the construction goals for the dam and the planning of further infrastructure projects (McDowell et al. 2008a, 2008b, 2009, 2010). Indeed, it seems all the more likely that project-affected people in Lao PDR will face the same kind of impoverishment that led to mass protests of Pak Mun Dam in Thailand, only with an increased possibility of a violent state response.

This line of questioning, however, is only relevant to the goals of this research insofar as it frames the importance of the research question: *How does the World Bank*

continue to plan and implement hydropower projects in Southeast Asia? To answer this question, I have analyzed the justifications of hydropower projects in Bank planning documents and compared them, where possible, to the rationalizations of project outcomes. In these documents, I have identified a specific mechanism of justificatory logic that has real impact on the structure of the borrower's state apparatus by requiring a constellation of agencies capable of producing knowledge legible to development discourse. I have called this mechanism the seasoned borrower. As with most information about a given project in development discourse, the seasoned borrower is a construction first given life within planning documents by experts. When compared to an academic assessment of the ability of a seasoned borrower to realize the specific development goals of a project, it is likely to come off as a fantasy. However, as Ferguson observes about project planning data, "the statistics are wrong, but always wrong in the same way; the conceptions are fanciful, but it is always the same fantasy" (1994:55). It is exactly this justificatory mechanism, and the institutions created and strengthened out of its use, that allows the Bank to continue hydropower projects in the region.

In the case of Pak Mun Dam, the Bank was able to construct a particular version of EGAT using the seasoned borrower mechanism; EGAT, then, became a seasoned borrower. This construction framed all other justifications for the project, which continuously imagined it as small, unobtrusive, and the most viable solution to EGAT's problem – energy sector diversification (WB 1991). In addition, EGAT's seasoned borrower status meant that its planning procedures could be trusted. Being able to plan projects capable, in development discourse, of achieving goals of betterment is an integral part of being a seasoned borrower. Here, betterment is not only improved

standards of living (more electricity, higher incomes, number of color televisions, etc.). It is also the planning of projects such that they lead to the planning of still further projects. For Pak Mun Dam, this meant including programs to improve environmental quality, energy conservation, and further privatization of the energy sector (WB 1991). The Bank's trust in EGAT's ability to plan was not a desire for a hands-off approach but an assurance that the project would lead to further projects without undue complication. A major aspect of Bank governmentality during Pak Mun Dam, therefore, was the arrangement of various Thai state apparatus such that the institutional structures between EGAT and the Bank were strengthened. The Bank's ability to realize this arrangement, of course, is a manifestation of the unequal power relationship between it and the borrower.

Once construction for Pak Mun Dam was completed and protests over compensation for fisheries had begun, the institutional realities borne out of the seasoned borrower construction were implemented to compel EGAT to address project-affected people's grievances along technical and managerial lines. The success of this project was in maintaining the position of EGAT (and the Bank behind it) as the organization most capable of solving problems of livelihood. Referring back to Goldman's (2005) conception of development projects as the terrain of the conjunctural, it is important to point out that the level of opposition to Pak Mun Dam was not anticipated and that the strategies for satisfying protesters' complaints had to be worked out over time (Foran and Manorom 2009). The large increases in compensation payments that protesters were able to secure from EGAT and the Bank serve as evidence that the World Bank does not simply plan and implement projects exactly as it intends. Rather, opposition to Pak Mun Dam was able to create enough problems for the Bank that an attempt was made to bring

protester demands into development discourse as issues of bad policy. Once the dam's impact on fisheries was rendered a policy failure, EGAT and the Bank established a succession of committees to determine who was eligible for what level of compensation (WB 1996, WCD 2000a, Foran and Manorom 2009). The committees were a disaster. Yet again, however, project failure had little to do with the ability of EGAT or the Bank to govern as all possible solutions continually led back to Bank-funded compensation or Bank-led livelihood programs (WCD 2000a).

The Bank's ability to maintain its position of power was not in spite of project opposition but through the unintended mitigation policies it worked out in response. That is not to say that a positive outcome from the Pak Mun project would have removed the Bank from its position of power either. As stated above, an implication of EGAT's seasoned borrower status is the assurance of future projects. Had Pak Mun Dam achieved its stated goals, the Bank would still have been heavily involved in loaning EGAT money for the implementation and monitoring of development programs (WB 1991). To the extent that the Bank and EGAT were not able to account for project opposition through technical solutions, individual protestors were considered irrationally afraid of modernization and NGOs were dismissed as unwilling to work with the Bank due to equally irrational ideological opposition to all hydropower projects (WB 1996, 1998). In this way, the Bank validated the actions of EGAT in response to opposition through comparing its proposed solutions to those of groups outside, and therefore illegible to, development discourse. Importantly, the Bank's confidence in EGAT's performance was built on the seasoned borrower justification and the presence of opposition outside of development discourse helped maintain the seasoned borrower status (WB 1998).

As I have shown, that the most significant differences marking the planning for Nam Theun II Dam compared to Pak Mun Dam are the Bank's emphasis on environmentalism and the incorporation of experts from INGOs focused on conservation. I have used Goldman's (2005:180) concept of eco-governmentality to explain the technologies of government employed by the Bank involving the production of environmental knowledge in Lao PDR both for conservation and for further development. I have also shown how the POE went beyond using conservation as a justification for the project to express great frustration over delays in Bank loan approval, fearing the project would be implemented by other international financial institutions with whom they had no relationship and who would not bring with them the social and environmental requirements of the Bank (Scudder et al. 1997b, Scudder and Talbot 2004). Where possible, I have tried to add to the strength the concept of eco-governmentality by providing detailed analysis of planning, loan approval, and implementation documents.

In addition to this, and more important to the contribution intended by this research, I have identified continuity between Pak Mun Dam and Nam Theun II Dam using the seasoned borrower construction. It is clear from the POE and Bank documents that the range of specific finalities intended by Nam Theun II Dam differs from those of Pak Mun Dam, mostly those relating to conservation. I have shown that the high degree of potential risks identified by the POE impacted the project justifications in the Project Appraisal Document (WB 2005). Chief among these risks were the Government of Lao PDR's poor record with hydropower projects and concern that the revenue generated by Nam Theun II Dam would not be used toward further public programs (WB 2005).

In essence, the Bank was unable to construct the GOL as a seasoned borrower. The high international profile of the project and the addition of the POE created a scenario in which it was not possible, or in any way preferable, for the Bank to justify Nam Theun II Dam on the construction of already proven successes of the GOL in similar projects. Rather, the project's justificatory logic springs from the absence of a seasoned borrower and the need to create one to ensure betterment through monitoring of livelihood programs and the establishment of government agencies designed to constantly organize revenue expenditure around future Bank projects. In the cases considered in this research, the borrower must either already have the sort of relationship with the Bank that will guarantee the connection of the current project to future ones or there must be the possibility that such a relationship can be developed.

The construction of the seasoned borrower means more for the borrower than the requirement that it agree to several projects or none at all. As is shown with EGAT, it also means acceptance into the development discourse as a legitimate producer of knowledge. Countless accolades from both the Bank and the POE in the planning and implementation phases of the Nam Theun II Dam project construct an image of the GOL as eager to provide livelihood improvements to the people it governs but lacking the technical expertise and funding to do so. One report late in the implementation phases states, "While capacity has been stretched, the Government has in general done an admirable job in evolving institutions and helping people develop the skills to meet the new challenges of NT2" (WB 2010:18). The POE and the Bank use such language in key moments throughout the process. For the former, the GOL becomes a more and more capable and willing borrower as delays in loan approval threaten the success of

conservation projects. For the latter, the GOL's poor history of hydropower development is mentioned in the Project Appraisal Document but disappears after the establishment of the Public Expenditure Management Strengthening Program (WB 2005, 2006a, 2006b, 2008, 2010).

Although not as much information is available about the impacts of Nam Theun II Dam compared to what is available for Pak Mun Dam, the POE reports prior to commercial operation indicate that the inclusion of conservation experts into the planning process has mainly resulted in the failure of a different set of public programs than might have been implemented without their input (McDowell et al. 2009, 2010). Failure, of course, in relation to stated goals. Much like Pak Mun Dam, however, Nam Theun II Dam seems to have been a success in terms of maintaining the Bank's unequal position in the governing field of power. The opposition raised by INGOs pointing to the Bank's history of ecologically devastating hydropower projects was incorporated into Nam Theun II Dam's planning process and converted from general opposition to dams into the working out of the best possible policies and state apparatus necessary to connect conservation and development. Not all opposition to the project was brought into development discourse. Several INGOs continue to oppose this and any other project involving the Bank and dams (the International Rivers Network serves is an example). It remains to be seen whether or not these groups can generate enough momentum to demand, for a second time, the kind of international criticism expressed by the World Commission on Dams. What is clear, however, is the ease with which the Bank incorporated that effort into the continuation of hydropower projects.

Still, the bracketing out of INGOs whose demands could not be accounted for in a technical and managerial framework, as a governing strategy, pales in comparison to the degree to which the Bank and the POE endeavored to conduct the behavior of the people of the Nakai Plateau and Xe Bang Fai River Basin. Through livelihood programs, the ultimate outcomes of which were more livelihood programs, the Bank and the POE placed responsibility for the realization of conservation values on individuals as well as the state. Initiatives such as the Village Forestry Association placed resettlers' lives in difficult situations as they were expected to learn both forestry and business skills while having everything about their previous lives completely changed with no option for that change not to happen.

As I have shown, the failure of livelihood programs forced many resettlers to come into direct conflict with the GOL as they entered the NNT-NBCA searching for valuable timber and mammals to replace income losses to fisheries and agriculture. The consistent reaction from the POE was to increase livelihood programs such that poaching was no longer an attractive option. Although I do not want to argue in favor of continued poaching of endangered plant and animal species, it is important to point out that each solution offered by the POE continually reinforced the Bank/borrower relationship by requiring more funding and technical advice.

Li clarifies her analysis of World Bank governmentality by saying that illustrating the limitations of its programs is "not suggesting that there was a hidden agenda for which the program's rationale was merely a mask" (2007:269). I would like to echo this sentiment in regard to this research. I do not find, for example, that the Panel of Experts hired for Nam Theun II Dam entered the project with the intention of strengthening the

Bank's power in Lao PDR or burdening an already poor population with the task of conservation at the expense of livelihood resources. Nor do I contend that Bank experts portrayed EGAT's resettlement and compensation plans for Pak Mun Dam as commendable so as to avoid further study and increased costs. Rather, I have attempted to show how the production of knowledge in development discourse inherently excludes the causes of social and environmental problems that are not addressable through technical and managerial solutions. Further, built into the construction of the seasoned borrower, which I have shown as a major justificatory mechanism in World Bank projects, is a long-term commitment to solving problems through Bank-funded projects, which limits even the possible solutions to devastating project impacts.

The World Bank continues hydropower development in Southeast Asia in two ways. First, by building the institutional structures necessary to construct a seasoned borrower, it is positioned to plan and fund future projects no matter the outcome of the current one (for a rare exception, Nam Choan Dam, see Rigg 1991). Project failures and successes both mean the continuation of World Bank involvement and, therefore, the continued limitation of solutions to those offered by development discourse. Second, to the extent that opposition to projects creates serious challenges to the World Bank's stated commitment to betterment, Bank governmentality changes to incorporate technical versions of the problems cited by project opposition. Development experts are not oblivious to critiques of their work, but they are limited by their own methods of knowledge production and ideological commitment to betterment through modernization.

Some of the scholarly works used in this research end with a small section on what should be done about the World Bank, the destructive outcomes of its projects, and

its uncanny ability to maintain its own relevance through the arts of government outlined here (Ferguson 1994, Rich 1994, McCully 2001, Goldman 2005). This research does not.

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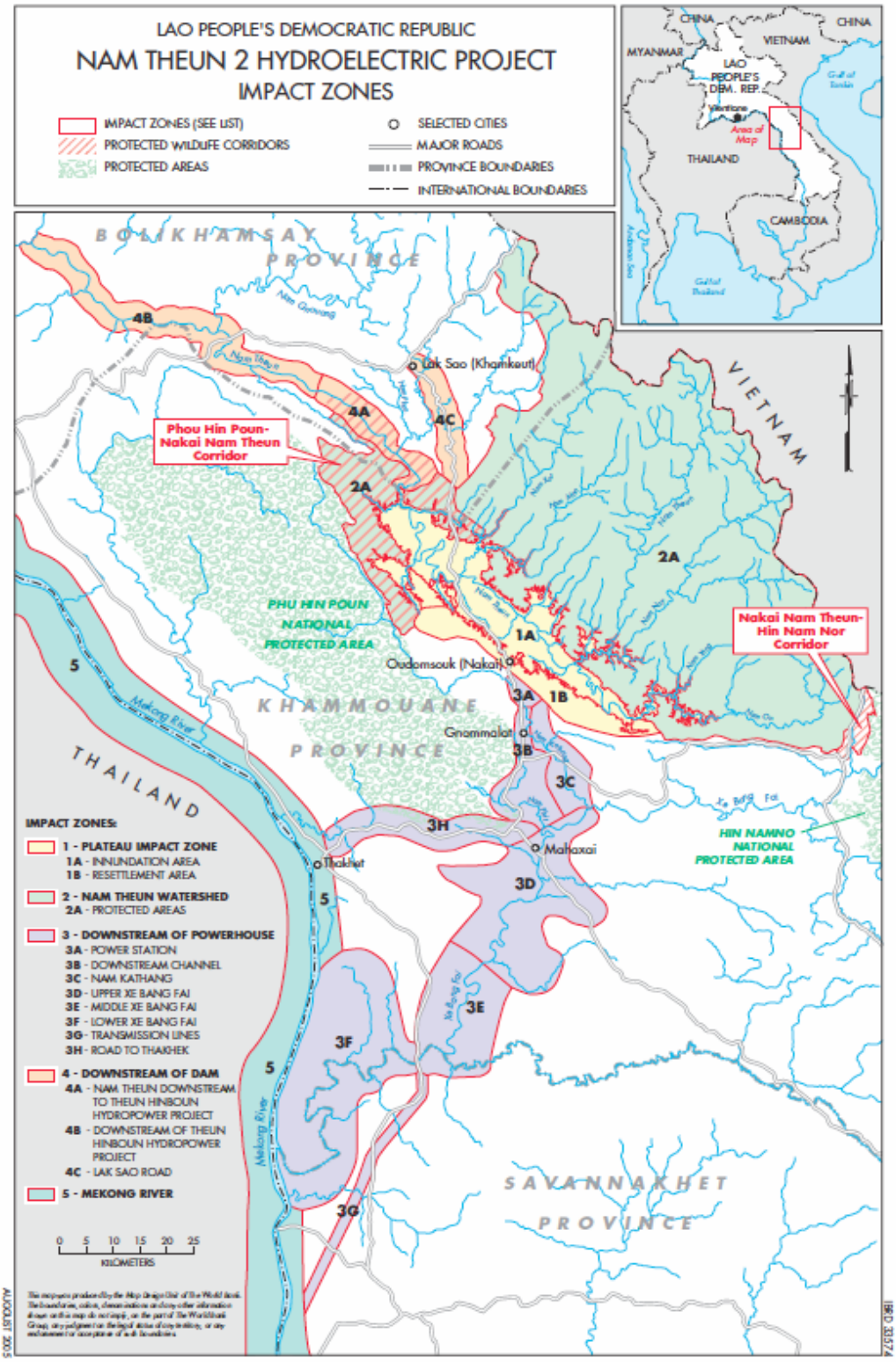
APPENDIX

ABBREVIATIONS

BPKP	Bolisat Phathana Khet Phudoi (Mountainous Region Development Company)
CAODFF	Committee for Assistance and Occupational Development of Fish Farmers
CPAWM	Center for Protected Areas and Watershed Management, Lao PDR
DOF	Department of Fisheries, Thailand
EDF	Electricité de France
EGAT	Electricity Generating Authority of Thailand
EIA	Environmental Impact Assessment
EIMP	Environmental Impact Mitigation Plan
GEL	World Bank's Global Environmental Facility
GOL	Government of Laos
HIM	Health Impact Mitigation
IAG	International Advisory Group
ICR	Implementation Completion Report
INGO	International Non-Governmental Organization
IUCN	World Conservation Union
ITD	Ital-Thai Development
Lao PDR	Lao People's Democratic Republic
MOPH	Ministry of Public Health, Thailand
MSL	Meters above Sea Level
NEA	National Energy Authority, Thailand
NGO	Non-Governmental Organization
NNT-HNN	Nakai-Nam Theun-Hin Nam Nor National Protected Area
NNT-PHP	Nakai-Nam Theun-Phou Hin Poun National Protected Area
NNT-NBCA	Nakai-Nam Theun National Biodiversity Conservation Area
NT2	Nam Theun II Dam/Hydroelectric Project/Multipurpose Project
NTEC	Nam Theun II Electric Consortium
NTFP	Non-Timber Forest Products
NTPC	Nam Theun II Power Company
OED	Operations Evaluation Department of the World Bank
PAD	Work Bank's Project Appraisal Document, Nam Theun II Dam
PEMSP	Public Expenditure Management Strengthening Program
POE	International Environmental and Social Panel of Experts
SAR	World Bank's Staff Appraisal Report, Pak Mun Dam
SIFO	Subcommittee on the Impacts of Fishing Occupation
VFA	Village Forestry Association
WB, the Bank	World Bank
WCD	World Commission on Dams
WCS	Wildlife Conservation Society
WMPA	Watershed Management and Protection Authority
XBF	Xe Bang Fai



Source: World Bank.
(TAKEN FROM PORTER AND SHIVAKUMAR 2011)

VITA

Nicholas R. Zeller was born in Chattanooga, TN, to Norman H. Zeller, Jr. and Katherine P. Zeller. He attended Ringgold High School in Ringgold, GA, where his public outbursts against the administrative faculty eventually led to a ban against his attendance at any large school functions. He attended senior prom against his will because his girlfriend at the time made him. He earned a Bachelors of Science degree in Sociology from Kennesaw State University in December 2007. While at earning his B.S., Nicholas and his fondest friend, Keith Walker, developed a videogame museum in their home. The collection spanned decades of consoles and hundreds of games. It is now stored in Keith's basement. Nicholas then spent two years as a plumber. He completed his Masters of Arts degree in Sociology from the University of Tennessee, Knoxville in May 2012. During his time in Knoxville, he became an avid supporter of the Major League Soccer team the Kansas City Wizards. This team was chosen because there are no good teams near Knoxville, and Nicholas has always felt a fondness for magical spells. He will continue his education in August 2012 at the University of Wisconsin, Madison's Center for Southeast Asian Studies in the Masters of Arts program. He is caretaker for two cats: Muad'dib and Doleful.