

AUNG NAING

LAND, VIOLENCE



AND SUBJUGATION
IN MYANMAR

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The Regional Center for Social Science
and Sustainable Development
Chiang Mai University

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NOTE ON TERMINOLOGY

Prior to 1989, the largest country in mainland Southeast Asia was exclusively known internationally as "Burma," the name that British colonizers used after they consolidated the central plains and previously autonomous mountainous regions in the mid-1800s in reference to the country's largest ethnic group, the Burman. The international use of "Myanmar" to refer to the country dates only to 1989, when the country's unelected military rulers of the time announced the change of the nation's name to *Myanmar naing-ngan*.

In addition, the official names of many ethnic groups, regions, cities, and villages were also changed, including that of the former capital from "Rangoon" to "Yangon."

The name changes were purportedly an effort on the part of the military regime to remake Burma into a more inclusive, multiethnic country, and to cast off vestiges of the colonial era. However, many critics pointed out that these changes failed to address the root causes of problematic Burman/ethnic minority relations, and historians have shown that both "Burma" and "Myanmar" were used prior to British administration. In addition, the use of "Myanmar" in English presents a grammatical challenge, as there is no conventional adjective form.

While international organizations such as the United Nations and Amnesty International have adopted the use of "Myanmar," journalistic, activist, and academic convention in much of the world continues to favor the use of "Burma," although usage patterns continue to evolve. For this volume, the decision of whether to use pre- or post-1989 "official" names has been left entirely to the authors, and in most instances the names are used interchangeably with no intended political implications.

CONTENTS

ACKNOWLEDGEMENTS	VII
ABBREVIATIONS	VIII
LIST OF FIGURES & TABLES	IX
INTRODUCTION: LAND, VIOLENCE & SUBJUGATION	I
CHAPTER 1: LAND	15
CHAPTER 2: VIOLENCE	31
CHAPTER 3: GUNS	45
CHAPTER 4: FENCES	63
CHAPTER 5: DEBT	85
CHAPTER 6: FRACTURES	105
CHAPTER 7: ASSEMBLAGE	123
EPILOGUE: FIRE	141
ANNEX 1: METHODOLOGY	159
REFERENCES	162
INDEX	181

ACKNOWLEDGEMENTS

This book represents knowledge co-produced with over a dozen researchers with detailed knowledge of their local communities. Despite the enormous challenges posed by both the Covid-19 pandemic, and latterly the coup d'état and post-coup violence, they have persisted in generating valuable insights into the complex, and deeply tragic processes of land grabbing in Myanmar. For security reasons, none can be named here; likewise, much of the initial data collection was enabled through a donor-funded report on land issues. The donor again wishes to remain anonymous at the present time. Special thanks go to the Regional Center for Social Sciences and Sustainable Development (RCSD) at Chiang Mai University for collaborating in the publication process. Aside from this, RCSD's support for the many scholars displaced by the coup d'état and its aftermath is exemplary, and goes far beyond what could normally be expected. With this acknowledgement, though, comes a plea for help: in undertaking and publishing this book, numerous scholars and institutions were approached to provide technical advice in reviewing texts, strengthening the theoretical core of the book, and developing the overall content and form. For various reasons, very little assistance was forthcoming. Displaced scholars, and scholars working in conflict zones or zones of extreme political danger are in desperate need of help—not necessarily special programmes, or didactic teaching, but small spaces within the world of academia where collaboration can take place. This can help sharpen and focus the analysis of locally embedded insights and data, and would be of benefit to all concerned.

ABBREVIATIONS

- AAPP - Assistance Association for Political Prisoners
- ASEAN – Association of Southeast Asian Nations
- CCTV – Closed Circuit Television
- CDM – Civil Disobedience Movement
- CSO - Civil Society Organization
- CRPH – Committee Representing the Pyidaungsu Hluttaw
- EAO – Ethnic Armed Organization
- GAD – General Administration Department
- KIA - Kachin Independence Army
- MEHL - Myanmar Economic Holdings Limited
- NUCC – National Unity Consultative Council
- NUG – National Unity Government
- PDF – People’s Defense Forces
- SAC – State Administration Council
- SLORC - State Law and Order Restoration Council
- SPDC - State Peace and Development Council
- USDP – Union Solidarity and Development Party
- YMBA - Young Men’s Buddhist Association

LIST OF FIGURES AND TABLES

Figure 1:	Boundary maker showing 'Tat-Myay' (land claimed by military)	66
Figure 2:	Land tax record	74
Figure 3:	Assemblage of land-grabbing violence	127
Table 1:	Comparison of land-grabbing violence and post-coup violence	153
Table 2:	Distribution of land seizure cases	160

INTRODUCTION

LAND, VIOLENCE AND SUBJUGATION

Land seizure is not only emblematic of the wider violence in contemporary Myanmar; it in many ways represents a fundamental, original form of violence which gives impetus and energy to more overt, physical expressions. At a broader level, the formal, legal rendering of land as an alienable commodity by the state has enabled the process of land appropriation by the use of force. Whilst the land nationalization programs initially introduced in the early years of independence were seen as an attempt to forcibly repatriate land which had been seized through economic violence, that process has subsequently been manipulated to preserve the control of land by the elite. Although the faces of the elites change, their hegemony has not, and land control is to a large extent a continued attempt by the center to subdue the periphery. Thus, land seizure in Myanmar represents an ongoing effort to realize physically and economically what has been established politically. However, the various means of violence employed in the process of land seizure and dispossession have also sustained a chronic inuring of violence, which, when considering the eruption of violence after the 2021 coup d'état, frames the post-coup conflict as simply a bigger, brighter bonfire of a smoldering fire. To put it another way: in using violence over decades to appropriate land, the ruling elite (usually military) have created and maintained a culture of impunity. This habit of using violence to achieve both subjugation and economic gain involves the honing and maintaining of skills and wiles required to maintain power - which is now more overtly displayed in post-coup violence. Land grabbing has provided a continued opportunity for elites, officers, and soldiers to exercise their skills.

The consequences of this chronic embedding of violence in society are manifold, and this study documents the trajectories of those displaced by violence into a world characterized by yet more violence. Paying attention to these processes highlights the critical role of land rights in any political settlements, without which there is little hope of achieving any kind of post-conflict society.

COVID, COUP, AND THE CONTEMPORARY CRISIS

As the global community continued to grapple with the challenges of the Covid-19 pandemic, one notable phenomenon was a decline, albeit temporary, in the incidence of conflict (ACLED, 2023). Despite protests against draconian control measures and increasing desperation amongst those locked out of the means of subsistence, overall conflicts were less frequent in 2020. In the early part of 2021, in Myanmar, however, that trend was spectacularly reversed. Against a background of veiled threats and denials, the hitherto fragile truce between the civilian government, led by the National League for Democracy (NLD), and the Myanmar military, known as the Tatmadaw¹, broke down. In the pre-dawn of February 1, 2021, hours before the newly elected government was to be sworn in, armed troops arrested the President, U Win Myint, the State Counsellor and de facto leader Daw Aung San Suu Kyi, and incumbent lawmakers of the NLD. Key buildings were seized and occupied in an operation which was later revealed to have been well planned for several years (Tomlinson, 2021). Despite some early warning signs, few believed that the Commander in Chief of the Myanmar Military, Senior General Min Aung Hlaing, would have the audacity (or some would say sheer folly) to seize power, particularly when the country was in a perilous economic state following prolonged Covid lockdowns.

A few international observers opined that this coup d'état would be different: perhaps more like neighboring Thailand, which for decades had seen military seizures of power in relatively bloodless coups followed by varying degrees of civilian rule. Few within Myanmar believed this theory, despite the protestations of the coup leader that his actions

1. In the current context, where the violence of the Myanmar military is mainly directed against its own people, some commentators have argued that the term Tatmadaw, with its connotations of legitimacy and military honor, is not appropriate for the Myanmar military (see Desmond, 2022).

were constitutional and in line with his duties to protect Myanmar's sovereignty. Within days, large-scale protests emerged and were mostly youth-led, but increasingly featured participation by large numbers of striking doctors, nurses, teachers, and other civil servants in what came to be called the Civil Disobedience Movement (CDM). Initially the demands were simple: release of detained leaders, respect of the recent vote (which had returned an increased majority for the ruling NLD party), and a return to barracks by armed forces (Sumon Thant, 2021).

Instead, the military did what their predecessors had done for nearly five decades: harassed and arrested demonstrators, mobilized and armed mobs of counterdemonstrators in major urban areas, and arranged the premature release of violent prisoners to terrorize neighborhoods where dissent was high. Standoffs between demonstrators and police, often supplemented by troops, became more deeply entrenched. In a matter of days, live ammunition resulted in the first of many fatalities. At night, large numbers of police and troops roamed the cities to conduct raids, where protest leaders were forcibly removed from their homes and moved to undisclosed locations. Reports of torture were followed by accounts of death in custody, after which bodies were hastily cremated. Resistance too, turned violent. The decades-old principle of non-violent resistance espoused by many supporters of Aung San Suu Kyi and the NLD was displaced in favor of more vigorous defense; barricades were erected to protect neighborhood protest camps, and these were increasingly defended with force (Goldman, 2022).

Resistance to the coup was emergent and organized, and soon took on five distinct forms. Firstly, various protest groups, often led by student or labor unions, formed strike committees which were critical in organizing the public protest elements of resistance. Local demonstrations and national strikes - particularly on red-letter calendar days such as the anniversaries of previous uprisings - were largely organized by strike committees. These continue to be a significant voice in shaping the narrative and focus of resistance.

Secondly, the aforementioned Civil Disobedience Movement involved hundreds of thousands of doctors, nurses, academics, students, teachers, railway workers, administrative staff (and to a lesser extent police), refusing to go to work under a military-led regime. The movement

was fueled both by a sense of outrage at the casual indifference of the military junta to the extreme sacrifices made by health and social volunteers during the Covid era, and by the not-too-distant memories of the degradation to health, education, and public administration services under previous military regimes. “I cannot allow my children to live under that darkness” is how one senior academic put it².

Thirdly, in order to strengthen the defense of those protesting, and to obstruct the efforts of security forces to arrest protest leaders and striking workers, People’s Defense Forces (PDFs) were formed, drawing on a centuries-old tradition of young people providing security for their own communities (Kalatha Kaung Saung) (Griffiths, 2019). Though these were initially poorly armed, as the resistance has solidified and spread into more rural areas, PDFs have been increasingly able to both procure and manufacture more sophisticated weapons, including rifles, landmines, improvised rocket launchers, and drones. Initially acting as defensive lines, a more general crackdown by security forces over-ran most of the urban strike camps and PDFs became either urban guerrilla forces or increasingly grew in strength in rural areas. This was particularly the case in the northwest Sagaing Region and in areas where they could collaborate with pre-existing Ethnic Armed Organizations (EAOs) in Chin, Kachin, Kayah and Kayin State. Here, and increasingly under the direction of both the parallel National Unity Government (see below) and the EAOs, PDFs engaged in armed struggle with junta forces. This struggle increasingly became intertwined with the long-standing armed resistance of various EAOs, a significant number of which openly aligned with the protest movement in addition to their own territorial claims.

Fourthly, there was the formation of a parallel government, initially by a group of NLD lawmakers forming the Committee Representing the Pyidaungsu Hluttaw (CRPH), latterly as the National Unity Government (NUG), comprised of representatives from the ruling NLD party, many in exile, alongside appointed ministers drawn from blocs representing some of the larger ethnic affiliations in Myanmar. The National Unity Consultative Committee (NUCC) represents a wider group of representatives from EAOs, strike committees and political parties.

2. Personal correspondence with author, February 2021.

Finally, particularly in urban areas where junta-administered forces were able to exert more control, everyday protest took on the form of boycotts of products linked to military conglomerates, including phone services, beer and beauty products; and a refusal to pay utility bills, personal income tax and other levies to the junta-led State Administration Council (SAC). Intense ‘keyboard conflict’ also played out on social media, naming and shaming supporters of the regime, publicly identifying perpetrators of violence including police, army and prison officials, and maintaining grassroots-led reporting of incidents, protests and arrests.

The military, both in terms of provocative and responsive actions, has responded with increasing levels of brutality. Apart from arrests (which the Assistance Association for Political Prisoners (AAPP) estimated at nearly 16,000 at the time of writing (Irrawaddy, 2023)), and the brutal torture of detainees and seizure of property of individuals claimed to be supporters of the resistance, the SAC-led forces have widely implemented the long-familiar ‘four cuts’ strategy in rural areas, targeting civilian populations by cutting off supplies of food, funds, information and recruits to the resistance movement (Fishbein, Lasan, & Vahpual, 2012). Alongside military campaigns aimed at destroying resistance strongholds, military personnel conduct raids on villages, burning houses, crops and public buildings, including churches and monasteries, after looting property of value such as gold, cattle, and motorcycles (People’s Dispatch, 2022). UN agencies report that since Feb 1st 2021, over 30,000 houses have been burned (Radio Free Asia, 2022), with the majority in Sagaing Region and Chin State. Junta forces, sometimes acting in support of locally formed junta-aligned militias, are increasingly targeted by ambushes, and in the latter parts of 2023 increasingly relied on air support to insert and retrieve troops, as well as fighter jets to bomb and strafe areas where resistance was assumed to be based. However, this has resulted in a campaign of indiscriminate air attacks, with daily reports of civilian casualties from air or artillery attacks. The junta forces have been recorded boasting of increasingly brutal killings, mainly of civilians, such as beheading and burning alive. To date over 4,000 civilians are believed to have been killed by junta and junta-aligned forces (Irrawaddy, 2023). Most prominently, in July 2022 the junta carried out the first state executions in decades, killing four people accused of organizing anti-coup resistance - most notably a former Member of Parliament and a veteran political prisoner. Despite pleas from neighboring ASEAN countries,

the sentences were conducted after a swift, closed trial, to widespread international condemnation (Murphy, 2022).

Forces resisting the junta also use escalating means of violence. Whilst the main focus of resistance-aligned militias is military targets, SAC-aligned politicians, administrators and police have been assassinated, and urban PDFs in particular have maintained a steady tempo of low-yield bombing of SAC-linked government buildings considered to be complicit in activities such as the arrest and torture of protesters. This is commonly ward and township administration offices, typically 'after hours' when staff and members of the public were unlikely to be in the buildings. A striking aspect of the PDF is the large number of well-educated urban youth who have joined and subjected themselves to rigorous training in jungle camps, alongside rural forces mainly drawn locally. This has had the effect of exposing a generation to violence, as observers, victims, and perpetrators. The failure of the non-violence movement to achieve significant change left a generation of youth with what they perceived as a stark choice: either engage in armed resistance or face decades of 'slow death' under yet another iteration of military rule. This book does not aim to adjudicate on the merits of violent versus non-violent resistance; rather, through the lens of land-related conflict, it intends to illustrate how the violence of one-party implants and embeds violence into the conflict discourse. As Kalyvas (2006, p. 12) notes

The type of sovereignty or control that prevails in a given region affects the type of strategies followed by political actors.

Where control is exerted largely through violence, most of the strategies are shaped by violence. There are consequences, particularly if such violence is sustained. This book also argues that visible, physical violence is but one aspect of a wider deepening of violence as embedded in Myanmar society; a state from which retreat and rehabilitation are deeply challenging.

LAND, VIOLENCE, AND THE LONG WAY HOME

The main subject of this book is not land grabbing, or even land. It is the violence which surrounds and emanates from land contestation,

and the way in which land conflict acts as a primeval drumbeat for much of the violence seen not only in Myanmar, but in other communities around the world. This is not to say all conflict is land conflict, or that all violence has its roots in land conflict, but that studying patterns of violence in relation to land conflict reveals the extent to which land conflicts have served to provide the essential anatomy of the current crisis. There are at least a dozen ways in which this happens:

- Direct physical violence, threats, and imprisonment in the pursuit of land claims, which leave not only a physical legacy of poor health, disability, and anxiety, but also a pervasive narrative imprint on both the individual and communities who are victims of violence.
- Land seizure and displacement, leading to economic inequalities and further conflict over scarce resources, particularly where the benefits of future land use are not shared by the displaced.
- Neglect, or even criminalization of those displaced, pushing them towards illegal means of subsistence, which in turn links to violence.
- Manipulation, obfuscation, and corruption of land rights procedures, leading to spiraling debt and sustained grievances, and narrowing the scope of opportunity for non-violent means to resolve land issues.
- Overt displays of opulence by (usually military) elites who command the means of violence, as a form of psychological violence to reinforce the absoluteness of their power to claim any land, anywhere, at any time.
- Land grabbing in resource frontiers, over-riding indigenous claims to territorial control and access to natural resources, further fueling border conflicts.
- The habitualization of violence as a means of resolving conflict - i.e., military, and militia practice violence and maintain their skills of violence, mainly in relation to land claims.
- The habitualization of violence in turn feeds the economy of security: guns, barbed wire, CCTV, security personnel and private armies. This in turn maintains an 'arms race', justifying government defense budgets and private security contracts.

- The maintenance of a culture of impunity, often on a small scale, which then maintains a shield of impunity in relation to bigger issues, such as the Rohingya genocide.
- The codification of territorial violence through manipulation of maps and laws, framing and processing all claims based on a dominant language, culture and legal code fully owned by those who control the means of physical violence.
- The environmental violence of intensive, chemical-dependent agriculture on seized land, rendering it useless for future use.
- Violence against geographical integrity, where large swathes of land are effectively ceded to agents financed by foreign governments, to maintain the food security of neighboring countries.

What these different processes do is to embed patterns and forms of violence into everyday life, whether through the practice of physical violence; by generating and maintaining narratives of grievance and hate; by creating and maintaining conditions of desperation, or by feeding larger, meta-narratives of claims to land as part of (usually sub-national) identity. This means that a society like Myanmar lives with violence as a familiar feature of everyday life. This is not, as in some places, experienced as theft of personal property, mugging, or assault, but rather as a process which has for decades featured state-sponsored violence in the service of elites, maintaining a sprawling, if poorly disciplined security apparatus. Ironically, the Myanmar military's main justification for its own grip on power has been the 'non-disintegration' of the Union - the preservation, by means of violence, of the geographical integrity of territories within the boundaries of Myanmar. The irony being that the maintenance of that 'non-disintegration' increasingly serves to facilitate the transfer of territory to transnational companies or foreign agents.

Looking through the lens of land conflict, at the patterns of violence involved, this book seeks to shed light, firstly, on how the violence of land grabbing serves to maintain a smoldering 'dumpster fire' of violence within a society, and particularly amongst military elites, through many of the means described above. Secondly, by examining the nature of violence in relation to land conflict, and the social, economic, psychological, and ethnographic consequences of that

violence, it intends to gain insights into the nature of the current conflict in Myanmar, and some of the probable trajectories in terms of its long-term impact. Finally, this book seeks to explore how political settlements in relation to the current crisis need to keep land issues close to the center of considerations: new charters, constitutions or confederations need to pay careful attention not only to the wider political demarcations of geography, but on ways to restore the fragile covenant between people and land.

VOICES FROM THE MARGINS: NARRATIVE RESEARCH AND LAND GRABBING

This book uses narrative research as the main methodology, seeking to understand the nature and consequences of land grabbing through accounts of the lived experiences of those who have had their land seized. Staff and volunteers of a local Civil Society Organization (CSO) identified over a hundred cases of land seizure in four locations in Myanmar: Kachin State in the Northeast, Shan State (both the northern and southern areas), Mon State in the southeast, and several cases from peri-urban Yangon, the former capital of Myanmar³. After training, staff and volunteers conducted interviews with those whose land had been seized. Of these, 10 were relatively recent land seizures, and 92 recounted events from between 10 and 55 years previously. Fifteen of the cases gave detailed descriptions of specific threats of violence with weapons: mostly guns, but also clubs, sticks, knives, and the threat of being bulldozed alive. The descriptions of land seizure also highlight the significant overlap between overt military force, civil administration, and crony capitalism.

Narrative research treats the whole narrative as a unit of data, and pays attention not only to the specifics of what is said, but of how a particular participant constructs and presents their reality through story. Narrative research seeks to investigate how stories are constructed around specific events, and how the presentation of that particular story, to that particular audience, serve a particular purpose for the narrator (Symon, 1998, pp. 135-136). The narratives in this research seek to capture a clear sense of chronology: an event (land seizure),

3. See Annex 1 for a list of cases by area.

followed by particular actions (such as attempts at redress, or coping strategies), and the effects and impacts of the events and actions. Whilst narratives are rarely told with neat chronological sequence, our analysis is also interested how the narrator uses particular words, references and inferences to construct an account of their lived experience. For this reason, analysis was conducted on the Burmese language transcript of each interview. In total, over 700 pages of interview transcript were coded and analyzed, from over 40 hours of recordings.

In this book, I have attempted to give voice to as many of the respondents as possible, as it is primarily their stories which are at the core of this research. This perhaps explains the frequent, and occasionally lengthy quotations in the latter chapters. For security reasons, names of respondents, and their specific locations, have been redacted.

Chapter 1 (Land) explores the wider contours of land and land-related conflict, before summarizing historical and contemporary issues on land law and land seizure in wider Southeast Asia, and in Myanmar specifically. The repeated failures of land laws in Myanmar to integrate customary land practices and values - a symptom of the centuries-old drive by the 'center' to dominate the periphery - has fueled conflicts which intersect with local identities, ethnic-affiliated territorial claims, and contestation of natural resource management.

Chapter 2 (Violence) presents a taxonomy of violence, mapping out a broader frame of reference for violence to include cultural, structural, and environmental violence. The processes by which societies become more inured to violence, and the consequences of such a process, are crucial in understanding how a country with a centuries old Buddhist heritage can nonetheless descend into such bloody carnage. To put it another way: how, with such a long legacy of non-violent religion, has non-violence failed so spectacularly? Moving on from this, how, then, could a 'post-violence' society re-emerge? What is needed for a deviolentization of a society so inured to violence? These first two chapters set out the two main theoretical frameworks for the subsequent empirical sections, which use case studies and narratives to illustrate the relationship between land conflict and violence from data spanning two decades in both urban and rural areas in Myanmar.

Chapter 3 (Guns) looks firstly at the violence of eviction and displacement. From accounts of military forces driving people off their land, to the (slightly more) subtle use of ambiguous legal instruments, backed by force, to evict urban dwellers, the nature and immediate consequences of this displacement are stark. The practice of violence, mainly by armed military actors, serves a critical role in achieving the core aim of the land grab, which is subjugation of a population and a territory.

Chapter 4 (Fences) looks at the means of maintaining control after the initial seizure. What is often neglected are the means of maintaining that dispossession: barbed wire, fences, security guards and guns, as well as the direct and indirect criminalization of the dispossessed. Through enacting various legal instruments, and often by simply obfuscating and delaying or denying legitimate legal claims, previous residents are criminalized by the system, particularly as they seek to maintain subsistence either on their previous land, or in the economic margins available to them. The argument here is that the violence of forced eviction is augmented by not only a failure to adequately provide the means of subsistence, but the criminalization of victims who attempt any redress of their situation. That criminalization in turn has three facets: firstly, the exposure of displaced persons to more violence - this time the institutionalized violence of police, courtrooms and prisons; secondly, the denial of subsistence forcing people into more marginal, and often illegal means of survival; and thirdly, by criminalization, violence is done to the identity of the victims: they are no longer dispossessed farmers, but persons designated as transgressors by the state, and so excluded or prejudiced in relation to other state benefits, protection or ordinary employment (for example, voting, identity cards and passports).

Chapter 5 (Debt) looks at the tragic interplay between land and debt, and in particular, where money is appropriated from those who have lost land by those purporting to help them redress their claims. If not criminalized, the displaced become debtors and indentured slaves. Staggering levels of corruption, enabled by ambiguous land laws, a legacy of informal justice, and a legal system designed to maintain elite control (linguistically and culturally derived almost solely from Burman, Buddhist and older colonial traditions), has resulted in

displaced persons becoming further indebted and disadvantaged by the very processes which purported to help them.

Chapter 6 (Fractures) describes the downward spiral of life after dispossession. There is indirect destruction of a generation of potential leaders as households disintegrate under the pressure to maintain subsistence. Young people, no longer able to afford education, are drawn towards other means of income, particularly narco-economics. In the despondency of unemployment, many turn to alcohol and drugs, an experience eerily reminiscent of many First Nation communities displaced from their lands. The violence of land grabbing creates new subjects, often marked and 'legible' to the state through the act of being made a victim.

Chapter 7 (Assemblages) draws together the components outlined in the preceding chapters to propose an assemblage of land grabbing, considering how the nature of violence transforms the identities of those involved. In doing so, land grabbing is viewed in terms of what it actually achieves, not what it is purported to achieve, and thus re-frames the required parameters for the land conflict resolution. In other words, land grabbing in this context does not simply remove land from people and people from land, but generates, maintains and to some degree codifies and institutionalizes practices of violence which extend far beyond the local geographies of the initial event. This highlights the need for land conflict resolution processes to properly acknowledge the role and legacy of multiple forms of violence in land grabbing, particularly with reference to generational impacts. In practice, this means the objective of land dispute resolution is not simply to affirm or return the control of land to a particular party, or even to recognize and recompense for losses and injuries incurred through the process, but to clearly acknowledge the nature of the injustice. The patterns of land grabbing here do not simply fall into the category of 'land development', but represent a more primal objective to subjugate threatening 'others.' The implication here is that land conflict resolution is not simply about returning stolen property: it is about recognizing, recompensing, and reversing years, if not decades of subjugation by violent means, often with implicit undertones of undermining the viability of particular ethnic minority communities.

Epilogue (Fire) draws on first-hand narratives from villages in north-west Myanmar to analyze the nature of violence in the current post-coup era, revealing how the tactics and strategies used post February 1, 2021 are largely extensions of those used in land-grabbing. The crucial difference lies in the nature of the subjugated ‘others.’ Whereas much of the land-grabbing sought to subjugate peoples of ethnic minority affiliation, the current violence extends to those identifying with the majority ethnicity and religion, with the fiercest contestations taking place in the Bamar Buddhist heartlands of the central Dry Zone. This demonstrates the deeper, underlying self-identity construction of the military as a distinct group, based on common ideology and myths rather than ethnic or religious affiliation. This in turn designates as ‘others’ all those who are not affiliated with the military, justifying violence against them to achieve subjugation. Beyond this, the point is made that the decades of impunity enjoyed by the Myanmar military in relation to violent land grabbing has served to maintain a culture and capacity for violence which continues to be deployed in its campaign of subjugation and dominance.

CHAPTER 1

LAND

The tangled legacy of land and land claims in Myanmar is rooted in competing land ethnographies; core beliefs about the nature of land itself which give rise to different means of determining how land is managed. This is manifest in the form of ‘stacked’ laws (Roquas, 2002), where “multiple layers of revoked and active laws [are] layered on top of each other over time, often creating conflicts and contradictions in the legal framework” (Mark, 2016, p. 445). The ambiguity, and often inherent tensions between different laws, systems and customs, highlight the interdependence of land and being: that land is always more than a place, a commodity, or a site of reproduction. It is the root of claims to existence.

The deep historical and legal complexities of land in Myanmar are well beyond the scope of this chapter, which merely seeks to give sufficient context and background for the narratives which are presented in later chapters. This involves three main objectives: firstly, to provide a theoretical framing for land control and land seizure, with reference to the Myanmar context, by outlining competing ‘land ethnographies’ which are in play in cases of land disputes. Secondly, this chapter locates the research more specifically in relation to frontiers - whether remote or not - and provides a summary of frontier contestations taking place within broader territorial disputes. Finally, this provides the framing for a brief description of the areas involved in the research itself, and some of their own specific histories.

We were the first to clear that land, 25 years ago. It was really hard; it took 16 of us to cut and clear it. We were there nearly a month doing the burning. But then it's our land, and we can plant on it...but then they [Northern

Command] just came and said 'It's our land now! Don't come back here' (67-year-old female, Kachin State).

LAND GRABBING AND CONTESTED ETHNOGEOGRAPHIES

Issues of territory, land and land use are writ large through the history of Southeast Asia and Myanmar (Dove, Jonsson, & Aung-Thwin, 2011; Rigg, 2001, 2006; Scott, 2014), and much recent scholarship has focused on the patterns of land tenure, land acquisition and land use, particularly in relation to 'frontier development' and the intersection of land use policies with local political claims (Bui, Schreinemachers, & Berger, 2013; Friis & Nielsen, 2016; Kenney-Lazar, 2012, 2018, 2021). The twin drivers of industrialization and globalization, intersecting with increasing geopolitical concerns around energy and food security, in turn have tended to result in the dominance of state-led development models seeking to exploit 'frontier' space for hydro-electricity or agri-business (Barney, 2009; Kenney-Lazar, 2021; Manorum, Baird, & Shoemaker, 2017). Within these modes of development, categorizing the means of acquisition of land use remains somewhat contested: the semantics of whether it is classified as land deals or land grabbing often rest on the finer points of how claims to compensation and resettlement are managed (Hall, 2013; Hall et al., 2017).

Classic theorizing of land grabbing analyses the appropriation of land in terms of capitalization: either the 'primitive accumulation' derived from Marxist scholarship, or subsequent revisions such as David Harvey's articulation of 'accumulation by dispossession' (Harvey, 2003). Land grabbing, at a surface level, represents the attempts by powerful actors such as states to

mobilize what the state understood to be the country's most under-utilized asset, land, and transform it into wealth in the form of profits, government revenue, and economic development (Kenney-Lazar, 2021, p. 2).

Recent scholarship has interrogated the claims of economic development purported by advocates of 'land for development', revealing at best a mixed picture of outcomes for those displaced from their land (Kenney-Lazar, 2012, 2018; Hall, 2013). Others rightly caution against

an oversimplistic view of land grabbing as bringing resources and people into the capitalist system. Whilst much land grabbing takes place in rural areas, assumptions that the rural economy is detached from capitalist processes are increasingly unfounded. However, land dispossession, often in spite of attempts at mitigation (such as compensation, resettlement, or offers of new employment) continues to exacerbate or produce new precarities (Griffiths, 2023; Verma, 2016; Verma, 2021). Analyzing dispossession in such terms tends to situate land conflict resolution processes within that framework, with issues of ownership and compensation largely expressed in reference to the value of land: either in terms of extractive or labour-applied process, renting, or other means to derive value (Kenney-Lazar, 2021). Land disputes are often portrayed as a clash between, on the one hand, the needs and ambitions of capitalist development concerns, and on the other hand, local claims and practices orientated around subsistence and sustainability. This can be further caricatured, depending on the perspective of the narrator, as a clash between ‘progress’ and ‘tradition’, or between rapacious ‘special interests’ and vulnerable minorities. As Geoffrey Aung (2018) and others have shown, the reality is inevitably more complex; in assemblage terms, few of the entities concerned reflect any stable, predictable characteristics.

Crucial to analyzing the complexities of land use, and land grabbing, is an appreciation of the nature of land itself. Over-simplistic framings of land ontologies not only risk narrowing the discourse into debates focused mainly on the legal validity of claims to land use, but also side-line more fundamental relational dimensions of land and people, which in turn prove to be the foundation for appeals to validity by different groups. As Kenney-Lazar (2021, p. 5) notes

both land and capital, from a Marxist, perspective, are not simply physical entities whose properties can be changed. Instead, they are comprised of complex social relations wrapped up in dynamic social processes. [however] it does make sense to consider how the social relations of land change to progressively treat it as capital, or capitalize it, as a relation of value expansion, rather than of only subsistence, social, and cultural needs.

At the same time, a more consistent contrast in the fundamental conceptualization of land can be established, in what Kolers (2009) describes as land ethnographies. However, whilst these approaches focus on the expressed intentions and strategies of those taking the land, they make crucial assumptions regarding the nature of land itself - what Kolers describes as "ethnogeography." Ethnogeography refers to "a culturally specific ontology of land and our relationship with it" (Kolers, 2009, p. 59), and much discourse on land rights presumes what Kolers terms the "Anglo-American" ethnogeography, which treats land largely as "a passive instrument of the human will, essentially worthless until value is inserted into it by mixing labor." Such a perspective treats land as essentially alienable, a transferrable asset which is subject to codified systems of determining value. Those systems tend to be controlled by the state. This reality often ignores the "dynamic, bi-directional relationships between people and land - the mutually formative interactions between people and their habitat" (Kolers, 2009, p. 64). In many cases of land grabbing, particularly in rural or 'frontier' areas, the clash is less between 'peasant and capitalist', or even between formal land tenure systems and customary land rights. Rather, it presents a clash of different underlying beliefs about what land actually is⁴.

In accepting the possibility of different ethnogeographies, analysis of land grabbing may also step back from an analysis of tangible material gains and losses, to focus on the socio-political impact of forcible appropriation of land control. Beyond economic gains and losses are issues of control, and this study asks what land-grabbing in this context actually achieves, and what it represents both for those doing the grabbing, and for those who are dispossessed.

For those doing the grabbing - in this case, the main actor is the Myanmar military - the main use of land grabbing is the subjugation of frontier areas using minimal force. This is achieved through multiple forms of violence in initially seizing the land, by re-populating seized land with economic actors, and by a critical undermining of the social, economic and cultural well-being of dispossessed populations.

4. A crude analogy may be drawn from the phenomenon of human trafficking: where, to the traffickers and brokers, a person simply represents a monetizable object, to a relative of the one being trafficked, they are someone to whom they are particularly bound.

This enforces a particular ethnography of land as an essentially alienable commodity, but one to which the army and associated elites have a prior, uncontested claim. Such an ethnography of land runs counter to that expressed by many of the dispossessed, where the meaning of land is framed by intersecting narratives with an ontology rooted in the relationship between this land and these people. Being dispossessed in the ways experienced by the communities in this study thus represents more than simply the loss of land, or even the loss of a connection to a particular place. The means used to achieve subjugation involve an undermining of economic, social and cultural subsistence. As most of the communities concerned were comprised of people identifying as non-Bamar, this also reflects the continued subjugation and degradation of ethnic populations.

LAND LAW/POLICY IN MYANMAR

The common framing of land disputes in Myanmar pits formal land tenure, based on constitutional and legal authority, against customary land use principles. This presents something of a false, or at least misleading dichotomy. If we take seriously the analysis of Kolers and others regarding ethnogeographies, then the dynamics of land disputes are driven by more primal concerns, narratives, and beliefs, and less about economic ambitions. This means that an account of 'land tenure' in Myanmar should seek to explore the emergence of different ethnogeographies, rather than assuming the primacy of the dominant, formal land tenure system. This allows an interrogation of what land means within different ethnogeographies, and how that in turn shapes the policies and practices which emerge. The significance of this becomes clearer when seeking to document the roots of the informal land tenure system in Myanmar, based on a prior ethnogeography which did not treat land as an essentially alienable materiality.

In Myanmar, as in many countries, land is a critical materiality in the contestation between center and periphery, between the state and the citizen, and between ruler and subjects. Control of land is the key process of controlling bodies, determining who has the right to produce and reproduce. In pre-colonial Myanmar, land was seldom "private in the sense of being alienable" but belonged "either to the incumbent lord or to the family as 'ancestral land'" (Thant Myint-U, 2001, p. 37).

British colonial authorities “understood that ‘non-state’ land existed under customary laws that assigned ‘use rights’ to those who cleared and then cultivated the land (*dama-u-gya*). In settled areas such land mostly stayed within families for generations (thus becoming land known as *boba-baing-myay*)” (Thant Myint-U, 2001, p. 41).

The majority of such land (*bobay baing myay*) was in the hands of small-holders, and to an extent considered private, and thus possible to use as collateral for mortgages. However, private ownership was limited, in the sense that “the holder did not have the full rights to dispose of the land as he or she saw fit” (Thant Myint-U, 2001, p. 41). Such a status of fully private land did not appear “as a category until colonial times” (ibid). This begins to point to a crucial difference in the land tenure systems and economies of pre- and post-colonial periods: that of the nature of commodification of land and bodies in relation to their application as collateral for debt. On the basis of available evidence, the status of land, and bonded servitude as collateral in pre-colonial ecologies assumed temporality: an agreed period of ‘user rights’ granted to the creditor, after which a debt was assumed to be settled.

In terms of the status of land, this aspect of the debt ecology was altered with the advent of new systems of land tenure introduced by the British after 1852. These replaced the “loose, non-contractual, usufructuary rights (termed *dama-u-gya*) which had prevailed in the Konbaung period” with a tenure system “modelled on the *ryotwari* which was dominant in South India” (Adas, 1974, p. 387). Whilst established with the intention of enabling a greater concentration of ownership of land in the hands of individual landholding farmers, the system also made it possible for farmers to “mortgage their holdings as security for loans obtained from money-lenders and other sources” which in turn led to ‘wide-spread alienation of land to non-agriculturists’ (Adas, 1974, p. 387). Turnell, too, highlights the consequences of legal reforms around land tenure:

[T]he seminal event was the implementation of the Burma Land and Revenue Act of 1876[.] to consolidate and accelerate agricultural expansion through the creation of ‘peasant proprietors’ and, it has to be said, to provide the basis for a system of land revenue via which to finance the State [..] ownership under the Burma Land Act was in the

‘full sense’ –[...] with land title bringing with it permanency of tenure (provided land taxes were paid), transfer and inheritance rights and, importantly, the ability to pledge the land as collateral. It was this last ‘alienable right’ that distinguished the imported British land title forms from the categories of land tenure that had existed before the British annexation (Turnell, 2009, pp. 15-16).

Pre-colonial land rights appeared to moderate the extent to which ancestral land could be fully transferred, where owners, “even if they ‘mortgaged’ the land in some form, retained a right of return” (Turnell, 2009, pp. 15-16). This small but crucial change in the nature of land tenure in turn began to change the balance of the rural economy. The existence of a flourishing practice of land mortgaging, coupled with the rapid growth of paddy production in Lower Myanmar fueling a demand for capital, paved the way for the expansion of non-local moneylenders, such as the Chettiers, who “by the 1880s [...] began to extend their operations into rural areas on a large scale” (Adas, 1974, p. 387).

Some analysis of land tenure in Myanmar (Burma) in that period points to a kind of legal ‘duality’ whereby the practices of the colonial government, in designating some areas as ‘ministerial Burma’ and others as ‘frontier areas’ (Furnival, 1956; Leach & Firth, 1954; Guan Lee Hock, 2009), led to land practices whereby tenure in central areas was more formalized, and in frontier areas continued to be based on customary land practice (BadeiDha Moe, 2020). Whether this represented an explicit policy or simply reflected the relative weakness of the center to exert control over the periphery is debatable. Post-independence, new constitutions and laws designated the state as the owner of all land and natural resources, in a political framework which sought to integrate the ‘frontier regions’ into the new independent state. Subsequent land laws, such as the 1953 Land Act, reaffirmed the state’s ownership over land, a claim which has been reflected in subsequent constitutions to the present day (Constitution of the Republic of the Union of Myanmar, 2008).

Arguably, subsequent historical trends reflect the persistent attempts of the authorities of the center, whether the democratically elected government of U Nu, or quasi- and overtly military-led administrations, to actualize those provisions – either through counter-insurgency

related activities in Kachin, Kayin, Kayah, Mon and Rakhine States, or through the multiple streams of Burmanization in the form of education, development and repopulation schemes (Boshier, 2016; Holmes, 1967; Walton, 2013). The subtle means of actualizing central authority through land control could be seen in laws and practices such as the Tenancy Law of 1963, which “designated farmers as tenants on state-owned land” (BadeiDha Moe, 2020, p. 26), the use of government-issued contract papers for land transactions, and practices of land confiscation and forced procurement, mainly of rice paddy, by military governments (Hudson-Rodd & Htay, 2008). The transition by the SLORC (later SPDC) military government in 1991 to a more market-orientated economic system saw land laws revised again: the Vacant, Fallow and Virgin Land Instructions purported to re-orientate land use laws back towards more individual land holdings. In practice, however, the laws instead enabled the transfer of vast tracts of supposed ‘wasteland’ to large-scale developments for agribusiness, aquaculture and infrastructure projects (Suhardiman, Kenney-Lazar, & Meinzen-Dick, 2019). The categorization of land as ‘fallow’, ‘vacant’ or ‘wasteland’, whilst often dressed up as a remedy for economic inefficiency, is itself derived from a particular ethnography of land as primarily a source of production which ultimately should contribute towards the objectives of the state (Ferguson, 2014). The transition to what is termed crony capitalism also overlapped with counter-insurgency policies, as the military sought to leverage offers of ‘development for peace’ to entice the leaders of Ethnic Armed Organizations to sign ceasefire deals in exchange for business interests. This was termed ‘ceasefire capitalism’ by scholars such as Kevin Woods (2011).

The so-called transition to democracy⁵ heralded by the 2008 Constitution reaffirmed previous legal designations of land as primarily owned by the State. Whilst land use was granted to private individuals and companies, the designation of permitted use remained in the hands of the state, and land use could, based on the constitution, be rescinded by the government at any time (Oberndorf, 2012). Revisions to the Vacant, Fallow and Virgin Lands Management Law again were

5. The nature of the reforms enacted by the 2012 USDP-led government around the framework of the 2008 military-drafted constitution remains highly contested. Many would claim, in the hindsight of the 2021 coup d'état, that most of the reforms of that period were largely cosmetic.

ostensibly designed to promote land reform and provide a framework to address compensation claims and complaints. In practice, the years following the laws' promulgation saw millions of acres of land, mainly in Tanintharyi Region and Kachin State, granted to private developers (McCarthy, 2016). A significant element of this, and the concurrent Farmland Law (2012), was to encourage formal land titling. Again, the actual effect was to produce further inequalities, as farmers in lowland areas largely under central government control were better able to access title claims, whilst those in more remote or conflict-affected areas were less likely to be able to access land titling, and thus in turn exposed their land to counter-claims which could be buttressed by new, yet still remote, legal systems (BadeiDha Moe, 2020). Whilst this is in some quarters posited as a clash between formal legal titling systems and customary land tenure systems (Food Security Working Group, 2011; Ra & Ju, 2021), the reality, from the perspective of those in frontier areas from whom the land is taken, represents a more complex intersection of land and territory claims rooted in alternative ethnogeographies.

LAND GRABBING AT THE 'FRONTIERS'

A study published in 2020 by a local CSO (BadeiDha Moe, 2020) surveyed 67 villages in Northern and Southern Shan, Kachin and Mon States, documenting land seizure and attempts at restitution occurring over three decades until 2019. These four areas are populated by a number of ethno-linguistic groups, including Shan, Pa-O, Palaung, Kachin, Kayin and Mon. In each of these four areas, territorial claims by ethnic-affiliated groups have been, at various times and to varying degrees, accompanied by armed resistance to central government rule, with larger militias such as the Kachin Independence Army, and various militias affiliated with the Karen, Mon, Pa-O and Shan. Armed resistance has been met by counter-insurgency strategies from the Myanmar military, often employing the infamous 'four cuts' approach to deny access by opposing groups to funding, food, manpower and information. Thus, in these, and indeed other border/frontier areas where land grabbing has taken place on a large scale, contestation of land use is itself taking place within contested territory where such contestation is linked to wider political aspirations by non-majority ethnic affiliation groups.

In most cases surveyed, the main actor seizing the land was the Myanmar military, either alone or in support of companies or government agencies, or in southern Shan State, an ethnic armed group. In almost all cases, the land was seized without any reference to existing laws, and with little or no compensation. Stated reasons for seizing land were either commerce (in 60 percent of all acreage) or national security (30 percent of acreage). However, much of the land was in fact left fallow post seizure, and when used it was frequently for purposes other than what was originally stated. This was particularly true of land taken for 'national security', which often ended up being used or sold off by the military for agriculture. A significant number sought redress, particularly after the announcement of new laws and policies in 2012 by the Thein Sein government ostensibly aimed at enacted land reform and enabling complaints to be processed. The reality fell far short of the rhetoric: whilst less than one percent of those surveyed who had submitted complaints been successful in attaining either land or appropriate compensation, 12 percent faced counter-prosecution by the government, with a number incarcerated:

Instead of law facilitating restitution for farmers, law has been used to further oppress them. This often culminates in the state raising criminal lawsuits against the complainants, who had already lost land. This happened, most notably in Southern Shan State, following a land grab by the Tatmadaw. Eighty-one farmers returned to work on their original land after projects were not implemented and soon faced lawsuits under Penal Code Section 447. The accused farmers, on top of facing a difficult economic situation, attended over 60 court appointments spanning almost two years. After all this, one woman was sentenced to a year in prison with hard labor, and the other farmers were sentenced to prison and fined. Therefore, victims of land grabbing cases not only lose their farmland, they suffer several times over from criminal lawsuits brought against them (p.36).

The promulgation of new land laws results in what Roquas (2002) refers to as "stacked laws," with a consequent legal plurality which frequently mitigates against the claims of smallholders:

In the context of land issues, stacked laws can be used by farmers to argue for their claims, but more often than not, legal ambiguity is used to the detriment of small-holder farmers by the more powerful, especially economic elites (Mark, 2016, p. 445).

The impact of land seizure, not surprisingly, is devastating: in three quarters of cases, the victims had no land, and many—particularly women—were forced to become day-laborers. Over one in five migrated overseas to find work, with others, especially in Kachin State, migrating to work in extractive industries such as mining. Social breakdown, at both family and community level, was also noted, along with deterioration in physical and mental health, and an increase in substance abuse. Environmental degradation, often associated with the effects of intensive agriculture or extractive industries, in many places rendered the land useless, such that even if a claim was successful, the victory would be pyrrhic at best.

Tragically, the findings of this particular report reflect only a modest sub-set of a far larger pattern of land-grabbing: whilst the precise amount of land considered confiscated remains difficult to determine, estimates range between two million and six million acres of farmland, the majority seized by the Myanmar military (Displacement Solutions, 2019). From a legal perspective, “housing, land and property rights for the vast majority of the country’s 54 million population are under a state of perpetual threat and insecurity” (Displacement Solutions, 2019, p. 13). However, whilst land confiscation occurs at scale in urban parts and in areas populated by majority Burmans, the wider legacy of land grabbing remains one of gaining control of frontier land in the wider pursuit of the subjugation of minorities.

FRONTIERS, LAND AND SELF-DETERMINATION

Particularly in more ‘frontier’⁶ areas (in Myanmar, mostly those areas administratively termed as ‘States’, but including some parts of the

6. The narratives in this study illustrate that the term ‘frontier’ and indeed the phenomenon of land grabbing in general is not limited to border areas, with large-scale land grabs occurring in urban and peri-urban land, as well as large tracts of arable land in lowland Delta and central plain areas.

'Regions,' such as the Naga areas of northwest Sagaing Region), land claims overlap significantly with wider territorial claims. Thus, the basis of claims to ownership of land, where it is described in terms more akin to customary tenure, lean into wider territorial claims for validity, often derived from ethnic identity affinities. Put another way: a localized claim to land, particularly when contested by an actor representing the state or a state-aligned authority such as the Myanmar military, may need to appeal to a wider historical claim to territory in order to, firstly rebut the claims of the center of owning 'all' the land in Myanmar, and secondly to then locate the validity of their claim within the claims of a higher authority - such as an ethnic affiliation group.

Si Thu (2020, n.p.) points to evidence of the existence of coherent, independent systems of governance in many frontier areas prior to colonial rule, where "chieftains inside their own sovereign territories and had been ruling based on their own customs and traditions passed down from generations" and as such, "had been managing their land with their own customs and traditions within their territories for thousands of years." Attempts by early post-independence accords such as the Panglong Agreement of 1947 aimed to integrate the 'frontier' regions into a unified State, "committed to establishing a Federal Union that guarantees for equal self-determination after independence and then [afterwards] to build a whole new nation state" (Si Thu, 2020). In practice, the agreement left unresolved issues of territorial claims, and as such, "ethnic nationalities were still practicing their own land governance systems even after independence [and] the Panglong Agreement" (ibid). The ongoing contestation of territorial claims rapidly become violent, with organizations affiliated by ethnic identity (many having already experienced combat in World War 2 as special 'levies' in the British forces) resisting attempts to force central rule (Brenner, 2018; Charney, 2009; Ferguson, 2014). In practice, this has resulted in sustained armed resistance against central government/military rule in many of the frontier/border areas of Myanmar (Walton, 2008).

The manifestations of this are fourfold. Firstly, the clash of ethnogeographies is to some extent supercharged by locating customary land claims within wider territorial claims, and by the response of the center to effectively weaponize land use laws as a tool for achieving subjugation. The effect of this is to push into the background fundamental

differences in ethnogeography, and instead focus on the means of contestation: whether armed resistance or counterinsurgency, or manipulation of ceasefires, or successive iterations of land tenure laws seeking to codify the core principle of central land ownership. From the perspective of those in border/frontier areas, multiple attempts to gain control represent nothing less than the “invasion and occupation of the ethnic territories” (Si Thu, 2020, n.p.). In many cases, legal instruments such as land laws and notifications have been issued to destroy by force the historical traces of land governance and customary systems of the ethnic nationalities (ibid). In the Myanmar context, this is considered part of the wider ‘Burmanization’ process:

This [Burmanization] is embedded into the legal framework governing land which discriminates against ethnic minorities[...] or example, the Farmland Law, which is supposed to issue legal titles to land, fails to recognise land used for taungya which is common in ethnic minority areas. Taken together with the Vacant, Fallow and Virgin Lands Management Law, which [...] stipulates unused land can be claimed and utilized by willing individuals, this leaves ethnic minority land particularly vulnerable to confiscation (Global Witness, 2015a, p. 12).

In addition, the tendency of new plantation owners to employ migrant labour from other areas, rather than local workers leads to accusations of attempts to “dilute their ethnicity by promoting Burmese labour migration into their indigenous territory” (ibid).

This view is shared by many commentators, highlighting the centrality of land control in the wider campaign of subjugation. As SiuSue Mark (2022, pp. 233-234) points out:

Land is central to the concept of a nation: land is a symbol of the homeland while serving as the cultural, social and economic mainstay of its people. [...] Soon after independence in 1948, the military government attempted to centralise control over ethnic minority state territories and their natural resources. After the first round of ceasefires in the late 1990s, the military increased its reliance

on extractive industries to fund its regime [...] result[ing] in increased offensives against the land and people in up-land ethnic areas. As a result, the control over land and land-based resources has been at the heart of the armed conflicts between the government and EAOs.

Secondly, locating land use rights within wider claims and counter-claims to territorial control, inextricably connects it to claims of the center to be conducting ‘counterinsurgency’ operations against restive ‘others.’ This provides a smokescreen for smaller land grabs undertaken as part of what is portrayed as a larger, messier conflict. It also intersects again with notions of ceasefire capitalism, and the nuances of arrangements between purportedly opposing parties to leverage material and political gain. Reina (2022, pp. 288-289), analyzing Columbian conflict, showed how:

the state, in the midst of war, created institutions, delegated functions and established alliances with armed and private actors who used political power and violence to seize and accumulate peasants’ land.

In the same vein, describing the means by which ceasefire arrangements were a key enabler of military state-building⁷ by the Myanmar military, Woods (2011, p. 748) highlights how new “military territories” are created through “regional military commanders and relevant state agencies working in tandem to allocate resource concessions to Chinese investors [...]” (pp. 748-9). Land contestation is thus subsumed under territorial contestation, which creates the conditions by which new ‘spaces’ can be created:

Ceasefire agreements signed between the Burmese government and ethnic insurgent groups have created particular geographical political spaces (i.e., ceasefire zones)

7. Defined by Woods as “the territorial expansion of state agencies and military branches authority and power over land and people” (p. 748) which is achieved by “military territorialization” (i.e., military–state agencies and officers exhibiting power and authority over land and populations, and thus the creation of militarized territory).

which can be described as territories that have now come under national government control (p. 749).

The creation of these new “geographical political spaces” in practice obfuscates, or in some cases abrogates, any prior claims to land ownership - but does so under the guise of ‘peace.’

This is significant for the third issue: the generation and maintenance of plausible narratives to justify land seizures in frontier areas by the military. The seizing of land whilst in the process of providing ‘security’ (for example, land for military bases or military-related infrastructure) can provide a moral and legal veneer for land grabs. This critical in maintaining a narrative of legality and legitimacy by the center, in the main appealing to those residing in areas of the country not experiencing conflict. So long as the attempts to subjugate can be framed as ‘counter-insurgency’ against ‘rebel militias’ from ethnic minorities, then the violence required - including violent land appropriation - can be re-imagined as legitimate action by an organ of the state, and in the longer-term interest of providing security and ‘peace’ for the non-involved majority. This extends to the seizing of land for infrastructure and the explicit linking of development to peace: that material improvements to roads, and access to jobs through extractive industries, are justified as key steps to achieving peace. Thus, the violence required to seize land to achieve those purposes is justified by the purported end.

CHAPTER 2

VIOLENCE

If the social forces that create patterns of violence are ultimately human creations, the question then is what social forces would need to be changed to change the patterns of violence within the society. Or, more to the point, what is the nature of a society that would have the least amount of violence (Iadicola & Shupe, 2012, p. 7).

As I was writing this chapter during the latter months of 2022, a shocking yet tragically familiar story emerged from central Myanmar, where the headless torso of a volunteer teacher was found dumped at the school gates where he taught. His head was later found attached to a classroom door. His 'crime' was being a volunteer teacher at a school affiliated with the National Unity Government, which was established in opposition to the coup-led administration (SAC). Eyewitnesses reported him being dragged away from the school, hands bound behind his back, before his body was dumped there the next day (Irrawaddy, 2021). Such an event, however, has become increasingly commonplace, reflecting both the increase in the frequency of violent incidents in the post-coup period, and the extent to which a culture of impunity, particularly amongst military personnel, has created an enabling environment for the escalation of barbarism.

However, aside from the pain and loss experienced by victims of direct physical violence in Myanmar, the heightened profile of these more extreme individual acts of violence often deflects attention from more pervasive, incremental forms of violence against communities, cultures, and whole identities. The analysis in this study highlights how a broader understanding of multiple, often overlapping forms of

violence, is both present in the issue of land conflict, but is also key to understanding the trajectories of the current crisis.

This chapter presents an overview of different categories and designations of violence, including symbolic and structural violence. A review of Myanmar's older, and more recent history, identifies the pathways carved out by these streams of violence over decades, and ways in which, despite centuries of Buddhist cultural and religious influence with its emphasis on non-violence, Myanmar society has in many ways remained inured to violence.

A TAXONOMY OF VIOLENCE

Violence is a part of all of our lives, whether it affects us directly as victims and perpetrators, whether know or care about others who have been victimized or who have themselves been violent, whether we have lost friends or relatives through murder and violence, or simply because we are aware of the violence in the world around us (Godsi, 2004, p. 32).

Definitions of violence are both complex and varied (Parrott & Giancola, 2007). Some, such as Hamby (2017), provide essential criterion for a precise inclusion and exclusion of certain acts. Most definitions focus on what are termed 'minimalist' conceptions, defining violence in relation to physical violence:

By 'violence' I shall roughly mean the exercise of physical force so as to kill or injure, inflict direct harm or pain on, human beings (Geras, 1990, p. 22).

This approach to defining violence largely in terms of individual, intentional physical harm largely equates violence with both force and motive. However, as Bufacchi (2005) points out, not all violence requires physical force; many injuries resulting from violence are neither immediately obvious or physical, and many injuries or losses incurred due to violence are experienced indirectly or as the acts of groups. Broader conceptualizations of violence, extending to include structural, symbolic, and cultural violence, seek to pay attention to processes where force

is used to achieve submission or control of one party over another, and which results in injuries - of multiple possible forms - to one party.

Peter Imbusch , in the *International Handbook of Violence Research* (2003, pp. 20-22), proposes a framework to classify different elements of the study of violence, based around seven key questions:

- “Who exercises the violence?”
- What happens when violence is exercised?
- How is the violence exercised?
- Who is the violence directed at?
- Why is the violence exercised? (reasons)
- Why is the violence exercised? (objectives)
- Why is the violence exercised? (justifications).”

This begins to tease out elements of violence in relation to the intention, the act, the means and the consequences, and in particular the process of justification which may involve other parties, such as onlookers. This is helpful when considering categories of violence. In some cases, for example, the means of violence may be physical, but with the intent primarily to cause psychological harm; likewise, the willful deprivation of access by a particular group to adequate nutrition, may represent an act of economic violence, but one which causes physical injury. Most definitions of violence are framed primarily with reference to the means of violence - the ‘how’ of how violence is executed - but much of the challenge of analyzing violence rests in understanding, firstly, the processes by which those means of violence result in multiple forms of injury; and secondly, the social, cultural, religious and economic frameworks which shape the motives and justifications for violence.

Thus, psychological violence is framed largely in terms of achieving harm through non-physical means, such as “words, gestures, pictures, symbols, or deprivation of the necessities of life [which] force others into subjugation through intimidation and fear, or specific ‘rewards’”(Heitmeyer & Hagan, 2003, p. 23). These definitions leave

space for acknowledging the iterative relationship between physical and psychological violence: both the potential of physical violence to result in psychological injury; and the potential of psychological injury to be a factor in perpetrating acts of physical violence.

This is significant when considering forms of violence in relation not simply to the means but also to the identity of the perpetrator: where the perpetrator is either an individual, or most notably a group which itself has some form of vested authority. This is termed institutional violence, where violence is “the product of institutional actions (family, economy, state and religious organizations)” and structural violence, where violence is the “product of the very organization of societies” (Iadicola & Shupe, 2012, p. viii). Institutional violence occurs where there is “power of disposition over subjects and dependents granted to holders of position within a hierarchy and supported by physical sanctions” (Waldmann, 1995, p. 431, as cited in Heitmeyer & Hagan, 2003). Whilst institutional violence takes many forms, the “prototype [...] in moderns times is the state’s claim to sovereignty” (ibid). Arguably, state violence is represented both as a form of institutional violence, and as a form of structural violence, in terms of the power to maintain the ordering of society in a certain way.

we are [...] dealing here with violences’ regulatory function, as exercised by state security services [...] their physical, coercive interventions must be regarded as violence, even if in principle they enjoy [...] legitimacy [...] (Heitmeyer & Hagan, 2003, p. 23).

As Foucault (2012) and others have shown, not only is the control of the means of violence considered one of the main duties of the modern state, it remains the primary means of fulfilling the duties of the state, both in relation to external threats (war) and the obedience of citizens (punishment). It is

the criteria of legality/illegality and legitimacy/illegitimacy which makes institutional violence appear as relatively unproblematic or as injustice (Heitmeyer & Hagan, 2003, p. 24).

STRUCTURAL AND CULTURAL VIOLENCE

The term structural violence, attributed to Johan Galtung (1967), has been used to describe “physical and psychological harm that results from exploitative and unjust social, political and economic systems” (Ray, 2018, p. 9). The concept draws on two assumptions: firstly, that whilst there is human responsibility, “blame can no longer be individually apportioned” (Heitmeyer & Hagan, 2003, p. 24), and secondly, that violence is considered to have taken place where the consequence of a particular ordering of society results in a gap between the “real and the possible” (p.24). Galtung (1969, p. 168) notes that “violence exists when people are influenced in such a way that their current somatic and mental fulfilment is less than their potential fulfilment,” pointing to means by which physical and psychological injury result from systematic exclusion, discrimination or neglect (Heitmeyer & Hagan, 2003, p. 24).

Cultural and symbolic violence to some degree overlaps with institutional and structural violence, and describes not only violence perpetrated against cultural symbols such as language, but ways in which culture is used or misused to legitimize or justify forms of violence: to make them appear, if not just, then “at least not unjust [...] by switching moral connotations” (Heitmeyer & Hagan, 2003, p. 25). Bourdieu, in ‘The Logic of Practice’, described symbolic violence as being the ways in which violence is “embodied in concepts, language, and systems of symbols aimed at obscuring, veiling and glossing over unspoken conditions of rule” (cited in Heitmeyer & Hagan, 2003, p. 25). This encompasses not only more obvious examples such as hate speech (Butler, 2013), but also practices which enshrine the dominance of certain groups - such as the insistence on particular forms of dress or obeisance from school children, where those forms reflect and impose the values of a dominant group to the exclusion and suppression of the identity of other minorities.

There is increasing focus on environmental violence and species violence: “violence directed at other species is such a part of human modern existence that the level of violence as measured by species extinction rates threatens not only the survival of other species but the survival of our own species as well” (Iadicola & Shupe, 2012, p. ix).

Considering the taxonomy of violence, two further assumptions are important in considering violence in relation to land rights and land dispossession. Firstly, as Iadicola and Shupe (2012) point out, different forms of violence are interlinked and overlapping, and whilst individual instances of violence do occur and are of significance, “in reality, the forms of violence which exist in society and in the world are linked together [...] the more we understand this linkage, the greater our ability to address the problem of violence” (Iadicola & Shupe, 2012, p. ix).

Secondly, whether dealing with the issue of structural violence, or the ‘chain of violence’ and the means by which state violence is either legitimized or challenged, violence is essentially a social issue: i.e., one which is embedded in, shaped, and determined by social norms and terms - even where the effect of violence may be in non-human/non-social realms⁸. This is important for reasons apart from abstract philosophy: by understanding violence as a socially embedded process, we are also more attentive to the ways in which violence, whether individual or collective, cannot be reduced to specific actions or materialities.

Individuals create, sustain and change the social structures within which they conduct their lives [...] all the structures, beliefs, norms and institutions we are part of are a social creation, a creation of the groups we are participating in or that were participated in by previous generations of members of society. [There is] a continuous ongoing phenomenon of creating, maintaining, and changing the social structures in which we live our lives (Iadicola & Shupe, 2012, p. 6).

This does not assume equal or unbridled human agency: “We do not all have the same amount of power or ability to create, maintain and change the social structures within society” (ibid, p.7). To firmly locate violence within social structures is important; not only does violence “fundamentally weaken the social web that is the basis for human life”

8. By this definition, terming a storm as ‘violent’ is a process of anthropomorphizing weather; whilst a storm may do harm, there is no point at which ‘intent’ can be determined, unless one attributes the storm to a deity presumed to have consciousness and will.

but when violence reaches a certain, critical level, it threatens the “interconnectedness of people necessary for human survival” (ibid, p.7)

This is of significance when considering the kind of violence seen in the current crisis in Myanmar, which encompasses numerous overlapping forms of state, interpersonal, environmental, and institutional violence, with contested claims to legitimacy, and a legacy of structural, symbolic and cultural violence. Who determines whether violence is legitimate or not? This is increasingly in the hands of the state (Muchembled, 2012), often deployed to protect the interests of minority elites. The concentration of the means of violence, and the permitted conditions for its use in the hands of a minority is, on the one hand, the standard model of statehood. When violence at the hands of state actors erupts into the streets, communities, and homes of citizens, it is easy to view this as the state ‘going rogue.’ Arguably though, as Bauman (2000) and others point out, it is just as conceivable that this is the state being and doing precisely what states do: protecting the interests of a small elite. Are dictatorships therefore “a further variation of state violence” (Heitmeyer & Hagan, 2003, p. 31), or, in fact, simply a more efficient version of hegemonic violence?

VIOLENCE AND THE SUBJUGATION OF THE MARGINS

James C. Scott has highlighted the tendency of the center to seek to dominate the periphery (Scott, 2014), noting that much of the history of the periphery revolves around strategies to evade that control. Central to this is violence, as a brief glimpse into Myanmar’s history illustrates. Much of the history of this period is written from the perspective of the great Burman empires, such as that in the Bagan era, and of the great rulers such as Bayinnaung and Alaungphaya. The use of extreme violence against both domestic political enemies (such as the execution of rivals on accession to the throne) and in warfare against other territories is at best casually reported, and in most cases, celebrated. Aside from territorial conquest, major acts of cultural violence, such as the appropriation of the Mahamuni Buddha image from its site of origin in Arakan (Rakhine) (Philp, 2009; Philp & Mercer, 2002), and the relocation of huge numbers of conquered subjects to different parts of the empire - often as slave labour - are treated largely as the inevitable processes of history (Win, 2018).

As Thant Myint-U repeatedly points out, the great Burmese kings, including Bayinnaung and Alaung Paya, continue to serve as not only the inspiration, but the objective justification for successive regimes in Myanmar who see their efforts to achieve the domination by the center of the periphery as in continuum with the ambitions of that era.

For the Burmese today the chronicles of Bayinnaung victories read like tales of Roman conquest to schoolboys in the West. Except that the Burmese army still sees itself, in a way, as fighting the same enemies, and in the same places, subjugating the Shan hills or crushing Mon resistance in the south, their soldiers slugging their way through the same thick jungle, preparing to torch a town or press-gang villagers. The past closer, more comparable, a way to justify present action. His statues are there because the ordeal of welding a nation together by force is not just history. It's as if the Italian Army were today guarding Hadrian's Wall, defending Syria against the Persians, and quelling German resistance the brutality seemingly inevitable (Thant Myint U, 2006, p. 71).

Colonial rule largely represented a continuation of the broader political project of subduing the periphery through violence. Thus, as Callahan (2002, p. 513) notes:

Instead of sending in legal, commercial or police experts to establish law and order—the preconditions of the all-important commerce—Britain sent the Indian Army, which faced an intensity and landscape of guerrilla resistance never anticipated. Early forays into the establishment of law and order increasingly became based on conceptions of the population as enemies to be pacified, rather than subjects to be incorporated into or even ignored by the newly defined political entity.

Opposition to colonial rule was most often met with force. Burma reportedly had the highest rate of incarceration in British India, and violence was integral:

When local populations threatened the order necessary for successful colonial commerce and authority, the state's response rarely entailed any attempt to win the support of political allies or resource-providers within the populace. Instead, the British repressed, coerced, arrested, exiled and executed murderers and nationalists, robbers and monks, and cattle thieves and student strikers [and] burned villages where they encountered any resistance (ibid, pp. 515-17).

These acts of violence were not, as Saha (2011, p. 849) and others note, “acts of physical violence were not aberrations or exceptional moments; they were more fundamental to colonial rule.”

Two other forms of violence are well-documented in this period: firstly, the cultural and symbolic violence, portrayed from the perspective of subjugated Burman Buddhist communities who saw Buddhism displaced as the orbit of rule. This went beyond simply the removal of the king. The institution of new education systems was feared to be a harbinger of the decline of Buddhism as the central moral and ethical framework for Burmese society. With the decline of the Sangha⁹ and the waning influence of the Dhamma¹⁰, so too might come the decline of the very nation itself. Such fears were expressed in terms of violence, as the Russian Scholar Minayeff is reported to have recorded in 1886 in his encounters with Buddhist patrons and monks in the early aftermath of the third Anglo-Burmese war:

The country is completely ravaged. The Burmese do not want annexation. They are afraid of the British; they are afraid of the violence and the annihilation of their faith [...] Buddhism [is] in agony, [they reported] as they worried[d] about the death of the dhamma in Burma (Turner, 2014, p. 23).

Unsurprisingly, some responses to this fear also took on violent forms, often overlapping with wider nationalist movements or groups, such as the Young Men's Buddhist Association (YMBA) (Lewy, 1967). This

9. The Buddhist clergy community.

10. Buddhist teaching and Scripture, more broadly understood to be the influence of Buddhist ethics on society.

links to a second form of violence prevalent in the colonial period: that of land acquisition. The processes of the vast transfer of lands from private, peasant holdings into the hands of merchants, mainly (but by no means exclusively) of the Indian Chettiar class has been described in the previous chapter, and extensively by scholars such as Sean Turnell (2009). However, there is an argument that the original process of mapping and designating land ownership and utility without reference to local customs and practices represented the original act of violence which enabled the subsequent appropriation, and the necessity of re-appropriation of land.

POST-INDEPENDENCE

In 1948, after independence was secured from the British, the fragile accord between different ethnic groups achieved in the Panglong agreement of 1947 was threatened by the assassination of the national leader General Aung San, and key members of his cabinet (Taylor, 1987). The death at this early stage of a key unifying figure did grave damage to the new independent Burma. In the absence of any formally agreed constitution, much of the requisite trust to form a Union by representatives of ethnic groups was based on personal relations; the removal of the key individual in turn undermined that trust. More significant was the premature ending of negotiations, which in turn enhanced the mythologizing of the role of the military strongman as the primary means of maintaining the Union. Whilst the Myanmar military has, particularly in recent years, sought to distance itself from the personal legacy of Aung San - particularly as the father of currently incarcerated leader of the opposition NLD leader Aung San Suu Kyi - they nevertheless uphold the symbol of Aung San the military founder as the crucial figure in post-independence nation building. This is done in continuity with Burmese kings who also sought to control the peripheries from the center.

Whilst civilian governments did rule for brief periods in the post-independence era, armed resistance, from both communist-affiliated groups such as the Burmese Community Party and increasingly from ethnic-affiliated groups such as the Karen and Kachin, heralded the onset of renewed violence between the center and the core. Conflict became primarily framed around imposing greater economic and cultural

dominance over peripheral areas. The years between independence and the second military coup in 1962 saw staggering levels of brutality as the attempts to assimilate various groups by the weak, Bamar-centric state were met with organized resistance, and responded to with escalating levels of force (Howe & Karazsia, 2020). Various labels such as insurgents, militias or ethnic armed organizations, resistance to the Burmese state was framed around overlapping identities and territorial claims. For example, forces identifying with Karen operated both in Karen State, on the eastern border of Burma, as well as in the lowland Delta where many of the residents were ethnic Karen. The point being made here is that the resistance to assimilation is not based solely on formal territorial claims and aspirations for independence. A crucial element relates to quotidian claims to land and cultural and livelihood security, often in areas outside of those considered 'traditional homelands' (Garbagni & Walton, 2020; Howe & Karazsia, 2020). This is relevant when considering the nature of the current resistance to military rule in areas not associated with a dominant ethnic group (such as Sagaing and Magwe Regions), where the resistance links itself to the persistent claim to the right to live and farm in security, and the right to a degree of local self-determination as embodied in older Brahmanistic ethics of kingship.

Whilst the coup d'état of 1962 heralded an era of increasing isolation and economic decline, with incremental consolidation of central hegemony¹¹, the events of the 1988 uprising brought Myanmar's condition to wider world attention. The causes and wider events of the 1988 uprising, coup d'état and subsequent consolidation of overt military rule, are described in more detail elsewhere (see Steinberg, 2001). In terms of our study here, there are two aspects of note. Firstly, the violent suppression of protests in 1988 followed a prolonged period of institutional violence by means of denial of basic means of subsistence. Prolonged economic stagnation due to the disastrous 'Burmese Way to Socialism' prompted the then leader Ne Win to institute rare measures of economic liberalization, allowing farmers to sell rice at market rates, and demonetizing the currency (Steinberg, 2001, pp. 3-5). The subsequent volatility led to steep inflation, which "most adversely

11. Note that this consolidation was achieved through the use of force, where 'counter-insurgency' campaigns were increasingly shaped around the notorious 'four cuts' strategy of denying food, funds, information and recruits to forces opposing the state army.

affected the urban dweller on a fixed income [...] the common people were most affected because military and civil servants had access to commodities and rice through government procurement mechanisms. The poor were most adversely affected by inflation” (Steinberg, 2001, p. 5). Secondly, the violence used in suppressing the subsequent uprisings essentially brought forms of terror ordinarily reserved for the suppression of resistance in border areas into the largest cities. In response to large demonstrations in Yangon, “Martial law was declared on August 3, and combat troops were brought directly from front line duty against Karen insurgents to patrol the streets of Rangoon” (Burma Watcher, 1989, p. 176). The following week, troops opened fire on unarmed demonstrators, both those gathered outside the city hall, and even those in hospitals (Egretau, 2009). After a brief pause, unrest spread across the country, with larger demonstrations in other major cities.

Thirdly, as part of a strategy to suppress protests, the military instigated further violence by releasing criminals from already overcrowded prisons to foment unrest in order to justify further violent crackdowns by security forces. Military control was eventually restored in the latter part of 1988, followed by a prolonged period of direct military rule.

The military tactics of 1988, where a brief attempt to control civil unrest by police was quickly followed by an escalation of violence by combat troops, with concurrent ‘weaponizing’ of released prison inmates as agents of terror to foment conditions of anarchy, was repeated in later uprisings, such as the 2007 Saffron Revolution. The tacit involvement of state-sponsored militia, often leveraging ethnic or religious tensions, was also a prominent feature in both 2007, and in so-called ‘communal violence’ occurring in multiple locations between 2012 and 2014, notable for the tacit support by the military-aligned USDP government for the anti-Muslim sentiments of Buddhist nationalist movements (Nyi Nyi Kyaw, 2016). In the 2017 Rohingya genocide, three quarters of a million Rohingya and other minorities were forcibly displaced from Rakhine State through state-sponsored, military-led violence, aided and abetted by local gangs again affiliated with Buddhist nationalist movements (Sohel, 2017, p. 1014; Zarni & Cowley, 2014).

Surveying the violence of the current political crisis against the backdrop of a brief history of political violence in Myanmar leads to at least three conclusions:

Firstly, that the broader objectives of violence have remained largely unchanged since pre-colonial days, where force is employed primarily as a means of controlling the peripheries by the center. The center here refers to the dominant ethnic-political class of mainly Burmese military elites. Secondly, the means of violence have changed little, with strategies and tactics from previous decades largely being repeated by the current military rulers. Thirdly, whilst episodes of more extreme and concentrated violence have occurred at regular intervals over the past few decades, these represent concentrated expressions of persistent, ongoing violence which has continued unabated for decades, if not centuries. What this illustrates is that, aside from long-standing conflicts between the Myanmar military and ethnic-armed organizations, which also have decades-old history, there is a widespread persistence of everyday structural and cultural violence. This takes the form of denial of citizenship to numerous ethnic groups, see (South & Lall, 2017) the suppression of language and culture by Burmanization policies (South & Lall, 2016), and the multiple forms of violence employed in the process of land seizure, such that violence is deeply embedded in the everyday life of much of Myanmar's population. The absence of effective rule of law for decades has led to the predominance of informal justice (Than Pale, 2017), which ostensibly gives space for more relational approaches to conflict resolution, but as our study demonstrates, in fact privileges the powerful through an obfuscation of legal provisions. The result is that force, and guns, remain the main arbiter for land disputes.

CHAPTER 3

GUNS

Hall (2013a, p. 177) poses the question: “What happens when state and/or corporate officials seek to control land that has people living on it, making use of it, and claiming it? What is the range of strategies that can be used for this purpose?”

This book is based on narrative interviews with over 100 people whose land was seized, spread across a period of 50 years, from 50 villages in four of the 14 States and Regions of Myanmar: Kachin State in the northeast of Myanmar, Northern Shan State, Southern Shan State, Mon State, and urban areas in Yangon¹².

The process of land seizure described in these narratives, viewed chronologically, begins with the identification in cartographic terms of a particular space, and the expression of intent to control that space. This may be in the form of formal recording of land surveys, or more likely a claim to control that space based on the presumed legitimacy and supremacy of the instruments involved: the maps, the laws and the capability of those who control them. This itself is based on a particular ethnography of land: what land is, and its relationship with people (Kolers, 2009). To be sure, land can be seized without maps and without laws, but in such instances, the claims to a particular space are bounded by local, shared cartography, expressed by common consent and narrative memory, rather than on paper. As such, disputes are more likely to be resolved by common consent, rather than referenced in encoded law. X can seize part of Y’s field, or villagers from X can seize part of Y’s land, but these infrequently represent any clash of competing land ethnographies.

12. For methodology, see Annex 1

Speaking of land ethnographies is a means to establish and interrogate the epistemological groundings of the values and practices of different actors in relation to land control. Much of current land control practice derives from an Anglo-American ethnography, where land is viewed as a “passive instrument of the human will, essentially worthless until value is inserted into it by ‘mixing labour’” (Kolers, 2009, p. 59). This treats land as a transferrable commodity which represents the opportunity to extract some goods; land use is therefore subject to regulation, which brings land use into the realm of law. The relationship with land is thus a series of vertical connections: land and occupier; occupier and a governing authority, usually the state. It may have any number of intermediary links, including the presence of companies or other landowners.

This frequently contrasts with other ethnographies of land, which presume both a different ontology of land and a different configuration of relationships. Whilst discussions of land ethnographies have largely focused on issues around claims of indigeneity, “based on an imagining of the indigenous people as primordial” (Koot & Büscher, 2019, p. 359), land ethnographies within this study derive from more everyday practice, not easily categorized or caricatured as ‘building’ or ‘dwelling’ ontologies, but instead relating to localized narratives of work, life, reproduction and identity. Land both retains its own ontological separateness, and yet is transformed by the behaviors of other actors whose own ontology is also transformed by their relationship to land. Such ethnographies may instead feature a more horizontal set of relationships between occupiers and the land itself, and between occupiers of land in a particular locality, where land use, control, and meaning relates to more localized shared history, norms and values. This does not imply a lack of any hierarchy, but rather the sense of a more locally bounded ethnography of land which is derived from more localized narratives.

Thus, central to the process of land grabbing is the contestation of what land is: for one, land is a commodity representing the opportunity to extract some goods; for another, it is, in narrative rather than spiritual terms, a part of who I am/we are, beyond simply a place to live or a means of livelihood. This extends beyond a straightforward theory of place attachment, recognizing the iterative relationship between land

and people whereby each shapes the other's ontology. For some, the denial of access to land is an intentional assault on that narrative of place and being, deliberately aimed at undermining the ontological integrity of those who occupy a certain space. This is of relevance when analyzing the phenomenon of land grabbing or land seizure as a means to control land and land use. The manner in which land and land use is perceived to be subject to control is shaped by a deeper understanding of what land 'is', and its relationship with people.

Consider the ethnographies expressed by people in this study who have had land taken from them, in relation to the nature of their claim on the land. A claim to land use is related to three things: the application of one's own labour to be the first to clear the land; reasonable, relatively uninterrupted use of the land for mainly agricultural purposes; and a wider recognition of land claims linked to presence and ethnicity, whereby the land symbolizes more than just a place for living and a site of livelihoods, but a critical component of 'who we are.' These are not unique or unusual, but they place claims to land use in a framework of localized, historical narratives rather than legal instruments and published cartography.

Land grabbing, then, describes the attempt by one party to secure and maintain control over the use of land, usually permanently. As stated above, this does not necessarily involve a clash of land ethnographies, but in many if not most of the cases described this research, it does: a clash between an ethnography framed around land as an inert, but transferrable entity, and an ethnography framed in more immediate, localized relational terms. This could be described, in shorthand, as the contrast between legal frameworks and customary land practice. However, I believe there is merit in considering the values behind these different approaches, particularly where, as can be seen in the narratives, the party purportedly operating from the 'legal title' ethnographic perspective appears to have little actual regard for established legal systems.

The initial step to gaining control of land, then, derives from a particular ethnography of land, which itself operationalizes the instruments of control: maps, laws, and violence. As Peluso and Lund (2011, p. 676) note, "land ownership and primitive accumulation are processes to which conflict and violence – actual and threatened, physical or structural – are integral." If, as Grajales points out, (2011, p. 771)

“violence appears to be the conjoined twin of all sophisticated forms of land control,” the question is not if violence is used, but in what form, and how. The previous chapter provided a brief outline of different forms of violence, and the analysis of these narratives highlights multiple forms of violence used not only in the initial seizing of land, but in the maintenance of control. Violence is

important in establishing and upholding territorialization or enclosure processes [...] Violence, the on-going threat of it, and its memory as a residual threat, is [...] a major component in the making of territory, property, and, of course, the state (Peluso & Lund, 2011, p. 676).

NARRATIVES

The narratives in this book illustrate the centrality of violence in the process of the control of land, and the process by which that violence perpetuates injury at multiple levels: physical, psychological, economic, cultural and environmental. For example: displacement from more sustainable forms of livelihood, and the denial of the means of subsistence, in turn forces communities towards forms of income generation and lifestyles which are often more physically dangerous, psychologically deleterious and environmentally unsustainable. It is as if the initial acts of violence represent a form of kinetic energy which is transferred through multiple sites and actors, and, rather than losing its potency, instead increases its destructive power.

The accounts of land seizure relate to dozens of different events over a period of nearly five decades. The total amount of land seized across that period is hard to quantify, but reports of millions of acres being granted to agribusiness (Linn, 2015), appropriated for state-led infrastructure (Michel, 2020) or sold to crony-led business ventures (McCarthy, 2016), coupled with the scale of complaints received by the Thein Sein government after the partial opening of legal processes to address land issues (Ferguson, 2014), and the prolific presence of land grab narratives from nearly all states and regions in Myanmar, evidences the sheer scale and to some extent, historical normalization of land grabbing over the previous decades (Franco et al., 2016).

In some cases, details in the narratives are insufficient to determine which specific project or actors were involved. Contemporaneous historical records are patchy, particularly with details of land seized for military purposes. This makes determining the historical framing of the narratives in some cases challenging. In many of the narratives, the proposed projects never materialized, and land was simply transferred on to successive owners. However, at least five of the accounts described in the narratives in this study can be linked to specific events and actors recorded in other sources.

Firstly, the New Light of Myanmar reported the opening of the Kataik Dam in Paung Township, Mon State, on 1st May 2007, by the Irrigation Department of the Ministry of Agriculture and Irrigation (New Light of Myanmar, 2007). Intended to benefit 10,000 acres of farmland by providing irrigation and flood control, hundreds of households were displaced, with no compensation, to make way for the dam construction. Less than two years later, significant design faults were blamed for the flooding of over 20,000 acres of farmland and loss of rice paddy (Rehmonnya, 2009).

International media reported that land seizure in Ye Bu village, Southern Shan State, Ye Bu (Southern Shan), started in the 1990's as the army took land for agri-business; by 2009, all 4,000 acres were controlled by the military. Land was taken by force, with no compensation issued. Concessions were made for sugar cane planting, and later to the CP company¹³ for poultry farming. The attempts of the villagers to regain their land caught the attention of the public when one protester, Myint Aung, set himself on fire and died of his wounds (Bangkok Post, 2017).

After being appointed Northeast Commander in 2006, Major General Ohn Myint, later to become Minister of Livestock, Fisheries, Rural Development under the Thein Sein Government, embarked on a land-grabbing spree to establish huge concessions for both jade mining (Global Witness, 2015b) and agri-business. Much of the 400,000 acres of land seized in in the Hukawng valley in Kachin State was then sold on to the Yuzana Company for large-scale planting of cassava and sugar cane for export to China (Martov, 2012; Woods, 2011). In 2011, the company reported the opening of a 20,000 square foot

13. A large Thai-owned agribusiness

tapioca factory, exporting to China. The close co-operation between the military and Yuzana Company, itself owned by Htay Myint (a former USDP MP with close ties to previous SPDC head U Than Shwe) is illustrated by reports in 2011 that the military was using Yuzana Company premises to stockpile weapons in preparation for renewed offensives against the Kachin Independence Army (KIA) (Kachin News Network, 2011).

The rush to commence gold mining in land vacated by conflict-displaced households in Nam San Yan, Kachin State, in the months after the 2021 coup, was described in a recent report in Frontier Magazine (Fishbein, Naw Jauman, Jaw Tu Hkawng, & Lusan, 2022):

more than 100,000 people who fled their homes following a resumption in fighting between the military and the armed wing of the Kachin Independence Organization in 2011, [most living] in a camp for internally displaced people near the KIO headquarters of Laiza [...]. Not long after villagers evacuated Nam San Yang, businesspeople started buying up their land for gold mining. After the coup, the scramble for gold turned into a frenzy. Excavator trucks turned what remained of the village into gaping craters and piles of earth.

ACTORS AND MEANS

An analysis of the narratives of land grabbing firstly identifies the main actors. In 60 of the 90 cases where the actors involved in the seizure were described, the main actor was the Myanmar military, either acting alone, or in cohort with either government departmental staff or private firms. In most cases, the perpetrators are named. In the numerous cases where the military was directly involved, specific military units, such as the 113th Battalion of the 99th Light Infantry Division in Shan State, or the 61st Battalion in Mon State, are named. The names of officers directly overseeing seizures, such as Major Sai Thiha in Northern Shan State, or of the State Commanders (*daing-hmu*) such as (then) Brigadier-General Ohn Myint, or the Commerce Minister of the SPDC-era government, Win Myint. Frequently, army units were described as the main actors, arriving unannounced to take

land for building new army camps, for army agri-business, or in some cases shown here, for personal use by senior officers:

They (13th Air Command) came to take the land because they were extending the runway for the airbase. They came and said 'you will lose your land; you won't get any compensation' and tried to force the village head to sign the papers. He refused to sign, so they said 'we'll arrest you if you don't sign.' So, he just said 'well arrest me then' (60-year-old man, Kachin State).

This was land my family had worked on since 1972. We were doing OK. But then (in 2006), just as soon as he got power, this Ohn Myint (Regional military commander) he comes over and he starts taking land in his daughter's name. He just came with soldiers and said 'Look, that land over there, that's mine. Don't go there anymore.' I had planted there, we got charcoal from there [...] all that we had planted, they just came with bulldozers and ploughed it up. We had to get what we could quickly before they just destroyed it (40-year-old man, Kachin State).

In 2014 they came and took 100 acres in total, mine was 10 acres. It was army, Major Sai Thiha and Captain Pyay Phyto Maung and Captain Sai Myo Win (from the 501st Battalion), they said it was for army future development plan. They came with guns and threatened us, and fired shots. They just came and took by force, not by the law. Even though we could try to get it back, nobody would help us. From the government side, they won't help us, they just ignore their duty to help us country people (70-year-old woman, Northern Shan State).

In two cases, the armed forces were a non-government militia force, the Pa-O National Organization, who seized land in Southern Shan State for agri-business in 1996. Often, military force provided the explicit or implicit threat of violence necessary to enable a government department or administrative unit to establish claims over particular spaces.

A 57-year-old lady from Mon State described how land was seized by the Ministry/Department of Irrigation and Waterways to build a dam in Mon State. At its opening in 2007, the dam was described as providing essential flood protection and irrigation to 10,000 acres of farmland. However, for those displaced, there was no land left for farming:

Q: How did they seize the land and how many people were impacted?

It was the whole village – 40, 50 households. I don't know how much each person lost. They came in trucks and pointed; we're building a dam here. Now move! So, we moved here, but it still isn't [free], so we moved there, it still isn't free, so we move again, like a whirl, and still, it is [them].

Q: Did they have any paper, any documents to show?

None, they just came with trucks, all ready to clear the land. It was the GAD I think who were there. It's all the land, our land is now at the foot of the dam

Q: How about now?

Well, we have no land, we can't plant anything. My husband, he never in his life worked as a day laborer, and now he has to do that. I have to cook and sell mohing-ya. Before, we could plant, we could earn enough to pay the workers and live on. Now, we can just plant a little here, and little there, work for others, but it isn't enough. Now our kids have to leave school, and they have to go to Yangon to work.

Particularly during the period of direct military rule between 1988 and 2012, the confluence of military and the nominally civilian government functions was more explicit, with relatively seamless transfer of seized land between military units, government ministries and military owned business conglomerates, such as Myanmar Economic Holdings Limited (MEHL), commonly referred to as U Paing (meaning state owned enterprise).

In 1981-1982, and then 1987, the military came to take the land for the Ministry of Mines to establish a salt mine. Altogether, 43 villagers had 668 acres which were taken. They did salt mining for a few years, but it was not very successful. They transferred it to U Paing (MEHL), and they allowed some farmers to rent the land from them to do agriculture again. In 2017 the court decided that the villagers were the original owners who could get the land title, but much land was damaged by the salt mining. Because of that, only 20 farmers are able to work around 131 acres of that land (73-year-old male from Mon State).

Within this framework, the further transfer of land to private owners - either individuals or companies - enabled both more immediate profit-making by military units, military personnel, or state-owned enterprises. Not infrequently did they also transferred any liabilities for compensation to the new owners.

In 1995-96, the army came and took about 1,376 acres to do farming. But after that, they didn't plant anything, and in 1999 they transferred the land to the Shwe Thanlwin Company¹⁴. They also didn't do anything until 2001, when they applied for a 30-year land use permit. At that time, they offered compensation to villagers, between eight *lakh* and 10 *lakh* per acre. But we wanted our land back, or other land, so we didn't take it (58-year-old female, southern Shan State).

The intersection with private companies also extended to private individuals, often those connected to security authorities. One respondent from Mon State had land seized by the local prison commander. Another, also in Mon State, described how land originally designated by the village to poorer families to enable subsistence agriculture was seized by the wife of the local police chief:

The father-in-law of police chief U Thein Din had asked the villagers for a small extension of land either side of a firebreak road, because that firebreak was too narrow.

14. A well-known business conglomerate in Myanmar founded in the 1990s.

We didn't understand a lot of legal things, and were quite naïve, so we gave ten feet either side to make the fire break wider. But then, in 2011, Daw Than Than Win, the wife of police Chief U Thein Din, came with two policemen, using her husband's authority. She called the village head and villagers and said that 15 acres of land owned by Pa-O ethnics which is surrounding 50 acres of land already in her name also belonged to her. She came and tried to force the village head to sign it and drive us away. But we said 'we won't sign it away; we won't give away that land.' But the village head and leaders were afraid of the police, and so they signed. Daw Than Than Win also said, 'if you sign, or don't sign-don't come to this land again. If you come again, you'll be arrested.' We are only ethnic minorities, so we were afraid of the police, and didn't go back (52-year-old woman from Mon State).

The co-option of third parties into the use or threat of violence involved police, volunteer fire service personnel, and hired thugs:

In 2017, they came to drive me off the land. They said, this is owned by Ministry of Industry, you have to leave. I said, I'm not leaving, this is land which my ancestors worked, my husband worked it. Then they said, 'Oh, it is company land'; I said, 'I'm not leaving.' They threatened more, they said, if you don't leave, we'll get the police onto you.' They hired thugs and tried to get the taxi drivers and day labourers to threaten me as well. 'We'll beat you; we'll kill you' they said. But I am a bit stubborn, so I wasn't too afraid of them. 'You can beat me, you can kill me, but I won't leave.' 'Well, whatever happens, that's your karma' they said (42-year-old female, Mon State).

Our place is near to the factory area. They came one day and said we had to move; if we don't, they will just bulldoze our houses and us with it. They said like that – if you and your daughter don't move, we'll just bulldoze you alive. They said that we are squatting on the area owned by the factory. Then they put up fencing around that area.

Q: Who was that?

It was the ward officials, and the YCDC officials, but then behind them is a truckload of soldiers. We got 14 days to move, but they said, “you know any time we can come and hit you.” So, we moved to another place, where we have to pay rent (Female respondent, Yangon).

ON VIOLENCE

A key theme in the accounts of land seizure is violence, whether direct violence in the form of armed troops firing weapons, to verbal threats of violence, to implied violence, or the destruction of crops, land records and property in the process of claiming land.

A 78-year-old grandmother in Kachin State described the process of being evicted from her land:

It was 2006, they just came and drove me off the land. I had cleared the land, and I had planted corn and beans. It was all lost, they just came and said, you have no way to say this is your land. I tried to plead with them, ‘I am just an old woman, my children can’t support me, this is all I have’ but they pretended like they didn’t understand. They just cleared everything with the bulldozer. I pleaded, please don’t destroy the crops, but they just destroyed everything.

Q: Who were they?

It was soldiers who came and did it

Q: But how were they? Were they in civilian clothes? Was it a company?

No, they were soldiers, dressed like soldiers.

Q: What could you do?

They just said, you can’t say anything, this is nothing to do with you now. So, I couldn’t do anything.

Again, in Kachin State, a 42-year-old man described how, as he was working his land, armed soldiers suddenly arrived and demanded that they leave:

It was the Northern Command, they came with backhoes to clear the land, and came with guns. They threatened us with guns and fired warning shots. We were afraid, I mean, we had never seen a gun before. They forced us to sign something so they could take our land. No way we could ask anything, we couldn't move, we couldn't run, because they had guns. It was just taking by force. We are just villagers, so we are not educated, we don't know this and that.

Numerous narratives described how the initial act of seizure also involved either seizing or destroying any remaining crops or produce. As the next chapter explores in more detail, this denial of the means of subsistence also serves to undermine the capacity to resist and reclaim land:

We had got some of the sesame harvested, but not all. But he (Ohn Myint) just came and took it. We pleaded to have time at least to get the harvest, but they didn't give it. We lost it all (60-year-old woman, Kachin State).

The threats of force were also instrumental in preventing any attempts at re-occupying seized land, which was often left unattended for months or years after the initial grab. After seizing land, ostensibly for income-generating activities for the Northern Command (and later found to be for personal gain), the then Commander of the Northern Region called villagers into the army camp, the same woman noted:

Later on, Ohn Myint called a meeting of the villagers, he called villagers into the military camp, He made us wait for a long time, then he came out. He didn't do or say anything but just said 'You know, I could shoot a hundred of you right now, and I wouldn't even get goose bumps.' And he just left. He just threatened us like that.

Land seizure also took place against a wider backdrop of violence, where private companies, government officials and local businessmen took advantage of land vacated by villagers fleeing conflict:

We had farmed that land between 2005 and 2011, and then in 2013, there was fighting, so we had to flee [to a camp]. We found out last year, in December, that there had been people doing gold digging there. They had paid to come and dig for gold. The Kachin State government came [to us] and said, what land papers do you have? Well, we didn't have land papers, we had just been farming that land. The Natural Resource Management Minister came to the camp and met with villagers. He said 'we didn't give anyone permission to dig gold there'; we said 'there are people there; come and we will show you.' But he just said 'well, we didn't give permission.' Nothing really happened (57-year-old man).

In 2015 we fled because of fighting, and when we came back, there was all this gold digging on our land. Nobody had permission, nobody tried to find out about the land. They just did it. It covered about 145 acres. After the coup, it was even harder. We couldn't do any agriculture, and they prevented us from even returning to live on that land (Male, Kachin State).

On occasions, attempts to provide a legal veneer on land seizures were employed; this could involve asking villagers to show land records, or providing compensation. However, compensation, particularly when offered directly by the military, frequently was based on scandalously unfavorable rates based on the provisions of outdated laws:

In 2002 Battalion 317 came and took the land for rubber plantation. They took it by force, and afterwards they offered us compensation at 200 *kyat* per acre. When I bought it, I paid six *lakh* per acre. But they paid based on the rate in the old outdated laws. I cried so much, because I had used all the money I had saved from working abroad to buy that land (54-year-old female, Mon State).

In 1996, the 343 Battalion, they came and took land to build a camp. They measured it out, and then offered 500 *kyat* to me for compensation. They forced me to

sign, they were just there, in uniform, we couldn't say anything. That compensation, it's nothing (66-year-old female, Mon State).

Some were forcibly relocated, but to areas where it was impossible to live:

In 1994 [...] the army took 10 acres. It was the Cavalry [motorized] for the air force to extend the runway. It was very hard for us, I mean they came with guns, and if they are upset, they just kick you or hit you. So, nobody dared to say anything. They took it, but then later gave it to retired soldiers or just sold it again. We were forced to move, they said 'OK, you, go here, you, go there.' But the place they sent us to is by the river. Even today, it is still underwater. I mean, how can we live there? (44-year-old male, Kachin State).

BULLDOZING THE LAW

Many of the cases recorded in this research were from areas with significant populations of non-majority ethno-linguistic groups, such as Mon, Pa-O, Shan and Kachin. Whilst this is derived from case selection, rather than any form of randomized or representative sample, the scale, the process of land seizure, and particularly the forms of violence, appear to differ based on geography and population. Reviewing land seizure patterns during the SPDC period, Hudson-Rodd and Htay (2008) noted the greater likelihood of involvement of local authorities (such as village or township heads) in the process of land seizure in areas where the population was more Bamar-centric, and more overt involvement of the military in areas where ethnic minorities were involved. This to some degree correlates with the increased level of militarization in areas such as Kachin, Shan and Mon State where the Myanmar military were (and are) engaged in conflict with mainly ethnic-based militia, but it also points to the means by which a competing claim can be forced in different situations. Thus, evictions and seizures in more central areas were more likely to be led by civil actors, back up by military force, and with reference to laws; in more peripheral areas, particularly on land occupied by non-Bamar groups, overt military force, occasionally followed by selective references to

laws on compensation, were more frequently employed. Numerous respondents referred to the disadvantage they had because of not being more fluent and literate in Burmese:

It happened [land seized] because we are weak in education. We cannot understand their laws, so they can say whatever they want (56-year-old woman, Mon State).

They asked us for some land either side of the path to extend the fire-break. This is our [ethnic group] land, but we are pure-minded and simple, so we agreed. They took advantage of that (52-year-old lady, Mon State).

This not unsurprisingly has been interpreted as a deliberate strategy to both exploit and further undermine non-Bamar ethnic identity and solidarity, as Hudson-Rodd and Htay found in their study of land seizure in various regions of Myanmar:

The original ethnic Karenni residents reported feeling strongly that the army personnel, all of Bamar ethnicity, were acting as if they were a “master class.” The residents are worried that these sentiments may erupt into ‘racial’ clashes in the future. The residents of both towns stated that they were being ‘ethnically cleansed’ (Hudson-Rodd & Htay, 2008, p. 58).

Even where a degree of familiarity and compliance with published laws and procedures was evident, the threat of violence, often explicitly made by armed soldiers, simply over-rides any prior records of claims. In a number of cases across these narratives, despite villagers being able to show records of land tax payments and legally recognized land transfers going back several generations, land was seized anyway:

My family cleared this land in 1970, and we worked it continuously. We have the tax records from 1994 to 2004, and documents showing that we owned it with our name. But still in 2004, the Northeast command just came and took it. Now on that land they said they would use for a project. But then they didn’t, they put it in the name of Captain Zaw Min Aung, and then it transferred to U

Paing Company (MEHL), in the name of one of their staff, Daw Khin Myat Kyu. They sold it to U Ti Kyi and U Than Htun. In that way, it is much harder for the original owner to make any claim (56-year-old male, Southern Shan State).

Subsequent chapters describe how, if the initial seizure was made by military forces, the complaints process inevitably stalled, even if the most recent title holder was non-military. As Lanjouw et al. (2000, p. 237) point out:

The lack of any rule of law or independent judiciary offers opportunities — in logging, mining, fishing, road building, construction or the beautification of tourist sites — to make money for anyone involved. The land laws offer little protection to the rural farmer who in any case often fears taking any action against the military in case of reprisals.

This relates to some extent to the abrogation of any semblance of rule of law where the military are involved, making any subsequent attempts at reclaiming or compensation difficult and dangerous. Also, in a process perhaps most closely paralleled by the designation of land for religious purposes, this amounts to a radical change in the nature of that land itself. If the analogy serves, the sense from these narratives is that, whilst land designated for religious purposes assumes a kind of separateness characterized by purity, and therefore is to some degree ‘untouchable’ and unalienable. Likewise, land seized by the military assumes a kind of separateness characterized by impurity; to some extent forever tainted by the initial act of seizing, and thus to some degree rendered permanently under the control of the military to dispose of at their will. This research includes one account of a dispute over land which had been designated for religious use, which was contested. The case was resolved only during the current period of military rule (post 2021), through a direct order from military authorities.

This points to a typical pattern of land use following seizure by the military. After a brief period of usually unsuccessful activity (such as planting castor oil trees), the military would transfer the titles to

individual officers or to the State holding company (commonly referred to as U Paing, referring to Myanmar Economic Holdings Limited or Myanmar Economic Corporation). From there, land was often sold on again, either as a title or as a long-term contract to individuals or companies, mainly those with close ties to the military.

They (Eastern Command) took about 20 acres in 2004, it was for castor oil planting. They did that for a year, and it didn't work, so they just left it. After that, they can and did land inspection, and they divided it out amongst the officers. They got the land title (form 7) and then in 2013, they could sell to the Mya Na Di company to plant grapes (65-year-old man, Southern Shan State).

It was the Shwe Wa company who took the land, 2,500 acres. They came with bulldozers and ploughed it, even with the crops there (45-year-old man, Southern Shan State).

The close overlap between military force, government departments and private enterprise demonstrates the sustained role of the military in enforcing particular land ethnographies where 'vacant' or 'fallow' land is considered both alienable and unclaimed. Even if a claim is to some extent acknowledged, it is abrogated by a legal framing of land use which is derived from three main sources: the primacy of force and violence, the dominance of Burmese language-promulgated laws and the interpretation and application of these laws, and the maintenance of a class system established to privilege a mainly Bamar elite to the exclusion of other ethnic groups and ethnographies.

The irony of this analysis is that, despite Myanmar's long history of internal conflict, insurgencies, and military brutality, many of the actual seizure events took place either at times, or in places, where either ceasefire agreements were in place or where there were no ongoing counter-insurgency operations. The deployment of troops with guns was largely in the context of the absence of ongoing military conflict. This underscores Kevin Woods' analysis of ceasefire capitalism as a continuation of military territorialization, which he describes as:

an alternative system of profit and clientelism where violence directs ceasefire development [...] Ceasefire capitalism

highlights the intersection between frontier violence (i.e. extra-economic force) and military–private partnerships as it is roughed out in the uplands (Woods, 2011, p. 753).

Viewed this way, it could be argued that land seizures, particularly by military and military backed state and non-state actors, represent the continuation of war by other means, with the same objective and results: subjugation of territory for economic gain. But crucially the patterns of land grabbing narrated here also enable the continuation of violence, largely by the same actors, directed - as with most counter-insurgency tactics - at unarmed civilians and destruction or seizing of property. By maintaining the practice of such violence and preserving the means of impunity by the perpetrators, the military itself has sustained its own culture and capacity for violence, furthered its goals of territorial dominance and cultural hegemony, and, through lucrative partnerships with local and foreign businesses, ensured that the practice of such violence is lucrative – thereby securing longer-term loyalty and protection against forces which would seek to challenge it. The processes of land grabbing, far from being an opportunistic, purely profit-orientated exercise, is itself a crucial process in the preservation of military hegemony in Myanmar. The current coup d'état, and the practice of violence by the military junta, are simply a continuation of the process of securing and maintaining dominance. The past decades of violent land grabbing have served to ensure that the practice of violence remains current, that the culture of impunity has been firmly established, and that sufficient economic resource control and commercial loyalty has been secured to maintain control over the populace.

This chapter has looked primarily at the initial violence of eviction and displacement. From accounts of military forces driving people off their land, to the (slightly more) subtle use of ambiguous legal instruments, backed by force, to evict urban dwellers, the nature and immediate consequences of this displacement are stark. The next chapter explores an often-neglected aspect: the means of maintaining that dispossession. These range from barbed wire, fences, security guards and guns, the manipulation of legal instruments, the denial of justice and the criminalization of those displaced, to the denial of the means of subsistence as a systematic undermining of the capacity to resist and return.

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CHAPTER 4

FENCES

When they took it, they didn't give any paper. They just came with a loudspeaker and announced it 'This land belongs to the Ministry now. You're not allowed to plant on it' (58-year-old woman, Southern Shan State).

After the initial wresting of control of land, such control needs to be maintained. The imposition of a different ethnography of land - as an inert, alienable site for generating goods through the application of some form of labor - requires policing. This has three main objectives: firstly, to demonstrate the new reality of that claim of 'we now own this, and you don't; we are here now, and you cannot be.' Secondly, to ensure that any application of labor (whether the 'labor' of choosing sites, marking plots for sale, construction, or agriculture) are controlled by and directed towards the benefit of the new occupiers, to the exclusion of the previous ones. Thirdly, the maintenance of new boundaries serves to maintain the displacement of the previous occupiers, immediately rendering them alienated from their land, their claims, and in all probability, their means of subsistence. The maintenance of displacement in the long-term serves to weaken the capacity to organize, resist, and challenge the new occupiers.

A key strategy to weaken any attempts to regain control of land is the direct and indirect criminalization of the dispossessed. Through enacting various legal instruments, and often by simply obfuscating and delaying or denying legitimate legal claims, previous residents are criminalized by the system - particularly as they seek to maintain subsistence either on their previous land or in the economic margins available to them. Our argument here is that the violence of forced eviction is augmented by not only a failure to adequately provide the

means of subsistence, but by the criminalization of victims who attempt any redress of their situation. That criminalization in turn has three facets: firstly, the exposure of displaced persons to more violence - this time the institutionalized violence of police, courtrooms and prisons; secondly, the denial of subsistence forcing people into more marginal and often illegal means of survival; and thirdly, by criminalization, violence is done to the identity of the victims. Picking up the latter facet, these victims are no longer dispossessed farmers but persons designated as transgressors by the state. Therefore, they are excluded or prejudiced in relation to other state benefits, protection, or ordinary employment (for example, voting, ID cards and passport).

BOUNDARIES: MAINTAINING POSSESSION

Once land has been seized, there is then a need to maintain that control, and specifically, to deny or control access to those with competing claims. These narratives illustrate five different means by which control is maintained:

- the use of fencing and physical boundaries;
- the physical transformation of land, making it unusable to previous owners;
- manipulation of titling process to deliberately obfuscate ownership claims;
- renting back the land to previous owners to create a de facto acceptance of ownership;
- undermining the physical, psychological, economic and cultural capacity of those who would challenge control, either by denying them the means of subsistence, or by criminalizing them.

Barbed wire fences and barriers are ubiquitous in Myanmar, frequently associated with statements indicating that the space enclosed is a 'restricted area' (*kan that myay*) or military land (*tat myay*). Post-coup, barbed wire-topped roadblocks now extend restrictions in urban areas around government offices, schools, and police stations, ostensibly to prevent attacks by resistance forces. Barbed wire serves both as a means of violence, but more importantly as a symbol of the

latent violence and force which will be used on those who transgress. Francesco Buscemi (2021) has written an insightful work on the intersection between institutions, actors and objects in the control of the means of violence in Shan State, Myanmar:

the means of violence are relational networks among heterogeneous human-non-human entities – e.g., weapons, stockpiles, militarised architectures, forms, armed individuals/groups – that generate territory. These networks are controlled and stabilised via diffused techniques and rationalities of control (Buscemi, 2021, p. 1).

Moving on from an ethnography of land as an inert, essentially alienable object, attention to the material objects used to enforce that ethnography also highlights the nature of violence mediated through symbols. As in Buscemi's analysis, a focus on the non-human entities such as weapons and forms reveal the means by which violence frequently achieves its aims with little recourse to actual force, placing emphasis on the mundanity of coercive violence masked by layers of administrative obfuscation (Arendt, 1970). Thus fences, signposts, land title documents, or even oral edicts can serve to reinforce new boundaries. These have their significance transformed from "a piece of stuff" into social object by their "embedment in a narrative" (Harré, 2002, p. 25). The power to enforce a boundary rests not simply in ubiquitous, symbolic forms (such as a barbed wire fence being commonly understood to mean 'keep out'), but by how these particular objects are themselves embedded in a particular narrative. In this case, it is a narrative of not only recent memories of land seizure by overt force, but of a larger narrative of coercive military power, with its legend of being brutal, and of taking whatever it wants, whenever it wants.

Accounts here show the use of physical or symbolic boundary markers and barriers, such as flags, fences, and signboards:

After they took the land, they made sure nobody could enter. They erected red flags, forbidding anyone to plant in that area (48-year-old female, Southern Shan State).

They took 10 acres for the army college. They gave no warning or compensation, just took it. Afterwards, they

posted guards to make sure nobody could enter (62-year-old female, Southern Shan State).

We hadn't been to that land for some time, because of all the [Covid] restrictions. Then we came one day and it was fenced off. We had no idea who did it (40-year-old male, Kachin State).

I heard they took down the house, so I went to the place to see. It was all fenced off, so you couldn't go in (45-year-old female, Yangon).

The use of announcements, marking, and fencing serves to control the boundaries of the land, using a set of symbols linked to violent power. The verbal announcements used both the above cases, and others such as households evicted in urban Yangon, exert an authority through fear of violence. The presence of armed troops - a feature of evictions in Yangon, and at that time common in Southern Shan State, reinforces the imposition of new boundaries of control. These boundaries of control also serve a further purpose: to provide a line of transgression, which is then used to criminalize any re-incursion by former occupiers. This is analyzed in more detail in the final section of this chapter.



Figure 1: Boundary maker showing 'Tat-Myay' (Land claimed by military). Used with permission, source anonymized

The use of symbols of power to maintain control over land use is commonplace, and indeed, represents a form of violence, “whether realized or threatened” (Blomley, 2003, p. 121) . In contexts with a greater tendency to the rule of law, symbols pertaining to state violence, couched in legal terms and images, are more prevalent. In other contexts, legal process are subsumed, manipulated or disregarded in favor of more overt violence: a rule of “the rifle and the title,” as Jacob Grajales describes it with reference to Colombia (2011, p. 771). The symbols used to enforce new land control are in many ways unremarkable. To some extent a fence is just a fence, and almost universally understood to denote a boundary of control.

However, from the perspective of those who had been displaced, three aspects are important to consider. Firstly, to consider the nature of the boundary in terms of the extent of exclusion. As Blomley notes, “space itself is not only produced through performance, but is simultaneously a means of disciplining the performances that are possible within it [...]” (Blomley, 2003, pp. 122-123). The ‘enactment of property’- in this case using symbols to indicate both new ownership and a different ‘performance’ in relation to that space - helps constitute those spaces, investing them new political possibilities. What is possible in a particular space, particularly what is possible to certain actors, is radically altered. Where previously there may have been a boundary of sorts, and possibly even a fence denoting property, this has now been superseded or displaced by another set of boundary-making symbols. What differs also is the nature of the boundary, and the consequences of transgression. Prior to being seized, land understood to belong to a certain farmer also had boundaries: who can and who cannot plant there, live there, dig there, build there, and even bury there, was all commonly regulated. In most of the narratives, such regulation emerged through shared narratives and customs, and was reinforced largely through social sanctions. These define what you can do (walk across another’s land, for example) and what you cannot do (plant on another’s land). The imposition of new boundary markers by external agents who do not share in local narratives, and who are immune from the effects of social sanctions, introduces a different nature of control. Recalling Blomley's term (2003, pp. 122-123), “disciplining the performances possible within it,” there is now a policy of total exclusion, and boundary transgression is subject not to social sanctions from local actors, but to violence mediated through military means.

This highlights, secondly, the nature of the power which is symbolized by a fence, a flag, or a verbal eviction notice. In these narratives, the power is essentially foreign (either non-local, or in some cases, perceived as a case of Bamar military imposing on ethnic minority space). It is also arbitrary (references by those seizing the land to legal processes and documents illustrate the nature of such processes as simply another tool of violence, rather than a basis for adjudication) and it is violent.

Thirdly, how do the symbols used transmit both the nature of the land control (in terms of prohibitions) and the nature of the force behind it? What is noteworthy is the relative absence, in the symbolic practice of those seizing the land, of reference either to legal process or to established land titling and maps. None of the narratives, apart from two cases of eviction of urban poor households, describe accounts of land being seized on the basis of prior ownership, or on the basis that a land record, or a map, shows that another person or institution in fact owns the land. Nobody has come and said, 'look at this map, look at this record, in fact we are the owners of this land.' Likewise, none of the narratives described any appeal to particular laws at the time of seizure.

Historical realities are what gives force to the symbols used by the military to maintain control of seized land, particularly long-standing narratives of attempts by forces from the center to dominate the periphery – from Burmese Kings to British rulers to successive military governments. Land seizure, and its subsequent enforcement, is thus experienced as the extension of central forces through the expansion of territorial control. With the enduring assumption (as a consequence of land reform legislation under U Nu's government) of land being the property of the state – a notion of which remains articulated in the most recent (2008) constitution (Wells & Aung, 2014) – the actual nature of ownership has remained ambiguous and contested, and as such, it is vulnerable to seizure by force. In this case, first the rifle, then the title.

Whilst the ongoing “accumulation by dispossession” (Harvey, 2017) has been generally described in terms of either post-capitalist or post-colonial terms (Aung, 2018), from the perspective of those being dispossessed it can to some extent be interpreted in terms of ongoing colonization. Dispossession is not simply displacement from land and

disruption of life and livelihoods, but in many cases – even among those with no discernible linguistic or ethnic ‘othering’ – it represents the imposition of an alien ethnographic system. This occurs through the nature of the dispossession itself: by military forces seen to be supportive of Burman hegemony; by the alienation of land through legal claims derived from, communicated in, and litigated in the Burmese language; by appeal, if any, to Burmese legal systems; by further alienating the land to either Burman, or in many cases, Chinese industrialists; and by transforming the landscape either through large-scale industrial or military-industrial infrastructure.

The missing facet of colonial dispossession—the “mitigat[ion] of its impacts to enable basic subsistence for the people dispossessed” (Aung, 2018, p. 198)—reflects perhaps a darker theme of this kind of post-colonial colonization, where the accumulation of land for capital through dispossession also critically undermines the human capacity of the various subaltern classes, reducing their capacity to resist.

RAPE AND PILLAGE: TRANSFORMING THE LANDSCAPE

If the use of boundary symbols transform the performative possibilities of particular spaces, the subsequent performances by the new occupiers further render the land as alien to the previous occupiers. This is achieved in four ways: the destruction of prior crops, buildings, or markers; flooding, mining or agricultural practices making the resumption of prior use impossible; establishing new infrastructure; and re-population. This represents an extension of symbolic boundary making, by not only enforcing a line of transgression, but by altering the nature, and thus future possibilities of the space through alternative practices.

A frequent element of narratives was the destruction of standing crops:

I lost 40 acres; in total they seized around 18,000 acres. When they came [in 1992] they destroyed 1,000 avocado trees, and many banana trees. They just bulldozed it all, it was totally destroyed (60 year-old-female, Southern Shan State).

For others, the entire apparatus of their livelihoods was dismantled:

It wasn't just that I lost twelve acres. I had spent 40,000 *kyat* to build a large chicken coop. The army came, said we are using this area for a temporary camp. They offered me 1,600 *kyat* compensation. I didn't take it [of course]. But I had to move the chickens really quickly before they destroyed the coop, and because of that, 360 of the chickens died from some kind of disease. I lost all of it, and then even couldn't pay back the money I had borrowed (58-year-old female, Southern Shan State).

The rendering of seized land as *tabula rasa* redefines the space. In doing so it removes identifying markers of previous occupation, as Li (2018, p. 5) describes in the case of plantations in Malaysia:

On the material plain, plantations begin with the production of a *tabula rasa*. Bulldozers (and sometimes fire) remove all tree cover, carve terraces into hillsides, and obliterate signs of former land use. The landscape transformation is deep, massive, and permanent. It is impossible for plantation space to revert to the status quo ante, and to my knowledge, no one has tried to convert an established plantation into something else.

In other narratives in this research, extensive salt and gold mining destroyed much of the soil, rendering it useless for agriculture. In the case of salt mining in Mon State, at the point when such ventures were exhausted, some farmers were able to reclaim their land only to find that most of it was unusable.

To get confirmed ownership, I applied for title 7 in 2017, and I finally was allowed by the authorities to return to the land I originally owned. But they had used that land for salt mining and irrigation channels for all those years, so in the end, out of the 668 acres they took, only around 131 acres can be used again (71-year-old male, Mon State).

New infrastructure, including military buildings for army camps, colleges and firing ranges, also transformed the landscape. The presence of military infrastructure was often used to maintain control over large swathes of unused land:

They took the land for the army college; they just came and cleared it with the bulldozers. Later on, they used some of it for a firing range, but most of it, they never did anything (female, Northern Shan State).

In narratives by retired army personnel, the repopulation of seized land was seen to have served a number of purposes. Firstly, in terms of resource requirements, it enables a large army to fulfil its obligations to retired servicemen, ensuring the maintenance of generational loyalty. Such resettlement ensures that retired service people stay together, a crucial factor in ensuring solidarity in times of national crisis, and useful for when electoral agendas require the mobilization of wholesale support for military proxy parties. Secondly, resettling them in contested locations ensures the ongoing presence of a kind of protective human cordon. Ex-servicemen, after all, can easily call upon current servicemen if the need arises. Their presence maintains the symbols of power needed to prevent any attempt at regaining control by former occupiers. Thirdly, their presence also transforms the landscape - buildings, commerce, roads, and utilities - all of which, after time, become part of the new landscape. By granting land titles to individuals, the military further complicates any process of reclaim.

After the land was taken, after some time we were not able to return to it. After six years, we paid for one representative to go and see. He found that some of the planting had been cleared, and now half of the land had been given to retired army personnel to live. The other half was still marked as army land. We tried to complain at the police station that those ex-army people were illegal squatters, but the police said there is no case (63-year-old male, Southern Shan State).

As Li (2018, pp. 5-6) describes,

Material transformation extends to human settlements, as plantation concessions are seldom empty of prior habitation. [...] Resident plantation workers are usually migrants [who] lack kin ties or ethnic affiliations with the surrounding population, making them ideal subjects for

plantation discipline. The replacement of an indigenous population with a new, homogenous population who have no affiliation to the local population-and whose affiliation is to the 'colonial dispossessors' also serves to disrupt and undermine local networks of solidarity, and to further enhance the permanence of occupation.

The strategy of repopulating vacated areas is not new, and has long been used by the Myanmar military to maintain the subjugation of 'frontier' areas by introducing potentially competing populations to maintain fragmentation and disunity (Ferguson, 2021).

MUDDYING THE WATERS: MANIPULATING LAND TITLING

Re-occupation is accompanied by a deliberate, and hugely profitable process of selling on seized land, often to private companies or individuals. This process not only generates funds for the group who initially seized the land, but further complicates any attempt to reclaim land by the original occupiers, and in some cases transfers future compensation liabilities to the new owners. In several accounts, villagers seeking to reclaim land were eventually shown titles with the names of new owners or directed to sue the current occupiers - often military aligned business conglomerates such as the Yuzana Company. Many of those who had their land seized recognized this as an intentional strategy:

There are different types of seized land: some is by army, some is by the departments, some is by militias. There's some taken by army, some by Pa-O militia, some by Shan militia. Some people got so depressed they set themselves on fire. Some are homeless, some lost all their crops, some, their life is destroyed. Most of the land is seized by the army, and they usually take the important sites, and then just leave the rest. But you can rarely ever get it back. It is taken by the army as part of their strategy. Especially when the land is taken by the government, then they sell it to others in small plots. They co-ordinate with the local authorities to do like this, and sell the land, so then, even though it is seized land, they cover themselves. They do it like this, they can get the documentary evidence. Even

though there are [other] armed groups here, they are mainly interested in business, so they are also involved [like that]. There are so many challenges, but you can say like this: “if it is army seized land, don’t step on it!” You have to be wary of every little thing (63-year-old male, Southern Shan State).

Whilst in a number of cases land titles had not been secured by the dispossessed owners, in the majority of cases interviewed in these narratives, land records (in the form of tax payments, records of transfer, and in many cases, the prized ‘Title 7’) were held, but seized, destroyed or abrogated by the seizing party. The argument for land being essentially ‘fallow’ and unclaimed-and therefore ‘fair game’ for authorities to seize flies in the face of the evidence of these narratives. Likewise, the characterization of land seizure as a clash of systems - customary land tenure versus legal titling – also ignores the evidence of significant, long-standing interfacing of rural landowners with the Burmese legal system.

We had been farming this land since my ancestor’s time. We had all the land tax records; we had all the records of transferring the land by inheritance to each generation. But they still took [in 1996] (56-year-old female, Southern Shan State).

In some cases, the authorities invited claims for compensation, instructing villagers to submit their land titles to support their claim, only to seize the titles as well:

After they seized the land, they also seized the land titles. They said, ‘You should submit the papers’, so all those who had land title documents took them and submitted them. They just took them, and never gave them back. So now we don’t have anything, any papers (40-year-old male, Kachin State).

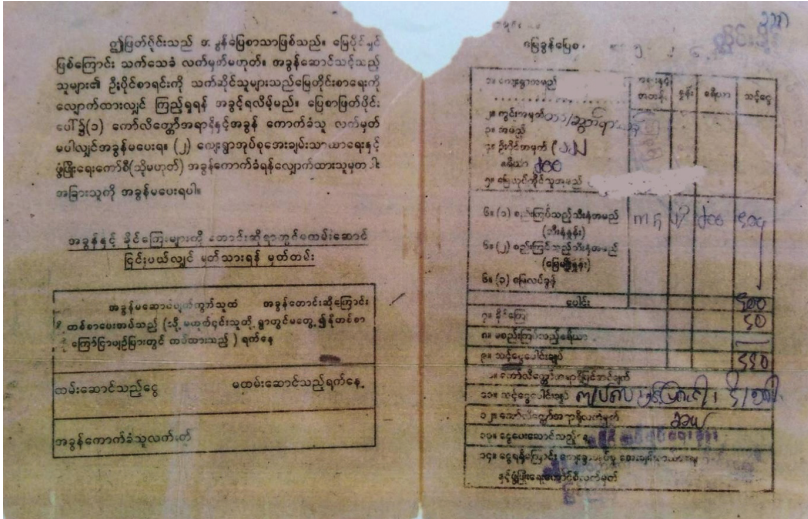


Figure 2: land tax record (Used with permission, source anonymized)

The seizure of the land title allowed further alienation of the land, either selling on, or in some cases, renting back to the original owners. The practice of renting back the land to previous occupiers served a triple purpose: generating income for the new occupiers, with negligible investment of labour or capital; creating a de-facto acceptance of new ownership by those recently dispossessed; and, by providing a just-feasible means of subsistence for the recently dispossessed, a potential reduction in the likelihood of either more aggressive attempts at reclamation, or informal covert re-occupation for subsistence agriculture.

This land had been farmed by our family for over 100 years, passed down as inheritance. 23rd infantry came and took it. After they stopped using it, the villagers came to try and get it back. But one of the officers had the land title, and then he had transferred to a private company. They said, if you want your land back, you have to rent it (38-year-old female, Northern Shan State).

Renting back the land, which both extorts profits, but which also then provides a ‘paper trail’ of implicit acceptance of ownership by the dispossessed, can later be used as evidence that the new owners are the rightful owners:

They took the land, after about a year, then they rented it out again.

Q: Did they rent it out to others? Did they have the right to rent it out, make money like that?

Not for big money, but like for one year, three *lakh*, you could plant and get one harvest. Next year it was four *lakh*. We could plant some rice, some potatoes (66-year-old female, Southern Shan State).

Similar experiences emerged in other interviews:

In 1992, the 24th Infantry came and took the land for sugarcane planting. On some plots they built army camp buildings, so there is no way anyone could plant there. This was land which we owned by our own customary practice, as we cleared it, so we didn't have title 7. Some of us risked it, and went to try and plant there. They said "if you plant, you have to pay rent, 7,500 *kyat* per acre. But then when we went to pay, they demanded 25,000 per acre instead. In 2013, when finally, they released some of the land, one officer called U Kyaw Oo refused to give land back, he just kept it (Female, Northern Shan State).

In 1992 the army took more than 2,500 acres for a firing range. Later on, after 1996, they made some micro-finance program, so we could borrow money from them to rent our own land, like 5,000 to 10,000 per acre. So, some villagers could rent their own land. But some could not afford to do that. But even those who did it, we couldn't really do very much. It caused some problems for the villagers. For me, I went from being a farmer to a day-laborer. I feel bad because I can't support a household, I can't fulfil my duty as the household head to support the family (51-year-old male, Southern Shan State).

In many cases, whilst large tracts of land were seized, much remained unused or was used for a few years either for a temporary camp, or for military-led agriculture, and then subsequently abandoned before

later being transferred or sold off. What appeared to be important was not the immediate economic utility of the land, but rather that the party seizing (usually the military) was in possession and in control of it, and that the previous owners were not. This points to the primacy of subjugation as the key objective of much of the land grabbing featured in this study, over and above concerns for economic gain.

FROM LANDOWNERS TO CRIMINALS

The process of deterritorialization and reterritorialization, as outlined in the previous chapter and above accounts, involves the rearrangement of relations of materialities to establish and maintain new arrangements of power. This has an innately relational dimension in that through this process identities are changed - between the aggressors and the victims, but also between the different actors and material elements such as land. A certain identity is permitted through a certain relationship with a certain piece of land. I am not just a farmer who plants rice and corn, but I am a farmer who plants rice and corn here, in this place; this place which was cleared by my ancestors. Being displaced from there results in a changed identity, an identity further transformed by the denial of the means of subsistence as farmers become day-laborers. As the interviewee above notes, the transformation of identity from being male head and provider to a feeling of failure also occurs, with often tragic consequences.

However, the maintenance of control over land by the new occupiers also involves a further transformation in the identities of the dispossessed - they are made into criminals. Geoffrey Aung (2018, p. 221) points to the more commonly understood modes of land grabbing, whereby “postcolonial capitalism secures and legitimates ongoing dispossession through politico-ideological means” such as alternative labor arrangements. In many of the narratives in this research, such obligations are invalidated through the re-making of the dispossessed as criminals, who therefore become unworthy of any claims to the rights of citizenship. This is achieved through the denial of the means of subsistence, and the manipulation of legal processes to penalize attempts to survive.

The narratives illustrate three ‘moments’ of violence, the first being the denial of the means of subsistence to those recently dispossessed by vigorous enforcement of new territorialization. This is done through the destruction of previous crops, ongoing threats of legal action or violence against those who have trespassed, and continued enforcement of boundaries to prevent meaningful subsistence:

They just came with a bulldozer; they chopped down the palm trees. They just came, and pointed, and then just bulldozed. I don’t know how many there were of them. It was all gone.

Q: But then they didn’t plant anything or do anything, right? So, what did you do?

Well, we had nothing to eat. So, I went back and worked a little on that land.

Q: Did they not say anything?

At first, they didn’t say anything, but then I found they opened a court case against me (38-year-old female, Northern Shan State).

A 64-year-old female, Southern Shan State noted:

The 12th Infantry took land to build an army camp in 1994. They offered some other land in compensation, which was seized from other villagers. So, the land they had farmed now belonged to U Paing. They got permission to plant on half of it again. So, the villagers put up fencing to protect their crops, but they [army] came at night and took down the fences. Because of that, animals like horses could come in and destroyed the crop, so we suffered all over again. In 2018-19, it seemed like the policy was changing, so we went to get it back. But the GAD threatened to put us in jail.

While a 37-year-old female, Kachin State also recalled her experience:

It was in 2006, in the place where we thresh our sesame. The army just came, came with a back-hoe, and cleared it. They said, this is ours! Don't work here! Don't come back!

Q: What did you do back then? Did you stay away?

I went back the next day, and they threatened me with guns. There were a lot of soldiers with guns. After that, I didn't dare go back.

Q: Was it just army, or were others involved?

Just the army. The villagers weren't involved.

Q: So, what did you do?

Well, we have to survive somehow, so I tried to plant some taro, in between the lines of the teak and rubber trees they had planted.

Q: Didn't they say anything?

Yes, they said don't come here, if you come here, we will open the court case against you. Anyway, even though I tried to plant some taro, it didn't succeed, because the army was also breeding cows there, and they let them loose into the area where they were planting the trees. So, it destroyed all the taro.

The second moment of violence involves the manipulation of various actors to nullify attempts to regain land through the complaints process, again often using both overt and implied violence:

Q: What have you done to get your land back?

Well, since the army took it, I have been afraid of guns. I was waiting for a more peaceful [political] situation. It wasn't easy before. I mean, if you tried to make any complaint, the ten-house head, the hundred house head [village administration officials] would hear about it, they could come and

ask questions. They would call soldiers, and soldiers would come 'Hey, don't you know? Don't make that complaint.' We were afraid. I mean, they [village authorities] knew that the army had taken the land, but everyone is afraid to do anything (64-year-old female, Kachin State).

This involves opening court cases against those who have been dispossessed, which not only results in major investments in time and money to fulfil the requirements of the court system, but also brings the dispossessed into the legal territory of the new occupiers. All procedures take place in the language and system of the occupiers, reinforcing their identity in terms of domination, and the identity of the dispossessed as subalterns and supplicants.

The narratives here shed further light on the patterns of criminalization:

After the land got seized, it was hard to make a living, especially as one family member has disability. So, we did some small-scale planting on some small plots. They had enclosed some of the plots, and so afterwards, when some villagers went to plant there, those who seized the land made a court case against 18 of the villagers (40-year-old male, Shan State).

For a 42-year-old man in Kachin State, dispossession and deprivation of the means of subsistence rapidly leads into a drawn-out process of being criminalized.

Q: Now they [army] took the land, what are they doing ?

Now it is in the hands of Thiri Company. In some places they are planting teak, gradually they are filling up all the land, after two or three years [...] in the places in between, I go and plant some taro.

Q: If you do that, don't they come and say something?

Sure, I mean they say 'Don't come here! Don't cross that stream!' They don't want any people coming there. But from our village, we have to work somehow, and we don't

have any other place, so we go anyway. We can only plant a little, because the land is mostly destroyed.

Q: Don't they threaten you?

They have their way to control us. They issued ID cards to people who were allowed onto the land, like school-children. Anyone without the card was prohibited from coming. Now, because of the disease situation [Covid] and the political situation they can't enforce it as much. But they don't like us coming to plant, so even now, they open the court case against us. From our village, at least 10 people have the case, and they keep getting called [to report] by the police station. They keep calling us, and threatening us 'don't go and work on that land. If you go there, you will be arrested and jailed.

Q: Is that like they are prosecuting a court case?

Yes, like that. They said 'you signed the paper saying you won't go onto that land.' But we depend on that taro and pineapple for our survival. [in fact] we only signed when they were there threatening us with guns.

Q: Isn't it dangerous to keep going there?

Well, we don't have much choice [for our survival]. So, we keep getting called to the police station, every one or two months. Then, we don't know if we come back tomorrow and find that they have destroyed what we planted. We live with that worry. The army have the force, they have the guns. As we work there, we are always listening out for them. It's like constant state of fear, always being ready to run if we hear the sound of guns.

CONTROL OF BODIES: THE MOTIVES FOR LAND GRABS

The third 'moment' involves incarceration: not only the control of bodies, but, through the process of legal records, the permanent marking of those bodies as transgressors. If denial of means of subsistence and the

opening of court cases represents a form of deterritorialization, incarceration and criminalization perhaps represent a reterritorialization: a making permanent of the threat of violence in ways which transform the identity of the dispossessed. From landowners, they are now criminals. As such, they become legally, socially, morally and materially inferior, and undeserving of the wider rights and benefits of citizenship. A 55-year-old female, Northern Shan State recalled her experiences:

They seized land for a mulberry plantation. Our village had about 300 acres taken. Afterwards it went to another company for coffee plantation. After some time, they didn't actually do anything, and at the same time, our village population was growing, we had more needs, health needs and need for daily living, so some went back to their land to plant again. They [company] said, 'don't work here, there is still the signboard [saying it is our land]'. Then village all went and worked together, and there was conflict. Ten people were put in jail, some got one year, some got 18 months. It was the people whose land had been seized.

Another 55-year-old female from Shan State recalled:

They [army] seized the land in 1993 for the mulberry and coffee plantation by a private company. They did it together with the ministry officials, and didn't give any warning or compensation. Afterwards, those who had their land seized went together with the village head to try and get land back, or get some compensation. They submitted complaints at many levels and opened the court case. Some of them also broke down the fences which had been put up around the seized land. Ten of them got arrested and sent to jail.

A similar story was recounted by a 59-year-old woman from Kachin State:

Q: How many acres did you have?

I had three or four acres. We cleared the ground, and we planted aloe wood, some Yamane trees. We got some saplings from the Karuna Foundation, and they also gave some financial assistance. The trees had got quite big, but then they came and seized the land. They took it, then sold it to somebody called Daw Khin Thant Sin.

Q: So, the army took it and sold it?

Yes, to Daw Khin Thant Sin. She put up fences straight-away. So, we all went to take away the trees we had planted. When we did that, they issued an order: 'whoever took those trees must come back and plant them. You have until Sunday to replant, otherwise we will take action.' In fact, they already arrested my husband, and I didn't have enough money to go and deal with it. I'm not sure how many months he was there. I couldn't afford to go to the court, to the police station, to the prison. Later, his health was not good [because of that].

As Peluso and Lund (2011, p. 676) note, "even if state powers or allied authorities (or their hired thugs) do not kill their citizens and subjects, they can lock them away. Being locked up in prison is another form of bio-power; a spatialized and territorialized one, demarcated, bounded, and patrolled to keep subjects in the prison rather than outside."

We can ask, finally, what is the purpose of the initial, and sustained dispossession of land? Beyond 'accumulation', and beyond immediate financial gain, lie the wider strategic gains in terms of dominance. In more obvious terms, the securing of land for military bases; in less obvious terms, the denial of land to those who may pose a future threat. The undermining of the physical, psychological, economic, and cultural capacity of those who would challenge control - by denying the means of subsistence, and by criminalization - in turn consolidates the power of the occupier. This enables the 'reterritorialization' not only of space, but of bodies, and in turn, history and culture.

At a certain level, too, the localized actions of land seizure derive from, and reinforce, a performance of domination which further reinforces

the myth of domination. The repeated practice of violence in relation to land grabbing is essentially a performative act of the ruling military elite, aimed at continually reinscribing not only the dominant discourse of Bamar superiority, but also of the persistence and permanence of the threat of violence – notably its totality, the futility of resistance, and the maintenance of that narrative within its own ranks as a perpetual self-identity. This is what the Tatmadaw is: we use violence to take what we want. This discourse, this narrative, demands more than military parades and shows of strength to inscribe and reinscribe an identity and norm both within the Tatmadaw, and within Myanmar. It needs more the rhetoric of territorial and ethnic dominance. It needs to engage in violence, visibly, tangibly, and frequently. It needs to remain practiced in violence, and it needs the myth of violence to be perpetuated through multiple, small-scale acts which sustain a performative narrative of threat, and of invincibility.

As noted in this passage, violence achieves much of its aims without any actual use of force, usually through the perpetuation of the threat of violence through narratives. Performativity is, as Butler (2010) describes, the ongoing process through which norms are created and sustained, and the “practice by which the dominant discourse is inscribed and reinscribed” (Ray, 2008, p. 15). Here, the performativity is in the service of promoting a norm: a norm of dominance, a norm of power, a norm of violence. The discourse is that, in the end, all land and bodies within it belong to the center, and that the center can, and will, take it and occupy it by force whenever it likes. The act of seizing land is, in some sense, “an ordinary repetition” which “stabilizes and secures prevailing norms” (ibid); such acts obscure the constructed nature of the discourse, instead presented it as a *fait accompli*: this is the way things are. Maintenance of domination by the military-elite thus requires repeated performances of violence, on a small scale, each carried out with impunity, in order to maintain the norm of violence both within itself, as an institution, and within Myanmar society, as a myth of invincibility.

CHAPTER 5

DEBT

As these narratives move from the initial seizure of land to the consolidation of control, the nature of violence also takes on more nuanced forms. The physical presence of guards and weapons, and the overt threats and visible barriers to some extent remain, but the ongoing processes of violence take on more structural forms, exploiting the relative weakness of the original land occupiers in accessing justice. As the previous chapter describes, the manipulation of the justice system in favor of military or other elites, mainly by locating the adjudication of land control rights exclusively in the linguistic, cultural and legal frameworks of those elites, serves as a key means of maintaining control over land after the initial seizure. By criminalizing the displaced through that system, their capacity to effectively seek redress through that system is undermined. However, the capacity to resist is further constrained and curtailed through the exploitation of the relative inaccessibility, inefficiency, and untrustworthiness of the means of redress - the legal system. The longstanding absence of any semblance of rule of law in Myanmar has rendered the legal system largely a means to maintain elite control. The official legal system is financially, culturally, linguistically and often geographically inaccessible and remote for most people in Myanmar. Analysis of these narratives suggests a picture of a pay-to-play lottery, poised at any time to incriminate the players themselves. Against this background, the longstanding tradition of seeking justice outside the legal system through informal agents and brokers, has in most cases simply resulted in the further despoiling of the dispossessed, who borrow large amounts to pay agents who turn out to be crooks.

For most who had land seized, particularly in areas where Burmese is not the mother tongue, 'justice' exists only in geographically, culturally and financially inaccessible places. This reality has been exploited

by business elites, such as the Kachin tycoon Yup Zaw Hkwang, who was granted mining concessions by the Burmese military as part of the ceasefire agreement between the Kachin Independence Army and the Tatmadaw in 1994 (Justice for Myanmar, 2020), and again in 2005 and 2006. Such agreements are commonplace in areas where EAOs are active, such as Kachin State, Kayah State, Kayin (Karen) State and Mon State, described by scholars such as Kevin Woods as ‘ceasefire capitalism’ (Woods, 2011, p. 749).

Ceasefire agreements signed between the Burmese government and ethnic insurgent groups have created particular geographical political spaces (i.e., ceasefire zones) which can be described as territories that have now come under national government control. However, different territories, and the authority figures that exert control over them, overlap to create conditions where national military and state officials share power with non-state authority figures, such as ceasefire political organizations, insurgent groups and paramilitaries. These different (non-) military–state authority figures all partake to some degree in governance activities in ceasefire zones, resulting in a complex mosaic of political territory not neatly separated out.

The key issue for this study is the nature of ‘power sharing’, whereby the control of land in legal terms is defined with reference to the central government - in this case, the military government of Myanmar - but the enforcement of that control is left in the hands of local elites. Thus, in the case below, when was land seized by Yup Zaw Kawng as part of his agreement with the Tatmadaw, the original occupiers were told to ‘go to Nay Pyi Taw’ to register their complaint - this being the new capital of the military government of Myanmar. However, local enforcement was left to hired security-local ‘thugs’ hired by Jade Land Company, reflected in the narrative of 48-year-old male who was a victim in this case:

Q: Which company was it who took the land?

It was Jade Land company, that’s U Yup Zaw Kwang’s company.

Q: Did you have the land title?

Sure, we had the land title.

Q: So, when did they take it? What did they do?

Quite a while back, maybe more than 15 years. Back from when we cross the river, my grandfather, he worked [under] the Japanese soldiers, American soldiers, he worked hard. So, it was a special area for him, so he wouldn't sell it.

Q: What did you plant there?

Oranges, bananas, other fruit and vegetables.

Q: Did they tell you what they were going to do, to mine for gold?

They never said anything, they just turned up, took land to set up machinery. They didn't ask anything, just set up the mining equipment. They called some religious leaders, got them to pray that they would find lots of gold. But those who lost their land, lost their land. In all, around a hundred households lost land. My husband went to work in his orchard, but everywhere, there was U Yup Zaw Kwang's company name. When we tried to complain, they said, you have to take it up with Nay Pyi Taw.

Q: So, it was two plots you lost?

Yes, [name] 5 acres, and on that side [name] they took land also from some people there who were not educated and who were poor.

Q: Did you make any complaints to get the land back?

Sure, but they just said 'It has been taken. It is now a restricted area. You're opposing U Yup Zaw Kwang now. Watch out, they have plenty of thugs.' The people who

were helping us had to flee because of the political situation. So, we can't do anything.

Another means by which the capacity to seek redress was undermined is through the sheer cost of seeking justice through the legal systems. This comprises not only the various payments required for legal defense, but court costs to clerks, bribes to various officials in the legal system, and travel costs to and from the courts:

Our land was seized in 2003, from our village, altogether about 2,500 acres. It went to the Shwe Wa company. The army, police, the officials, they all did it together. They came and bulldozed all the crops. We heard later that it was the Commerce Minister U Win Myint who did it, then transferred to Shwe Wa Company. They planted on some of it, but most they didn't use. We tried to get it back, we submitted complaints at the Township, District and State level, we submitted to parliament to get help. But it was expensive, cost a lot with lawyers' fees and other costs (70-year-old Male, northern Shan State).

During the Thein Sein-led USDP government, new laws and policies were enacted to ostensibly enable land claims to be investigated, although the extent to which these constituted genuine reform and redistribution is highly contested (Suhardiman et al., 2019). What did emerge was both a groundswell of complaints and legal cases, and a mushrooming of agents and organizations purporting to offer assistance in the complaints process. Sadly, many of these proved to be deeply corrupt, including parliamentarians during both the USDP government era and those under the NLD government of 2015-2021.

Q: So, you tried to get your land back during U Thein Sein's time. Who helped you?

In that time, there were people living near the village, they said they could help. They could submit the complaints. This was in U Thein Sein's time, also afterwards, in Daw Aung San Suu Kyi's time. So, we also tried to complain during the NLD government time. At that time, we also

got contact with [x] organization to help us. Before that time, it was about 6 years, 7 years we spent trying to get the land back. It was exhausting, and cost a lot.

Q: How much did you spend?

About 40 *lakh*¹⁵. I don't understand all the procedures, so I just did whatever they [people purporting to help] said to do. But they were lying to us, deceiving us.

Q: How many of them were there?

Just one or two. I remember them, they were from the [name] police station. It was very difficult, we had no income, and with these people, to submit the complaint, it costs a lot of money, you get a lot of debt. We had to take the children out of school, they couldn't finish 10th standard (46-year-old female, Mon State).

Despite nascent reform efforts, the justice system in Myanmar is widely perceived to be corrupt and untrustworthy (MyJustice, 2018), and the land complaints system plagued by a mixture of incompetence, lack of capacity, and the lack of urgency or accountability to the rule of law (McCarthy, 2018). The consequence for those seeking to reclaim the land was not only frustration but vulnerability to 'agents' seeing to profit both from the changes in policy and the relative inertia and inaccessibility of the legal system. For those seeking redress, this frequently resulted in further injury: payments of large sums of money for empty promises, often racking up large debts in the process. As a 53-year-old female, Mon State recalled:

At that time, some people from an organization came and said they could help us get the land back. I mean, this was like somebody giving water to somebody dying from thirst. So, we believed them, all of us. But those people abused our trust, they took our money, and then abused us, they lied to us, told us falsehoods. They said 'you can get back your land, your plots' and we gave them all our

15. 4 million kyat, equivalent at the time to around \$4,000

money. Some took out loans, got big debts, so they could pay these people. We only borrowed from our relatives. They would come to the village, gather all the people who had land seized, and collect money from each one, like 10,000 *kyat* from each. They would give us encouraging words, how the cases are progressing. All the illegally seized land would be returned. They said they'd collect all the information and submit the complaints. But they were lying. In total, each person lost 4 or 5 *lakh*. I lost 4 *lakh*. At that time, I was trying to support my two children's education. It was bad enough to be struggling after losing my land, but then to be exploited like that. I really had to control my emotions. If it wasn't for my children, having to think about them and their future, I'm sure I would have done something (indicating self-harm). I realized I'm not getting my land back, so I have to find a way to rebuild my life. I have to start again.

For many, the process simply confirmed the illusory nature of the promises of land reform, particularly when going against companies or private individuals who could simply out-spend them in court:

In my case, the government officials and company people misused their power to illegally seize the land. They didn't give compensation, and later, when we tried to complain, the officials didn't pay any attention, they just ignored us. It turns out, despite all our efforts, there is no legal protection at all (Female, Northern Shan State).

We tried to take the complaint to the court against them [individuals who now held the land titles]. But you know, when you are up against those with money, you just can't win. We lost any chance of getting our land back (Male, Northern Shan State).

Despite electoral promises by the NLD government in 2015, which inherited thousands of unresolved land dispute cases from the outgoing USDP government, progress remained slow during their five-year term, with the majority of plaintiffs still awaiting their cases to be reviewed (Human Rights Watch, 2018; Suhardiman et al., 2019).

The well-documented informal justice practices in Myanmar (Kyed, 2018), whilst representing a long-standing habit of evasion of authority by ordinary citizens in Myanmar (Kyed & Thawngmung, 2019; Thawngmung, 2011), also serves not only as the framework for a continued denial of justice in relation to land claims, but as an opportunity for corrupt officials, lawmakers and agents to profit from the relative weakness of the rule of law, and of people's fear and mistrust of the legal system. As with the criminalization of complainants described in the previous chapter, the result is further violence against the dispossessed: an erosion of capital, an increase in debt, and, by tying up the dispossessed in complex and relatively inaccessible legal processes, the capacity and will to persist with claims is steadily eroded.

The impact of the legal obfuscation on mental health is explored in the next chapter, but here, the economic violence effected through engaging in the legal complaint process represents a form of secondary trauma. Studies of victims of rape or domestic violence demonstrate the impact of engagement with both medical and legal systems on the well-being of victims, in many cases resulting in secondary trauma (Campbell & Raja, 1999).

DEBT CYCLES

Whilst loans are an almost ubiquitous element of the agricultural cycle in rural Myanmar (Griffiths, 2016), the loss of land in many cases alters the nature of debt. For landowning farmers, borrowing for seed, fertilizer and other inputs is relatively commonplace (LIFT, 2020). Using land as collateral, and future harvest as the basis of repayment, enables farmers to secure loans on more favorable terms. Thus, despite the constant presence of debt within the agricultural cycle, for many it remains sustainable in the absence of crises. However, the loss of land, often with standing crops, opens four pathways to unsustainable debt, in addition to the debts accrued through attempts to regain seized land. Firstly, destruction of standing crops removes the means to repay current loans, which then accrue further interest burdens where payments are delayed. Secondly, in most of the narratives featured here compensation or substitute land was not provided and the immediate costs of relocating often required borrowing. In such cases, the absence of land collateral means that repayment terms

are less favorable, and interest rates higher. Thirdly, the process of seeking alternative livelihoods - whether through renting other land and planting, investing in an alternative livelihood, or in many cases, fronting the considerable costs to enable cross-border migration - also requires capital, again often secured through unfavorable loan terms. Finally, the absence of income also often results in food insecurity, and many of those interviewed here reported borrowing money for food, and for health emergencies - again on unfavorable terms.

The issue of negative debt cycles in rural Myanmar is not uncommon (Chan Thar, 2020; Powell, 2016), a feature of the growing precarity of the rural economy even prior to the Covid-19 pandemic and subsequent coup d'état (Griffiths, 2019b). The term precarity, however, refers specifically to “produced vulnerability” (Rigg, 2017), and whilst the effects of climate change, uneven industrialization, and persistent conflict continue to produce vulnerability in rural areas (LIFT, 2020), in these narratives the production of vulnerability has a clearly identified, time-stamped event as the trigger. Whilst economic violence is more frequently used to refer to violence perpetrated often indirectly by economic agents, I argue here that the category is equally applicable to describe the economic injury perpetrated by those who seized land, and the consequences of that economic injury on the wider well-being of those dispossessed. A female in Northern Shan State describes the debt cycle which followed the seizure of her land:

After the land was seized, we tried to make the complaint. The village head didn't help much. There were a lot of legal costs, and at the same time, we didn't have land anymore, so had to rent other land to do some farming. But the land also wasn't the same, and so the harvest was not good. We had a lot of debt, and got into a debt cycle. Because that life security [of land] is taken away, we got into this cycle. It's like we have spiraled down into the lowest level of life.

A 66-year-old female, Southern Shan State said:

I had to rent some land from somebody else, and plant flowers. [Until now] I just have lots of debt. If we plant,

we need fertilizer, we need other stuff. I pay 20,000 for the saplings, I have to use 13 bags of fertilizer. I have to pay for other workers. After everything, I spend about 20 *lakh*, and then, when the time came to sell, there were no buyers! When the buyers finally came, after 5 or 6 months, they were cracked. The buyer went back the same day, I lost a lot. I lost about 20 *lakh*. With that mustard, I had to use a lot of fertilizer, I had to borrow money for that. I had to contact the agent in town. I borrowed from them, then when time comes to sell, they will take back their money from the sale. But at the time, the price was so low, there were no buyers, so the agent didn't sell, and so I was still left with that debt. I lost the money, lost the plants.

A 50-year-old female from Southern Shan State was asked what happens if she cannot settle the debt quickly:

Yes. I'll try to settle as quickly as possible. Now, I have 38 *lakh* debt, but in total, it will be 40 *lakh*, maybe 45 *lakh* to settle, because of the interest. I am trying to settle in the hot season, but it is hard. But in life, whatever your own problems are, you have to settle your debts to others. I'll try, bit by bit to get the money. If I can pay of those debts, I will be more satisfied. Honestly, if at least I am not starving, I'll be satisfied. I borrowed half with interest, half from relatives. I paid some off [when the harvest came] but then had to borrow again to send my son and daughter-in-law to Thailand to work. So, I still have debt.

The economic injury of debt also undermines the ability to repay by forcing the sale of productive assets, such as farm animals. Again, where repayments are secured on favorable terms, and linked to the harvest, farmers are more likely to be able to retain the assets needed to enable productivity. However, the absence of land collateral and the resultant reliance on unfavorable credit, including payment schedules not linked to harvest cycles, often results in the sale of animals normally used for the agricultural cycle itself. The sale of animals goes beyond simply economic productivity, however: together with land, working animals are an integral part of the both the identity of a farmer, and

the inheritance and legacy which they pass on to future generations. Such hardships are reflected in the accounts here:

After the land was seized, it was just one problem after another. We had to borrow money just to eat, to survive, and the interest is very high. We had to borrow to plant, and also for children's education. Before our land was taken, we had 10 cows, and five buffaloes. But after the land was taken, we had to sell them, and we couldn't get them back. Like all of those whose land was taken, our posterity, the health, education and prosperity of our future generations are all drowned under water by the oppression of those who took the land. We went five or six times to the respective departments to try and get the land back, we told them we want to get our land back from those who took it (55-year-old female, Southern Shan State).

Because of our economic hardship, we had to take loans [high interest]. If we got work, it was OK. But apart from him [household head] getting put in prison, his wife also got cancer. So, it was even harder. Because he was in prison, and we couldn't help him, it was even harder. They couldn't even send any food to the prison; they didn't even have enough for themselves (70-year-old female, Northern Shan State).

Because we had no work, we had to borrow from others. We got into so much debt. There was no way the children could continue their education; we had no money. It was so hard, we were so poor, it really affected our mental health also (55-year-old female, Northern Shan State).

The pathway of injury, though, does not simply run through tangible economic processes. Those with levels of debt perceived to be unsustainable, particularly if they had borrowed from village money lenders, also experienced social exclusion from community events like festivals and funerals. In the contexts studied here such social exclusion results in economic disadvantage, as those who participate in and contribute to social events are also more likely to be able to

access welfare assistance in times of need, such as illness or hardship (Griffiths, 2019a). The capacity to participate, through labor or financial donations, in turn generates social capital and standing, which increases the perception of eligibility and worthiness for social assistance. A 54-year-old female from Southern Shan State noted:

[I said to my daughter] try to get us free from this debt. In this village, there are so many people like that, with so much debt and no chance to ever settle it. If you have so much debt, afterwards, you have social problems. I mean, you don't get invited any more to village events. Even if you go anyway, people look at you, as if you're not invited. This is how bad it gets.

The ubiquity of borrowing by land-owning farmers implicates and includes them with the capitalist system, and yet their land ownership to some extent enables them to remain somewhat detached. By removing them from the means of production, and by seizing their main collateral, farmers are thrust squarely into both the center, and, in terms of power, the margins of capitalism (Aung, 2018). Debt moves from a means of livelihood to a means of survival, and on unfavorable terms.

PUSHED TO THE MARGINS: SURVIVING DISPLACEMENT

In a study of rural households displaced as part of the Thilawa Special Economic Zone east of Yangon, Griffiths (2023, p. 310) demonstrated that, even if apparently comprehensive relocation and compensation programs are implemented, negative economic trajectories, including rapidly spiraling debt, are experienced by most households:

The reliance on bought food, combined with more unreliable, insufficient and uneven income is also a likely cause of the higher frequency of loans for food insecurity amongst relocated households, where nearly one third of relocated households reported loans for food insecurity in the previous year—nearly twice the rate of non-relocated households.

For households interviewed as part of this study, the downward economic spiral was even more precipitous. With no alternative livelihoods or resettlement program, farmer-citizens were transformed into displaced denizens. The consequences of this were manifold but can be characterized by a sense of uprooting; the displacement from a place also triggered further, wider displacement. This involved not only migration of family members for work, but displacement further towards the margins of the community and society to scratch out a living. A 66-year-old female from Southern Shan State reflected this:

Q: You said before, after your land was seized, you really struggled, especially for your children?

It was so hard, I mean, the whole village was so poor. My daughter, she had to sell the pine tree oil, she had to collect cow dung to sell, like that. She had to collect the eugenia leaf, she could get 15 or 20 pya for one bunch.

Q: That was after the land was taken, right? During that time, could you do anything on that land?

They said, don't go onto that land. They got their own workers to work it for a year; after that, they left it, and rented out some parts. They charged 4 *lakh* to rent it.

Q: That was since 2006, right? So since then, you haven't been able to plant properly?

That's right. They rented it until 2013. After we asked for it back again in 2013, after that, they didn't plant it, they didn't rent it, they just left it fallow. It's now overgrown.

A 38-year-old female from Mon State had three acres seized and described the process of living life on the move:

Yes. We went somewhere else. I had a small plot on the hills. On the remaining land, I could cut some firewood and sell. That's it. I cut the branches to sell and ate the leaves. Before, we could live OK, we could plant and harvest our rice. But never like this, where we have to scratch

a living. My daughter, just living off the gleanings. Now, we are just day laborers in the transplanting season and the harvest season. We're like those rubber plantation workers, just scraping the sap from the tree. We're like that, just scraping a life.

Detached from the means of subsistence, displaced households engaged in a multiplicity of survival strategies, from day-wage labor to migration to opportunistic farming on marginal, or even seized land. However, a key element of these narratives is the displacement within households: household members going further afield for work, usually in less advantageous conditions, involving difficult, dangerous work. For some of those living in Kachin State, this involved travelling to the mining areas of Pakhant, where jade mines provided a steady 'fall-back' economy for those willing to risk working either in the mines themselves, or in the emergent, informal economy around it, such as a 67-year-old male from Kachin State:

You know, after the land was seized, it was so hard. We couldn't even borrow 50 *kyat* from anyone! Because of that, I just walked to Pakhant to work, to go and sell things there at the mines.

Q: Couldn't you raise some animals, pigs maybe?

We couldn't do that. We could just grow a little taro, plant a few vegetables. Just enough to prevent starvation.

Q: How old are you now?

I am 67.

Q: So how did you survive? With what kind of livelihood?

At Pakhant, I could sell a bit, like vegetables and fruit. With that, I could buy some rice. Some days, I didn't get enough to even buy rice, so I just went to my neighbour's house to eat.

Q: If you get your land back, what do you consider doing?

Whatever, I'll plant something! Really, if I can get land back, all will be OK again. We will be able to work and eat again.

For families, the inability to sustain a household could also mean younger household members migrating to find work, and at times then losing contact with the rest of the family:

I was 27 when I first came to this place, and worked the land. Now I am 78. At first, I didn't have the land title, but later on, I got it.

Q: Was that title 7?

I had the tax slips for selling rice paddy from that land.

Q: how many family members do you have?

In all, five children. But then, they weren't able to work here, so had to go to other places to work. Now, my daughter, she is just doing day labour, gets 7,000 *kyat* per day. After the land was seized, my middle son went to Tanai to find work. Until now, he hasn't returned home one time. I don't know, I heard maybe he is using drugs now. Is he alive? Is he dead? I don't know. After the land was seized, we did our best, me and my daughter. But it is always like this, the life of being hungry. After the land got seized, my husband, he just took to his bed. He was so depressed; he had no strength anymore. I don't know what disease it was, he just was weak and couldn't walk or get up. We barely had enough money for food, so could not afford any medicine (78-year-old female, Kachin State).

Migration to neighboring countries frequently involves significant brokerage fees, paid to agents who arrange either formal legal passage, or in most cases the riskier 'underground' routes where networks of traffickers link with border security officers to negotiate migration. The fees are sizeable, often paid for upfront with loans or sale of assets, or in some cases by the migrant themselves paying off the debt over time.

Q: How did your daughter get to Singapore? By an agent? How did you connect with the agent?

Two girls from the village were talking, like 'where have you come back from.' They had been to some training about going to Singapore. So, she got the idea. She said to me 'it won't cost much, don't worry. I didn't say anything, but I was happy. She said, there are agents, and you pay off your debt in about seven months. For that, you have to sign a two-year contract, and they will just take off the salary of seven months, the rest you can take as your salary. When I got home, she asked 'is it possible.' I said, 'from what you told me it sounds possible. You should go.' She thought about it, and she said 'If I stay here, we'll never pay off this debt. There is no hope of any life here. Life here has no security. The young people have the chance to pay off the debt. If I go there, for me, for you, it's the chance of some security in life. We discussed it, and I said, you should go, and try to get us free from this debt (54-year-old female, Southern Shan State).

Migration, whilst often a strategy of last resort, in many cases represents an outsourcing of precarity: new debt, with the risks being borne by the migrant themselves, who are often then at the mercy of employers and the security apparatus of their new host countries.

Q: Did any of your family migrate to find work?

Sure, not all of them, but two or three of them went.

Q: Was that because the land was taken?

Yes, after that, they had to find work. They had to work for others, and so they went to Thailand, to China to find work. But even there, it didn't work out, so they had to come back (56-year-old female, Northern Shan State).

Q: After the land was taken, what then? Did some family members have to migrate?

Yes, some went to Thailand. But it wasn't OK. Some went to China, but it wasn't OK. They kept getting arrested, put in prison. Some have returned now, some have stayed [there]

Q: Is that your family members?

Yes, my niece went there, and she got arrested and put in prison. She has returned now. She went to China, she was in prison for two years. She was back about two years now. But in our village, there is not much prospect. Not much development. The young people have to go here, go there, because so few people have land they can plant on. So even though she had that bad experience [in China] she wanted to leave again. Some of her friends went to Singapore, so she wanted to go there. She went there, working in a coffee-mix factory, But it is still not OK. But that's how it is (59-year-old female, Northern Shan State).

HEALTH, FEAR AND HOPELESSNESS

The impact of dispossession on health, as described in the narratives, is the result of four processes: the strain, particularly on older lifetime farmers, of taking on more physically demanding work such as day-wage labour; the psychological impact of both dispossession and the relentless futility of attempts to regain land; increasing alcohol abuse; and the inability to secure medical treatment due to the economic constraints after displacement. Consider these three responses from women when asked about the effect on their health.

It really affected our health. Since that time, all he [husband] does is drink. He works a day, two days, but then comes back, drinks a bit, then he can't work again. He is so depressed because of what has happened (57-year-old female, Mon State).

After the land was seized, we didn't have income. Our health was really affected, but we couldn't afford to get any medical treatment. He [husband] passed away. My children left to find work overseas. After the land was

seized, I got some help to submit the complaint to the authorities. I submitted over and over again, but there is no outcome (64-year-old female, Southern Shan State).

After the land was seized, my husband had to go and work for other people. That really affected him. You know, before, he was in charge, he would call workers; now he is the one who is under others. He got really depressed, and he started to drink. He was out working in all weather in the rain, in the water. But as he is not young, this really affected his health. We couldn't afford any medical treatment. He was sick, was in bed for two weeks and then died. At that time, my daughter couldn't attend school. We couldn't afford it, we had to take her out of school. I think because of that, that is why her father was just so depressed. After that, our daughter's health got worse. Before, because we were so poor, her health was not good, but now it got worse. Before, when she was unwell, I could get some treatment and she would recover. Now, I had no money to do that. Her disease, if you are a rich person, you could treat it, she could live a long time. I did what I could, but about a year after her father died, she also died. She was only 20 years old. If our land had not been taken, this wouldn't have happened (70 year old female, Mon State).

Dispossession and displacement to the margins, accompanied by deception, debt and a descent into even deeper economic precarity, are nonetheless accompanied by at times a defiant determination to survive on the part of the dispossessed, even against the odds. The multiplicity of survival strategies, accompanied by a dogged persistence in attempts to reclaim the land demonstrate the nature the agency of many of the dispossessed. However, these interviews again and again highlight the persistence of fear and hopelessness in the narratives of dispossession: fear of intimidation, arrest, or further violence; and a sense of hopelessness in the face of the staggering, overwhelming might of the military-elite axis. If fences and signposts represent tangible barriers to re-entry, if the exploitation of the legal framework represents a long-term impediment to redress, if the social and economic undermining of the dispossessed represents an indirect strategy to weaken resistance, then the persistence of narratives of threat and

dominance represent a final weapon of the powerful: the capturing and constraining of imagination and hope. This does not necessarily reflect the caricature of Zola's peasant whose "soul [is] so crushed that he did not recognize his own degradation" (Zola, 2016, p. 91), but rather represents a recognition of the effect of a persistent narrative of force in eroding hopefulness.

The negative impact on mental health appeared to be more frequently associated with the subsequent failure of the attempts to regain land:

It didn't affect my health much at first, but when I thought of the land being confiscated, I couldn't sleep at night. Although time passed, every time I went past that place, that land where I had worked so hard, now I could see other people working on it, I was so sad. I collaborated with other villagers to try and get it back (55-year-old female, Northern Shan State).

Just now, after my brother's land was confiscated, my brother's father is unable to eat because of his land confiscation. He really lost his mind.

Q. Did it happen after land acquisition? Or was it just like that before the land was seized?

After confiscating the land, it only got worse (45-year-old male, Southern Shan State).

Because of the stress of losing the land, my husband got very depressed, and we couldn't get medical treatment for him. He died eight years after the land was taken (60-year-old female, Southern Shan State).

Fear of retaliation impedes and constrains not only action to regain land, but also other actions to strengthen social and economic viability in the household:

After our land was seized, we had nowhere to go. We moved here, we bought some land, three plots, for 15 *lakh*. But after it was seized, we had nowhere to live,

nowhere to go. But we couldn't plant rice paddy any more, the plots were separated, one this side, on that side, the irrigation department were digging. The water they [irrigation department] were supposed to provide, you could never get it. All the water went into their irrigation system we got none of it. The irrigation channel went right through the middle, but we couldn't get that water. You could just about plant some [paddy] in the middle, but hardly any at the edges.

Q: Did you try to get your land back?

I didn't dare to do that.

Q: Why not?

We were afraid, you know, they said, if you try to complain, we'll arrest you (57-year-old female, Mon State).

The case of a 45-year-old female from Yangon highlights a more recent, urban example of the impact of forced eviction:

After the land was taken, when you lose your stuff, it was hard to get work to be able to eat. We had nothing to eat, nothing to drink. [...] We had to move, move quickly, first to a hostel, then an apartment room, then to another place. If people didn't help, I couldn't survive. I had nowhere.

Q: What did you do?

At first, I got work in [the] factory, but after a while, because I was older, I couldn't do it anymore. My daughter worked, got some income. It was so sad, I mean, we had just built the house, only got to live in it one year. When you see this, it strikes your heart. When it was happening, I tried to get help, but where can I go? I don't know where to turn. I can't read [well]. And as a widow, I can't build a wooden-frame house with a tin roof, I can just about build one with bamboo. If you came in, there would be nothing. Even now, I'm afraid, like if anything happens,

I'm shaking. Please don't share any photos of me, I'm afraid they [army] will come back and do something.

The erosion of hope constraints future investment. For families who previously could operate within the fickle but familiar unpredictability of the agricultural cycle, a life of incremental upward mobility could at least be anticipated, planned for, and acted upon. Where fear replaces optimism, and challenges any who dare to dream it could get better, the descent into despair represents a peculiar kind of violence: the murder of hope. For some, this descent was literal - at least one respondent described the suicide of a household member whose mental health disintegrated after their land was seized:

Back then, the army came and seized the land. The one who lost the most was [name]. He was so upset, he poured petrol on himself and set himself on fire. He killed himself. He was demonstrating, because he was protesting that they took the land and didn't give it back. It was just him and his niece, she had nothing. It was so hard, in the end, he just couldn't endure anymore, so he set fire to himself. It's all hopeless, there is no point in living, it is too much. Those who are still alive are in a worse hell than the one who died, those who are in this country, this village (54-year-old female, Southern Shan State).

The erosion of hope is not, however, simply an emotional state. The economic decline, accompanied by the dispersal of families, has far-reaching generational consequences. It is not simply loss of place, inheritance, and social security, but for many it brings a loss of educational opportunities, with a resultant downward social mobility not only for individuals and villages, but, as the next chapter argues, for entire communities.

CHAPTER 6

FRACTURES

That land, that land which we claimed by being the first to clear it; after that land was taken, we had nowhere to earn our living. We were day laborers. Overnight, we went from being farmers to day-laborers. Some went abroad to work; some stayed, but got depressed because of the hardship, and some died. And our kids? Because of the economic hardship, they lost their chance of an education. Their future is destroyed. I feel like a small boat, just tossed about in the big ocean (55-year-old female, Northern Shan State).

Thae ma htoo, nay ma htoo - Living or dying, what's the difference? (60-year-old female, Southern Shan State)

This chapter describes the downward spiral of life after dispossession, paying particular attention to how this impacts communities in areas of stronger ethnic identity, resulting in a form of ethnic cleansing of territories, undermining longstanding territorial claims as well as disrupting the linguistic, cultural, and livelihood heritage of ethnic groups. What is evident from the narratives here is that a critical transformation occurs as relationships of power and production are altered. Being dispossessed in this way ultimately results in a change of identity, both at individual and corporate levels. This, in the end, is both the consequence and the objective of subjugation.

Using the term dispossession seeks in some way to capture two elements of what happens to those whose land is taken. It is not simply that they are displaced from one place to another, or that something which was theirs has been taken with neither replacement nor recompense. It is

that the dispossession represents a rupture, or a fracture, in the stream of their life until that point. As the previous chapter demonstrates, this has multiple effects on the socio-economic well-being of the household, on their physical and mental health, and to some extent on their social status and class within society. This chapter seeks to trace the longer-term trajectories of these fractures, seeking to understand how this involuntary and violent cleavage from land shapes particular futures for those dispossessed of it. This is not to say, firstly, that the projected future prior to land being seized was necessarily positive or predictable. Recent studies of rural communities in Myanmar have underlined the precarious nature of rural livelihoods (Griffiths, 2019b, 2019c), and the considerable strains of the post-peasant transitions taking place in many of the locations where the land grabbing described in this study has taken place. Indeed, there is considerable irony in that land contestation is taking place in the context of a general decline in the viability of traditional rural livelihoods, and where the bumpy process of de-agrarianization is already taking place (LIFT/World Bank, 2014). However, this perhaps only enhances the impact of the land grab: by exerting a sudden effect on an already fragile, precarious way of life. Cleavage from land and place exerts effects far beyond household and community economics (Andrews, 2018). Even for communities with no formally documented, articulated “social, emotional and cultural” connections to land (Tobias & Richmond, 2014), being spatially distanced from one’s land, particularly through a process of sudden force, has profound consequences on their longer-term futures. The sudden spatial rupture triggers a deterritorialization, which in turn impacts the identity of those dispossessed. As Osorio Pérez (2008, p. 29) notes, speaking of women displaced by conflict in Colombia:

Forced displacement is a violent experience that produces radical and abrupt changes in individual and collective lives[.] The loss of their homes and the accompanying identity referents (e.g., those of producers, neighbours, residents) is a powerful traumatic experience of social exclusion.

What occurs is more than simply separation from the means of subsistence, or the weakening of social networks. A change in the identity of the dispossessed occurs, which in turn has economic, social,

and political consequences. Kibreab (1999, p. 407) writes of the importance of place and place attachment as being intrinsic to identity, which in turn is the means to securing rights:

The somber realities facing the displaced and the dispossessed on the ground do not remotely match the so-called deterritorialization of identity. Place still remains a major repository of rights and membership [...] The identity which people gain from their association with a particular place is not per se intrinsically fundamental. But in a world in which many rights such as equal treatment, access to sources of livelihoods, access to land, rights of freedom of movement and residence, are determined on the basis of territorially anchored identities, the identity people gain from their association with a particular country is an indispensable instrument to a socially and economically fulfilling end.

These occurrences are not reducible to the loss of access to productive land, or even the change of relationship with community. The “deterritorialization of identity,” as Kibreab phrases it, caused by involuntary displacement, ‘constitutes gross deprivation’ and loss of “some part of one’s very humanity” (Kibreab, 1999, p. 407). This occurs through three mechanisms. First, through the ongoing spatial and emotional displacement which persists beyond the initial displacement, through increased migration, family separations, and social fragmentation. Secondly, through generational impacts, undermining the futures of the children of the dispossessed, as educational access declines and limited work opportunities push many towards distant, difficult, dangerous work, and the risk of substance abuse. Thirdly, through the erosion of community life, social capital, and meaningful connections based on previous spatialities. Combined, these result in the production of new identities: typically marginal, sometimes criminalized, and in most cases, shadows of their former selves. From the perspective of those seizing the land, the outcome is both clear and desirable: previous agency is brutalized and stifled. They render subjects passive and incapable of posing a threat to re-occupying former lands, either in this generation or the next. Communities, often with ethno-linguistic particularities, are scattered, subdued, and now unable to voice any claims to territory or homeland.

FRACTURED FAMILIES: MIGRATION, EDUCATION & DRUGS

The impact of the sudden displacement and loss of economic viability takes its toll on household cohesion, as household members are increasingly spatially distant in the pursuit of survival. This is not a phenomenon uniquely related to dispossession. Jonathan Rigg (2015, p. 132) suggests how, in Southeast Asia, it is common for a household to operate “socially, and economically, across space.” However, even in the majority of cases where development occurred “without dispossession,” it was accompanied by a high degree of social fragmentation (Rigg, 2015, p. 140). Decisions around migration tend towards either more planned, strategic approaches, or to crisis migration. Each has different drivers, resources, and destinations, leading to often radically different outcomes. Migration after land seizure, in the narratives featured in this study, sit somewhere between violent displacement, such as civil conflict, and planned migration as an economic strategy (Ito & Griffiths, 2016; LIFT, 2016).

Right after the land was seized, you know, I was already five months pregnant. My husband was so fed up, he went to Thailand to get work. Our life, we went from being owners to landless people, and it was a very hard economic situation. Each household member had to do whatever they could to contribute, mostly doing day-wage work. We only had two tins of rice (about half a litre) and 30 *kyat* left. All the children had to work together, go to other villages, selling fruit in baskets, trying to get what income we could. So, we could send them to [Thailand] we sold our cows. At the time, they didn't have passports, so they went the illegal way. Because of that there were so many difficulties. They couldn't send back any money, and we lost contact with them (46-year-old female, Southern Shan State).

After the land was taken, we couldn't afford to keep the children in school. So, despite being underage, they also had to work. They went to work as day-wage laborers for others. They went to other countries to work, but they didn't have any protection, any rights there (60-year-old female, Southern Shan State).

Migration is a widely reported coping strategy both in Myanmar and elsewhere in Southeast Asia (Chantavanich, Ito, Middleton, Chutikul, & Thatun, 2008; LIFT, 2016). In many areas, particularly for those in areas bordering Thailand, China and India, it represents a key livelihood strategy for many households in the face of the declining viability of the rural economy. However, the nature and mode of migration, including formal or informal paths, are influenced by the extent to which migration represents a planned or a crisis response: selective or 'distress' migration (Nienkerke, Thorat, & Patt, 2023). The narratives examined in this study primarily describe 'distress' migration, which tends towards less advantageous routes and destinations, more dangerous and often costly methods, and lower rewards. In a prior study of the same households interviewed for this study, over one in five households reported at least one household member migrating overseas in the immediate aftermath of having land seized (BadeiDha Moe, 2020).

A commonly reported consequence of sudden dispossession was a negative impact on children's education, precipitated by both the inability to afford school fees, and the increased pressure on children to engage in income generation for the family. Myanmar's state education system is advertised as free, but in reality requires significant out-of-pocket contributions from families for uniforms, books, registration fees, and a multitude of informal payments to teachers (ReliefWeb, 2011). A 30-year-old man from Kachin State describes what happened to his family after their land was seized in 2006, when he was still of school age:

They couldn't go to school anymore. It was hard enough before the land was taken, but afterwards. They seized the land just two months after my father died. After then, we all had to work, we couldn't go to school. My mother, she tried to get enough money for the children, she went and did selling at the market [on the hill]. But it was not enough. Maybe two years later, the youngest were sent to an orphanage. Even until now, it's not OK. And our family, we didn't stay together, you know, one is sent here, another over there. It's hard for the children.

This in turn was often a trigger for later out-migration, often through informal, more risky and less rewarding channels. What dispossession served to do was threefold. Firstly, the lack of compensation or provision of the means for subsistence meant that not only were funds for education unavailable, but children were also required to work to support the family. The focus of the household economy shifts from future investment to immediate survival, with the immediate consequence of producing child laborers. These interviews here show the impacts on children:

Because we had no work, we had to borrow from others. We got into so much debt. There was no way the children could continue their education; we had no money. It was so hard, we were so poor, it really affected our mental health also (Female, Northern Shan State).

After the land was taken, whatever we tried, we couldn't get enough [income]. Not one of our children could finish school, we just didn't have the money (Female, Kachin State).

We submitted the complaints to the respective government departments. We have seven children, and after the land was seized, we had to take them all out of school. Everyone had to work, so although they were still children, they had to work. It was hard to find work. One son and one daughter went to Thailand to work. The other children stayed; they are day laborers in construction. I feel a complete failure, I couldn't fulfil the family duties of providing a home (51-year-old male, Southern Shan State).

Secondly, this further undermined the longer-term viability of the household economy, further consolidating downward mobility. In prior chapters, illiteracy and lack of education were seen as key factors in the lack of capacity to effectively seek redress. Here the effect of dispossession on the education of the next generation is seen to further undermine the future capacity to make claims to regain land:

Our land was forcibly taken by 23rd Division infantry, then they transferred it to some private owners. After that, it was really hard, we had no income. We had no money to keep our children in school, so they lost any chance for education. In fact, everyone in the household had to work just so we could survive. We really fell to the lowest level of society, and when we lost our land, we lost all our security in life (Female, Northern Shan State).

Q: So, after the land was taken, what was your economic situation? How about the children's education?

It was difficult. My daughter couldn't stay in school, she had to go and worked for others as a day laborer. We planted a little, but not enough. So, she couldn't stay in school. If you don't get an education, what do you call us? Illiterate, can't read or write. So, you just go from place to place, try to get work each day (66-year-old female, Southern Shan State).

DRUGS AND MADNESS

At least two dozen narratives described the psychological impact of being dispossessed, and cases of substance abuse, particularly alcohol, affecting male household members. What was also reported was the pathway into drug use amongst the children of those dispossessed. This was more common in narratives from Kachin State and Northern Shan State, areas known to have a higher prevalence of narcotic use. In the narratives, the main pathway into drug use was described as being due to the pressure to find alternative means of subsistence. This served to push children away from the household at an earlier age, in a state of relative social disadvantage. It often resulting in migration to more risky areas, or involvement in dangerous work in contexts where drug and alcohol abuse were more common.

I have 10 children, now one who is 18 years old, he was so fed up, he went to China to work. But he's young, he is far from home, and so he started drinking. He got addicted, he is just drunk all the time now. He just gets drunk, goes

around harassing people. Another two, they were unwell, but we just don't have enough money to get medicine, so they died. (The man cried for several minutes). So many difficulties (53-year-old male, Kachin State).

A 40-year-old male, Kachin State was asked about the other difficulties he had after the land was seized:

So many problems. My father got health problems, his blood pressure got worse—in the end, it killed him. Because of the problems, we also had to stop my education. We moved from this place to that place, try to find work. My younger brother, he was also going from place to place to find work, but he also started to use drugs.

The displacement of young people towards locations where drug use was prolific, and where young workers may even be paid in narcotics instead of cash, is a tragically well-known phenomenon in both Kachin and Northern Shan State. Around gold or jade mines, difficult and arduous working conditions are offset by the promise of rich rewards, and the easy availability of instant amelioration of fatigue through narcotics. The destruction of land through mining is accompanied by the destruction of young people's physical and mental well-being through drug use, which in turn further fragments family and community cohesion:

It was U Yup Zaw Kwang and his son, together they took the land of forty households, just came with a bulldozer and ploughed up the land. They said they'd plant stuff, but they didn't, they came and did gold mining instead. They just took whatever area they wanted; we couldn't say anything. They had guards, in dark uniforms like the fire service, with clubs and catapults, they could call them if anything happened. They mined for gold, and each day, got about 1.6kg. Then with the gold mining, comes the drugs. Out of 100 youth, 90 are using drugs. Some are as young as 13. Some are injecting drugs now. At the start, people worked together to get the gold, got a little moment. But then, the big bosses came, started to claim this plot, that

plot. It has had a really big impact on people's mental health, we didn't want to give the land, but they made this kind of internal conflict between Kachin people, it is very rough and violent (48-year-old male, Kachin State).

However, research on the generational impact of forced displacement also highlights the role of the experience of persistent uncertainty on the mental well-being of children and adolescents affected by displacement (Iraklis, 2021), coupled with the challenges of facing multiple pressures due to disadvantageous social and economic conditions.

The intergenerational impacts of displacement are well documented (e.g. Neef (2022)), related to the ways that changes in relationship to land also impact intergenerational practices, including the transmission of language, cultural values, and not least of all, wealth in the form of land (Shultz, Rechkemmer, Rai, & McManus, 2018). The undermining of educational opportunities, added to the decreased capacity of parents to support their families, spatial separation due to migration, and the decline in community social capital (see next section), result in a radical re-orientation of the futures of the children of those dispossessed. Whilst evidence from studies of the rural economy in Myanmar does indeed paint a fairly bleak picture in relation to the viability of agriculture-based livelihoods, particularly for the next generation, being displaced from land represents a selective curtailing of both that, and the means by which to prepare oneself for an alternative livelihood: education.

FRACTURED COMMUNITIES: THE COLLECTIVE COST OF DISPOSSESSION

The relationship between social capital and dispossession is complex: studies of displacement due to Special Economic Zones or large development projects present a varied picture of the effects on community relations and cohesion. On one side, there is considerable evidence of displacement and dispossession resulting in a strengthening of collective action against a common threat, often resulting in new, or modified village associations which seek to present a unified voice of protest (Maung Pyae Phyo & Wells, 2018; Wells, 2019):

The other farmers, they also had land confiscated by the army, and when they did it, they also destroyed the crops. Although they were afraid, they also went onto the land again. But because of that, they were arrested for trespassing, and they were threatened ‘we will send you to prison in a place far away.’ They came with trucks and made us get on the trucks, all of us. The farmers said, well, living or dying, what’s the difference? So, they arrested them, and family members, and made them get onto the army truck. They destroyed the crops. The [army] took the farmers to the army camp and made us sign the papers to say we would not enter and cultivate in the future. But the farmers wouldn’t sign, and left the army camp and walked home (60-year-old female, Southern Shan State).

However, this is not universal: Levien (2011, p. 478) records the reluctance to form village organizations in response to displacement by an Special Economic Zone (SEZ) in India:

Discontent continues to brew in the villages, but when I ask farmers why they do not start a *sangatan* (organization) [...] they say that it is impossible because all unity (*ekta*) in the village is gone. Some have become brokers and many others have already sold the rights to their land, so they have nothing to fight for. While we should not overstate the prior unity of a caste and class divided rural society, there is a general feeling that money has corroded any sense of solidarity in the village and even within families [...] the market-oriented compensation policy has created very individualized and therefore unequal relations to the SEZ, enlisted some fraction of the village as self-seeking middlemen and effectively undermined any basis for collective action.

This element was to some degree evident in some of the displaced communities in this study, where the military-elite actors appeared to seek to deliberately undermine social cohesion by providing selective compensation to some households, or by providing menial compensation to younger family members, who by accepting it then

undermined any claims by the rest of their household, resulting in considerable disharmony:

I didn't want to give the land, but you can't do anything. They beat us up once, and my mother was afraid it would happen again, so just gave up. What they did, they gave a very unfair compensation to the children of the owners, but didn't tell the parents or elders. So, the younger one took the money, and the parents didn't know. This caused internal conflict within families (48-year-old male, Kachin State).

The involvement of an array of brokers, money-lenders and fixers also complicated social cohesion, particularly where some households accepted compensation and others did not, thus making some objects of suspicion, or envy. This further enabled a weakening of corporate unity and resolve, often undermining future attempts to gain redress collectively, as when some had already accepted compensation, this was cited as evidence of legal compliance on the part of the land grabbing agents, even where compensation was either unjust, or in cases where it was not accepted.

The spatial dispersal also undermines community solidarity. Even where households were able to remain living in the same area, having been dispossessed of farmland but not residential land, the negative impact on livelihoods resulted in an undermining of social customs. These include community welfare associations, considered an almost ubiquitous presence in rural Myanmar (Griffiths, 2019a, 2019b; McCarthy, 2017). Such associations, whilst taking different forms in different parts of the country, have for decades been source of assistance for funerals, healthcare emergencies, and in some cases education support for community members in need. They typically rely on donations from community members, and participation in organizational activities by the youth of the community (Griffiths, 2019a). Events, such as funerals and festivals, would be times where the whole community gathered, and many of the organizations would have a name which indicated both a particular virtue (often drawn from Buddhism), and the name of the community. These would often be a great source of pride to the community, and a crucial part of their

self-identity. However, with both high levels of out-migration of young people, and the decline in livelihoods and income affecting donations, the strength of these organizations and their ability to maintain the necessary 'performance' has waned. With it has been the erosion of a key source of community solidarity and mutuality. Consider these two excerpts from interviews:

Well, after the land was taken, I had to go and work for other people, as a day-wage worker. I could get a little money and buy rice and oil. I could just about prevent our family from starving [but no more]. But it was really hard during the off-season; I had to borrow food from others just to survive. Then I paid back when I got some work. After the land was taken, in our village, the village social organization was really neglected, and so there was nobody to help support for health problems or children's education (58-year-old female, Southern Shan State).

The company offered compensation of 8-10 *lakh* per acre, but because we didn't get any other land, we didn't sign [for that]. So, we had no land, no money, so we had to go and be day-laborers. It was hard, just getting enough to buy rice and oil. In that time, people couldn't donate to the village social organization, there were no funds for healthcare. If somebody is sick, all they could do was use some herbal remedy. We couldn't afford children's education, and the village organization couldn't support either. We know that for any sustainable future, we need our land back, not compensation (47-year-old male, Southern Shan State).

Analysis of households relocated by the Thilawa Special Economic Zone demonstrate, on the one hand, higher levels of social capital as measured by participation in village organizations, particularly by women (Griffiths, 2018). However, measures of the actual efficacy of social organizations, in terms of capacity to provide social welfare, demonstrated a comparative weakness of social capital in relocated communities. Michael Cernea (1996, p. 1517) describes the process of the breakdown of community systems:

[A] profound unravelling of existing patterns of social organization [...] production systems are dismantled [I] ong-established residential communities and settlements are disorganized, while kinship groups and family systems are often scattered. Life-sustaining informal social networks that provide mutual help are rendered non-functional [...] The cumulative effect is that the social fabric is torn apart.

As Watts (1992, p. 118) notes, “social structures cannot be separated from spatial structures,” with social institutions, social capital, and wider social identity negatively impacted by the spatial separation caused by land grabbing. This process of “social disarticulation” involves “the dismantling of communities’ social organization structures, the dispersion of informal and formal networks, associations, local societies, etc.,” and represents “an expensive yet unquantified loss of social capital [which] undermine[s] livelihoods [and] among the most pervasive causes of enduring impoverishment and disempowerment” (Cernea, 1995, p. 252). The impact in the longer term is devastating. Particularly for communities organized around a local, and in some cases ethnic identity, there is a combined effects of undermining of livelihoods and local economies. The dispersal of households and generations, and the undermining of social structures, in turn weakens corporate identities.

FRACTURED IDENTITIES: THE NEW SUBJECTS OF DISPLACEMENT

The impact of forced dislocation on corporate, community and cultural identity has been well documented, particularly with reference to development-induced displacement affecting indigenous populations (Gibson, 2008; Ginting & Espinosa, 2016). However, for the victims of land grabbing, the impact on identity is also seen at individual, household and sub-community levels. Firstly, the sudden separation from land, and with it, a particular lifestyle of relative self-sufficiency, has an impact on the relationship of the previous occupiers with themselves. Several respondents spoke of the loss of agency they experienced: where previously they regarded themselves as to some extent in control of their life, livelihoods, and futures, they now instead were cast into deep uncertainty, and constrained in terms of what they were

actually able to do to respond. In particular, men felt a sense of emasculation, from being a provider to being an inadequate dependent. This was in some cases associated with an increase in alcohol abuse, depression, and domestic violence.

Secondly, the identity of dispossessed people and households was changed in relation to others: this included their own household members, other community members, and those outside the immediate community who had not had land seized. The loss of agency was externally perceived, as those who lost land became defined more and more as victims. The status of being landless, and having to work for others, also was described by several respondents as like suddenly 'falling into the lowest class.' In particular, as debts mounted, and their inability to contribute to wider community welfare become more obvious, several households experienced social stigma, including being unable to borrow money. Consider the experience of this 42-year-old male from Kachin State:

After the land was seized, that's when all the troubles started. My kids, they had to work abroad. They were destroyed. The men go there, live there, the women go to China to work. But they get tricked there, there are those people who take advantage of them. That's the consequence of not having the land: you either work here, like a day-laborer, or they go there, they get married to a Chinese person, and we don't see them again. Because we lost the land, we had so many conflicts in the household. You are so tired trying to work to get money, you just get angry. When it's hard to get money, when people have to find so many ways to make money, there are also so many more things which break up the household. Before the community was quite harmonious, quite united, but not now. There are so many social problems that we didn't see when we were working on our own land. Now it is so much worse. Why? Well, before, you know when we had land, that land was what we could give to our children [as inheritance]. Now we have no land, we have nothing to give them. We can't provide for them. So, from their side, they don't respect us, because we can't provide. We

can't instruct them anymore; they just do whatever they want. Even if I work all day, I can only get 5,000 *kyat*. I mean, what is that? I can't feed a family with that. So, we have quarrels in the family, and the children now, they are using drugs. [Because we have to be working all the time] we don't see our children much. You're out working as a day-wage worker for someone else, you can't see if your children have started using drugs or not. When I was younger, we only heard about drugs, we never saw them. Now, in our village, you see with your own eyes, you see them, the needles, everything. Why is this happening? It's because of having the land taken. How? Well, they can see - look, he [our father] he's just a day-worker, he doesn't even live in the same place as his children. Now, some of the children have to go to other countries to work, to send money back. Before, we didn't need to do that. But now, they see, I cannot provide. When they took our land, it was like suddenly, we were thrown down to the lowest class, like they broke our rice bowl.

Having been displaced from land, they are no longer what they were. They are no longer farmers, but day-laborers. They are no longer able providers, but marginal survivors. They are in many cases no longer strong household heads, but weak and reviled by their own family. They have also changed status, category, and class. They are now no longer landowners, but landless denizens in their own territory, and the stigmatization which follows marks them as victims.

But thirdly, their dispossession as a result of land-grabbing by forces colluding with the state changes their identity in relation to the State itself. Scott (2014) describes on a more corporate scale, and Thawngmung (2019) at a more individual level, the tendency of people in Myanmar—and particularly those in more peripheral areas—to avoid engagement with the state where possible. The avoidance of unnecessary inscription; the desire to carry on with one's work unnoticed, and to give government agencies a wide berth, has resulted in long-standing practices of informal justice (Kyed & Thawngmung, 2019) and a reluctance to pursue procedures which would implicate or record them into formal records. However, having land seized

illegally by military, government or commercial companies resulted in enhanced visibility within relation to the state. Notably if they either sought redress or tried to re-occupy their land, victims became the subject of lists, records, and legal cases. Where previously they had been able to exist as marginal citizens, they were now forced either into a pathway of radically diminished citizenship if they simply passively accepted the land grab, or into forms of state engagement which were legally inscribed - often resulting in arrest, detention and criminalization. Where avoidance of engagement with the army and the state was preferable, some found themselves forced into situations of dangerous confrontation:

We couldn't make ends meet. I went to see the deputy commander. When the commander wasn't there. He just kicked me out. He said, 'I'll drive you out of here, right to foreign countries. I'll arrest you if I want, but it's better if you die!' (71-year-old male, Kachin State).

The heart of the exchange is one of subject-making: redefining the identity of people by changing their relationship with the aggressor (the state). Through the process of redefined spatial realities, new subjects are 'produced':

frontiers are sites where authorities, sovereignties, rights, and hegemonies of the recent past have been challenged by new enclosures, property regimes, and territorializations, producing new 'urban-agrarian-natured' environments, comprised of new labour and production processes; new actors, subjects, and networks connecting them (Peluso & Lund, 2011, p. 667).

As Malhi (2011, p. 741) notes in relation to settlements in Terengganu, violence plays a key role not only in the in the colonization of territory, but of the 'purposeful attempts to construct new kinds of subjects, whose ways of seeing themselves correspond with the spatial formations layered over landscapes by contests for power and their outcomes.' What is at stake is a 'process of dismantl[ing] and reorganiz[ing] the identification of subjects' (Radcliffe & Westwood, 1996, p.

14), such that they are rendered both at once more marginal, and more inscribed in the State's ledgers.

What is different? What kind of 'new subjects' are produced through the violent spatial reconfigurations of land-grabbing? Where in most cases the claim to control of the land was made on the basis that, firstly, all land belongs to the state, and that secondly, the original occupiers had no legal right to occupy the land, the inference is that the original occupation was illegal and therefore those displaced were guilty of squatting. This remakes the subject with respect to state power: they are now confirmed at least as trespassers, and if attempts at redress are made, such a status can be further confirmed through formal criminalization. Where previously the relationship with the state was in many cases informal and somewhat distant, having land taken by force leads in many cases to a more proximate relationship - one of subaltern status, of the subject to the ruler. For many, the land grab moved them from a disadvantageous but relatively non-hazardous marginality, into a state-sponsored form of marginality. This time, the marginality is determined and defined by the state, maintained by its control over the land itself and the systematic undermining of the means of subsistence of the dispossessed.

Such deterritorialization confers upon the subject the status of trespasser, victim, and criminal, with the choice either to move further away (i.e., embrace an even greater degree of marginality) or to attempt redress through appeal to the state's own systems. This is reflected when considering what happens next after the de-territorialization that comes with displacement. As Suhardiman (2022, p. 376) describes:

Reterritorialization involves the process of how the displaced and resettled (re)build their networks, improve their bargaining power, adjust their livelihoods and adapt their strategies, while making the decisions to control their own lives.

Reterritorialization is a "slow and ambiguous long-term process. It must create new territories and develop new identity referents from a disadvantageous position of moral suspicion" (Osorio Pérez, 2008, p. 37).

In terms of the objectives of the military doing the seizing, the creation of deterritorialized subjects - now disadvantageously encoded in the legal system - further supports the wider goal of subjugation. Much like the subaltern in colonial systems, these new subjects are no longer outside the immediate sphere of the central authorities, but rather have been rendered as differentiated, marked individuals and communities, with a marked reduction in capacity to reorganize and resist.

CHAPTER 7

LAND GRABBING: AN ASSEMBLAGE

They do it very deliberately. They have their objective. They just want us to be quiet, just to sit here. But we won't be quiet. We are not afraid (72-year-old male, Sagaing Region).

Assemblage theory has been applied in multiple disciplines as a means to examine the constructed nature of social systems, structures and phenomenon (DeLanda, 2006). The focus on the interactions between constituent parts, sometimes along different axes, enables fresh insights into the emergent nature of social phenomena, and how the nature of constituent parts is transformed or constrained by their relations with other parts. DeLanda considers how, in the example of war, an assemblage approach to weapons looks not simply at the particular material element (a gun, or a bow) but how a whole “comprised of a human being, a fast riding horse, and a missile-throwing weapon like the bow” is an example of an assemblage “of heterogenous elements, cutting [...] across entirely different realms of reality: the personal, the biological, and the technical” (DeLanda, 2016, p. 68). Assemblages can be considered on various scales (assemblages of assemblages), and crucially, in relation to terrain and topography. There are components: some biological and technical, but some defined in expressive terms; their arrangement, relationally and spatially, results in changes to the nature of different components (“constraining them and enabling them” - (DeLanda, 2016, p. 71). What is of interest here are the ways in which particular bodies (farmers, soldiers, officials, children) interact within a particular space (land, but also legal and historical space), involving

various materialities (guns, crops, bulldozers) and with a number of expressive components (fear, desire, dignity, cultural heritage).

Assemblage theory is applied to forms of violence in relation to public spaces (MacLean & Moore, 2014), sexual violence (Janak, Bhana, & Govender, 2022) and wartime violence (Philo, 2017). However, it is the use of assemblage theory in the analysis of domestic violence which provides the closest parallel with the event of land-grabbing. Farr (2021, p. 11) building on Puar (2012) considers domestic violence in assemblage terms:

Following the standard definition, a reformulation of domestic violence is possible through the theories of crash and assemblage. First, broken down into its three distinctive components, domestic violence is 1) a pattern or cycle of abusive behaviour in 2) a relationship 3) that is used to gain or maintain power and control.

First, the various components of the assemblage are identified: both biological (usually two bodies, most frequently of different gender) and technological materialities (such as the TV, furniture, and possible implements of violence to hand). All this takes place in a particular space - and in Massumi and Puar's example, the living room (Massumi, 2002, pp. 80-81):

The patterns of relations between household bodies are re-problematized [...] A struggle ensues: a gender struggle over clashing codes of sociality, rights to access to portions of the home and its contents, and rituals of servitude. The sociohistorical home place converts into an event space.

The event space is not simply a stage: the clash itself is concerned with particular rights and privileges within that space, and in relation to the bodies within it. Thus:

There is a focus on the patterns of relations—not the entities themselves, but the patterns within which they are arranged with each other [...] There is a sense of potentiality, a becoming. “Anything could happen.” It is a moment of deterritorialization, a line of flight, something

not available for immediate capture—“everything is up in the air,” and quite literally, the air is charged with possibility. Intersectional identity comes into play, as the (white) male is always already ideologically coded as more prone to violence. Finally, the strike happens: the hand against face. The line of flight is reterritorialized, forward into the social script, a closing off of one becoming, routed into another assemblage (Puar, 2012, pp. 60-61).

The strike - the deterritorialization and reterritorialization - is described as a ‘crash’: specifically, a crash of bodies:

[domestic violence] in conjunction with intersectionality and assemblage theory can be reformulated across a similar three moments that result in crash. Domestic violence as a crash is an event defined through: 1. a pattern or arrangement 2. of power relations or relations of forces 3. which establishes a regime of one force over another through deterritorialization and reterritorialization: crash (ibid, 61).

The key here is movement, where bodies with a prior relationship experience a change in spatiality, which results in an altered assemblage, and subsequently, altered identities (there are the striker and the struck; the abuser and the victim). These moments “are closely connected to how the assemblage establishes the identity of subjects” (Farr, 2021 p. 11). In describing domestic violence in assemblage turns, Farr, and other feminist scholars, draw attention to violence as “a pattern or arrangement of power relations of forces which establishes a regime of one force over another through deterritorialization and reterritorialization” (p. 12). The assemblage is, as Deleuze and Guattari highlight, constituted of both ‘content’ and ‘expression’, where, on one axis, a “mechanic assemblage of bodies, of actions and passions [... and] transformations” and on another axis, “territorial [..or] reterritorialized sides which stabilize [and] the cutting edges of deterritorialization, which carry it away” (1987, p.7; 2004, p.88).

How is this related to land grabbing? Firstly, the categorization of land grabbing as described in these narratives has closed parallels with Puar’s

description of domestic violence as a pattern or cycle of behavior, in a relationship (citizens vs. state/military) used to gain power or control. The ‘strike’ or ‘crash’ which initially displaces people from their land is key to establishing a new territorial arrangement, based on fear and domination by those who have done the displacing. This “deterritorialization and reterritorialization” is in some sense quite literal, but at a symbolic level it results in the transformed identities of those concerned as they become victims, migrants, criminals, marginals and the oppressed. The significance of assemblage is identifying the ways by which re-arrangements of particular materialities - such as guns, fences and laws - are crucial to the process of de- and re-territorialization, and the establishment and maintenance of new identities and relationships.

LAND GRABBING: ASSEMBLAGES OF VIOLENCE

If land control (or perhaps land control violence) exists as an assemblage, then the horizontal axes of bodies, spaces, implements, and actions are arranged in relation to deterritorialization and reterritorialization - not simply in relation to land itself, but in relation to control over land and bodies. At issue is not who has the right to live and work the land, but who has the right to live at all, and under what terms.

If the initial seizing of the land, with displacement achieved through both explicit and implied violence, represents the ‘crash’ of bodies and the process of deterritorialization and reterritorialization, the subsequent, less intense, but more protracted violence involved in maintaining control over the seized land highlights the ongoing role of violence in maintaining the arrangement of power relations. Using assemblage theory to interrogate the process of land seizure highlights the place of different entities and components (materialities), but also enables a more critical analysis of the broader purpose of land seizure by analyzing its means. As with domestic violence, causing physical injury is hardly the point; it is the establishment and maintenance of domination which is the key purpose. A more detailed analysis of the assemblage of land grabbing reveals the extent to which the new arrangement of materialities is largely in the service of maintaining subjugation of minority classes, rather than achieving economic gain.

An assemblage of land grabbing based on the components outlined in the previous chapters considers the various human elements: the principal actors (the perpetrators of violence, the victims of violence) as well as the various bystanders who are somehow implicated in the process. Then there are the material elements: land, weapons, barbed wire, bulldozers, and crops. Critical to the assemblage are the symbolic elements: laws, narratives, language, fears and ambitions. Less easily discernible are some of the expressive components, which represent both actions and material changes: migration, madness, and indebtedness.



Figure 3: Assemblage of land-grabbing violence.

Here, the green circles are the principal actors: soldiers, officials, investors, thugs, and farmers – whose relationship is transformed through the ‘crash’ of the assemblage of violence. Drawing again on Puar and Farr’s work (2012), in relation to intersectionality we can also pay attention to the intersectional identities of certain actors - particularly of the military. Traditions of masculinity also intersect with notions of racial superiority, and violence is not simply a means to achieve subjugation, but an integral aspect of individual and corporate identity.

The red circles are particular materialities: the contested land itself, and many of the materialities of violence, such as guns and clubs. This includes the physical elements used to maintain control of land, such as fences and barbed wire, and the implements used to destroy

the means of subsistence and transform the nature of the land, such as bulldozers, buildings, mines, and other infrastructure.

The yellow circles are more abstract materialities and processes, which represent both elements of contestation and also processes of control. Land grabbing in this context represents the imposition of a particular ethnogeography by one party on another. This links to the second component: that of history. Claims to land by both sides are rooted in history: for the original occupiers this refers to their own claim often through the customary tenure arrangements, where those who first clear the land are considered to be the rightful owners. However, the military's claims to land is also based on historical narratives: of military dominance on previous eras, of troublesome ethnic minorities, of national guardianship entrusted to the military; and of rightful ownership of all lands through legal and constitutional provisions - themselves justified through specific, codified histories of agreements such as that at Panglong. Language itself is also an arena of contestation: many of the narratives highlighted the difficulties experienced by those having their land seized because they did not speak Burmese, the language of those doing the seizing. These included assorted 'sites of practice' which in some senses represent the 'ground of retreat' for those dispossessed: the means and practices for coping which represent a material experience, such as debt and drug use; other lands and territories onto which they are displaced, or to which they migrate; particular materialities or locations with symbolic power to alter identities, such as criminal records or incarceration; and finally, the experience of madness, whether as depression, or in extreme cases, self-immolation, resulting in a final material transformation. Debt and migration represent both an experienced materiality and an existential state: both are ultimately a displacement from sustainability, well-being, and a future of one's choosing.

Finally, the more primal elements of fear and desire: the fear, of the military, of supposed threats from ethnic or other groups - married to the desire to maintain dominance - in turn generates narratives of violence designed to provoke fear amongst those from who they are taking the land. The deliberate displays of controlled violence, such as firing warning shots or threatening villagers within heavily armed military compounds, generate narratives of fear which amplify the effectiveness of future displays of violence, thus reducing the requirements for actual physical violence.

This is by no means complete, but the constituent parts interact in what Farr and Puar would term a ‘crash event’, which deterritorializes and reterritorializes, and which results in the transformation of particular identities: of the actors (particularly the dispossessed) and also of the land. The ‘crash event’, whilst occurring at a specific time and in a specific place, is itself preceded, as Farr and Puar describe, by a smoldering process of emerging “potentiality, where anything could happen” (Puar, 2012, p. 60). Narratives of violence emanating from other places, coupled with the promulgations of laws and the persistent dominance of military narratives within governance discourses, creates the emerging potentiality: the ‘crash’ comes as that potentiality is realized through proximity - actual troops or security forces, with guns, erecting fences, and bulldozing crops. The crash and the strike, deterritorializes and reterritorializes, forming a new arrangement of bodies in relation not simply to the land, but to each other and the other materialities. Returning to the example of domestic violence, what is achieved by those grabbing the land is three-fold: firstly, spatial dominance, and control of the particular territory; secondly, more importantly, control over the bodies of the previous occupants - a process of subjugation. Thirdly, there is a transformation of identity, both of themselves and of the former occupiers. In relation to that space, they are now the owners and the controllers of the future potentialities of that space. The dispossessed become victims and landless trespassers, with no recognizable future except through a reversal of the ‘crash.’ This begins to expose the nature of subjugation as achieved through land grabbing.

SO WHAT? LAND GRABBING AND SUBJUGATION

Viewed from an economic-developmental framework, the motivations for land grabbing are often taken at face value: the securing of land control for material gain. This is particularly true in cases of large-scale acquisitions for agri-business, special economic zones, or extractive industries. However, recent scholarship, viewing land grabbing from a political perspective, has sought to identify more fundamental goals and strategies, both at a local, and international level (Borras Jr, Hall, Scoones, White, & Wolford, 2011; Hules & Singh, 2017). Hall (2013b) identifies forms of land grabbing which use “extra-economic means,” but also, citing Kevin Woods’ work on ceasefire capitalism, the use of land-grabbing as a means to extend territorial control and achieve

military-political goals. What is striking in the narratives in this research is the relative incompetency and incoherence of the economic strategies used by the military after the land had been seized: little of the seized land was ever used, much was left fallow for years before then being sold off. In the rare instances of quick implementation of whatever the originally stated reason was, most projects were abandoned after a relatively short period of time. Whilst the economic gains of land grabs in Myanmar have been shown in numerous studies to be substantial (Global Witness, 2015a, 2015b), when taken in relation to the amount of land seized they demonstrate considerable inefficiency with regard to economic development. This suggests that the primary driver for land seizure is less about economic gain, and more about territorial domination.

Here, the context of this research is important. Myanmar is described as one of the most diverse ethno-linguistic countries in the world, with, depending on what criteria are applied, more than 150 distinct ethno-linguistic categories (Clarke, Myint, & Siwa, 2019). Most of the narratives of land grabbing in this study are from areas with populations considered to be ethnic minorities. Successive regimes of the center, from the Burmese kings to the British colonialist and the post-independence authoritarians, have sought to establish and maintain control through a divide-and-rule policy which codified differences in appearance, speech, customs and livelihoods into political categories of person (Taylor, 2007). A useful, but perhaps over-simplified summary of Burmese politics post-independence frames it largely as the sustained efforts of the center - represented by Burmese ethnic identity - to assert control over the periphery, through military, economic, cultural, and political means. This is multi-dimensional, and numerous studies have considered the issue of 'Burmanization' and its impact on non-Burman communities (Boshier, 2016; Campbell & Prasse-Freeman, 2022; Holmes, 1967; Walton, 2013). The process of Burmanization has, over the decades, been implicated in numerous development policies, particularly ones involving large-scale population displacement. Through the steady encroachment of the center into the periphery, not only is economic control of key natural resources - such as gems, gold, hydro-electric power, and timber - secured for the benefit of the center, but that control is secured through a progressive economic, cultural, and political weakening of identities

in those areas. Previous resettlement policies, under both socialist and military governments, actively promoted the in-migration of Burman race civil servants and merchants to areas with ethnic minority populations, in a kind of proto-replacement policy.

This points to the broader process of subjugation, largely implemented by the military, either as the primary actor, or in some sense acting as the state. Thus, in the narratives of this research, the sharp end of that policy is the military, who do the initial shouting, shooting and seizing. The 'state', in the form of ministry and administrative officials, business associates, and the opaque legal system, all follow in train. The result is a process by which land grabbing, intentionally or otherwise, acts in service of attempts by the center to assert dominance and control over the periphery. As such, the process of land grabbing and displacement acts to create conditions which mitigate against sustainability of the lives, livelihoods, and communities of those who once lived there.

The outcomes of land grabbing potentially permit a small window into the obscure strategic objectives of this form of violence. Scholars such as Crook and Short (2021) and Dunlap (2018) have described the "genocide-ecocide nexus," demonstrating that genocide may be achieved through indirect means, one of which is the appropriation of land. As Dunlap (p. 552) explains, "colonization is not only a discussion of the past, but also of the present." The reference to colonialism neatly links historically repudiated practices of subjugation with current land-grabbing practices, highlighting not only the basic characteristics of imperialism on the part of those doing the grabbing, but the same, sorry consequences for the subjugated and dispossessed. If imperialism was to some extent a wider political theory, colonialism could be seen as "the practice of changing the uselessly unoccupied territories of the world into useful new versions of the European metropolitan society" (Said, 1979, p. 28). Dunlap (2018, p. 554) proposes that colonialism rests on particular assumptions about land and territory:

that there is only one, right way to use land, live, organise culture and/or develop a nation. Inherent is a sense of superiority that articulates itself not only through overt domination with the 'right of conquest.'

Colonization is premised on that superiority, as a kind of “epistemic violence” which in turn employs violence to dominate the ‘other’ (Spivak, Nelson, & Grossberg, 1988).

The “genocide-ecocide nexus” describes the way in which attempts to undermine the life, existence and resistance of indigenous populations – where killing the buffalo, fish, crops and other means of subsistence are textbook counterinsurgency ‘starvation’ tactics’ aimed at securing domination (Dunlap, 2018, p. 552). In this description, “attacks against the land,” whether they be seizing the land or degrading the land in other ways, “can have genocidal consequences for (already marginalized) indigenous communities, groups and individuals who derive their material and spiritual life from the land” (ibid). Crook and Short (2021) argue, from a legal perspective, that such a process does indeed constitute a form of genocide, and have argued for more effective legislation in relation to ecocidal genocide.

GENOCIDE AND MYANMAR'S MILITARY

Accusations of genocide are not new in Myanmar. The military practice of conquering kings has frequently involved the wholesale slaughter of residents in conquered territories, as well as displacement, capture and relocation to use as forced or slave labor, and repopulation of conquered territories (Aung-Thwin & Aung-Thwin, 2013; Beemer, 2009). The decades of civil conflict in the post-independence years increasingly pitted central government forces against ethnic-affiliated militias in border areas, and the use of the notorious ‘four cuts’ strategy, targeting civilians in lieu of combatants as a means to deny support to militias, generated countless reports of brutality (Charney, 2009).

Two temporal links between the majority of the land-grabbing reports and the current post-coup violence provide useful points for analysis: these are the so-called communal violence of mainly occurring between 2012 and 2015 (Cheesman, 2017b; Walton & Hayward, 2014), and the campaign of violence conducted mainly against Rohingya minorities in Rakhine State in 2017 (Ware & Laoutides, 2019). The first, analyzed extensively through the lens of religious nationalism, was characterized by outbreaks of violence ostensibly between Buddhist and Muslim groups, mainly (but not exclusively) in central Myanmar.

The response of the government - at the time the USDP regime of U Thein Sein - was conflicted: security forces were deployed, but at the same time, there was a tacit endorsement of many of the claims of the key protagonists, notably the 969 Buddhist nationalist movement (Nyi Nyi Kyaw, 2016; Walton & Hayward, 2014). This in itself was nothing new, and reflects a long-standing practice by the Myanmar military of embracing ethno-religious nationalism as a means of attaining and maintaining power (Gelardi, 2020; Wiant, 2020). The military's embrace of Buddhism as the national religion, and the purposeful promotion and protection of Bamar as the dominant race, was expressed in three key ways: firstly, through overt displays of piety, such as pagoda building and sponsoring of Buddhist patrons and projects; secondly, through the enshrining of Bamar/Buddhist culture and language practices within the education, legal, and government systems; and thirdly, through carefully calibrated structural and cultural violence aimed at restricting and stigmatizing the spaces occupied by non-Bamar/non-Buddhist 'others.' The latter was again achieved through myriad means such as the codification of ethnicity and religion in national ID cards, restrictions on religious buildings for non-Buddhists, ceilings on promotions for non-Bamar military or government personnel, and overt support for organizational support. However, a careful analysis of the complicity of the military in the violence immediately preceding the Rohingya crisis yields two key insights: firstly, the willingness to use nationalism and proxy violence to achieve subjugation; secondly, the weaponization of racial prejudice and divisions to provide justification for violence against perceived 'others.'

This itself proved critical for the next event: a systematic campaign to drive Muslim Rohingya and other minorities from Rakhine State, a move now classified as genocide, but which at the time garnered significant public support within Myanmar (McPherson, 2017). The details of this event are documented more comprehensively elsewhere (Mushtaq, Masood, & Kazmi, 2019; Ware & Laoutides, 2019). Previous events in 1962, 1978, 1992 and 2012 all resulted in large-scale destruction of Rohingya communities and displacement, so that by 2012 there were an estimated 1.5 million Rohingya refugees living outside of Myanmar (Sohel, 2017, p. 1014). The events of 2017, resulting in thousands of deaths and nearly three quarters of a million displaced, marked not an isolated episode but simply the latest chapter in what political commentators all the "slow burning genocide" of the

Rohingya (Zarni & Cowley, 2014, p. 684), using physical, sexual, psychological, institutional, cultural, and structural violence:

soldiers and knife-wielding civilians of Myanmar hacked to death and slit the throats of the Rohingya men, women, and children were burned alive. The Tatmadaw, NaSaKa, police, and the Rakhine villagers have raped, gang-raped, and sexually assaulted the Rohingya women and girls. Some women have died as a result of gang-rapes. The [Government of Myanmar] imposes strict restrictions on the freedom of movement of the Rohingya. They have to pay the requisite fees and bribes to find permission of movement to travel among townships. To control the Rohingya population [the Government of Myanmar] imposes restrictions on the marriage, and childbirth as a two-child policy [...] The oppression of the Rohingya has started from the British period. There were some massacres before 2012. But the strategy of ethnic cleansing of the Rohingya has reached the level of genocide since 2012. The Rohingya has lost the security of lives, free from hunger, disease, arbitrary detention, and physical abuse (Mohajan, 2018, p. 101).

The second phase of the campaign, in August 2017, saw between 9,000 and 14,000 Rohingya killed due to the violence of military and associated forces, as well as over 350 villages partially or totally destroyed. Writing prior to the subsequent determinations of the international tribunals, Ware and Laoutides (2019, p. 61) conclude that “whether intentional or not, the end result of this conflict cannot be described as anything other than ethnic cleansing.” However, the brutality in conducting the ‘clearance’ operations bears a number of similarities with the tactics used in land-grabs. Notable among these was the conspicuous deployment of supportive ‘lay’ groups in the case of Rakhine State. There were numerous reports of security forces being accompanied by mobs of Rakhine nationalists, who participated in the violence and arson (ibid). The displacement of Rohingya into camps, whether within Myanmar or in Bangladesh, coupled with decades of structural violence which had denied citizenship rights, reproductive rights, and access to livelihoods, all contributed to a process of denying the means of subsistence. Moreover, having displaced the Rohingya population

from much of Northern Rakhine State, the military then sought to re-occupy the land, selling on large tracts for development, and fencing off large tracts to remain fallow and inaccessible to former occupants (Amnesty, 2018; Verma, 2021). This served not only to maintain the subjugation of the territory, but to do so with a reduced requirement of military personnel, pointing again to the need for efficiency in subjugation. This was also achieved with the complicity of the ethnic Rakhine population, largely by appealing to the threat of ‘Islamization’ to the staunchly Buddhist Rakhine.

Historians and activists, however, increasingly resist the temptation to frame the ‘Rohingya Genocide’ as essentially driven by religious ideologies per se. Whilst much of the wider momentum and public support for the 2017 campaign was stoked by religious extremism, many see the forced displacement of Rohingya as simply part of an ongoing, broader campaign of dominance by the ‘center’: Bamar (Burman) elites whose narrative of entitlement stems from their self-identification with the conquering kings of previous eras. In a context of extraordinary ethno-linguistic diversity, the persistent efforts to ‘Burmanize’ the peripheries represent a critical dynamic not only in the overt political sphere, but can also be framed as a form of colonization (Boutry, 2016). The links with land seizure are also less than subtle. Displacement of Rohingya was followed by changes in land use, including land for security such as military bases, and for agriculture and recolonization with non-Muslim populations (Verma, 2021). This was consistent with policies and practices from previous military regimes:

As an essential element of the governmental policy of the colonization and militarization of North Arakan, forced relocations are diverse and mainly serve three purposes: to ‘clean’ Arakan of its Rohingya population and concentrate it in the northern part of the districts of Maungdaw and Buthidaung; to increase the presence of Buddhist settlers, in order to “reconquer” the region through model villages; to contain the Rohingya population with an increased military presence (Verma, 2021, p. 18).

In sum, the ‘crash’ referred to here results in radically altered identities for both the displaced population, and the spaces they used to occupy.

LAND GRABBING AS GENOCIDE

The capacity of land grabbing and displacement to function in genocidal terms has been documented in Cambodia, Australia, Uganda and Kenya, amongst other places (Crook & Short, 2021; Ioris, 2022; Oehm, 2015). The 1948 UN convention on Genocide defines genocide as one of five different acts:

committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.

Two of the acts refer to killing or physical harm, and two refer either to forced population control or the transfer of children from one group to another. However, it is the third act listed in Article 2 which points towards the kind of structural violence which many of the narratives of displacement describe:

deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.

Writing of the ongoing degradation and destruction of indigenous people in Guatemala, Hurtado (2013, n.p.) writes, with reference to the writings of Ricardo Falla¹⁶, of the ongoing genocide in the form of corporations seizing land:

Genocide against the indigenous peasant population in Guatemala no longer has the face of a military dictatorship supported by the United States. Now it is the corporations, the oligarchy and the World Bank who push peasants off their lands.

Whilst the narratives in this study have no capacity to demonstrate overt intent on the part of the military-elite axis to destroy ‘in whole or in part’ particular groups, what can be visibly seen is the effect of widescale displacement, which, examined in the light of previous, and subsequent, more overt campaigns against groups such as the

16. A Jesuit Priest who recorded the genocide of Ixcán cooperatives in Guatemala in the 1980s.

Rohingya in Rakhine State, suggest the likelihood of motives beyond mere assertion of control or economic profits.

The argument proceeds thus: frontier areas in Myanmar represent resource frontiers, either in terms of extractive industries or viable agricultural land in Kachin or Shan State, or in some cases - such as Mon State in the east, or Rakhine State in the west - sites for the control of sales of extracted resource such as natural gas, through pipelines to neighboring countries. Most of the narratives in this research are drawn from areas with a history of territorial contestation between the Myanmar military and ethnic-affiliated militia groups: the Kachin Independence Army in Kachin State, Shan, Pa-O and Palaung (Ta'ang) militia in Southern Shan State; Shan and Kokang militia in Northern Shan State, and Mon and Kayin (Karen) militia in Mon State.

Whilst few of the communities in these narratives have experienced sustained armed conflict between rival groups, they exist on the fringes and frontiers of disputed territory, and thus represent a space which, from the perspective of the center, needs to be dominated. Such domination is achieved in four ways: undermining future economic viability, leading to out-migration and breakdown of social units; undermining education; drug and alcohol addiction which undermine the capacity to resist; and a decline in social cohesion and community systems. The undermining of 'indigenous' communities living in the areas where the land has been seized appears largely driven by the desire to subjugate and colonize, rather than by a particular enmity against certain ethnic groups.

However, as Woods (2011) and other demonstrate, geographic encroachments, either as in 'land-for-peace' deals providing concessions to military allies, or overt seizure and transfer to military-aligned entities, also serves to undermine the viability of communities traditionally seen as part of the constituency of ethnic militias. The viability of these communities in turn links to the viability of those ethnic militias, as well as their wider political aspirations. Undermining the viability of those communities, and indeed of their future generations, in turn weakens the viability of the ethnic groups and associated militia.

The technicalities of defining genocide specify that the acts being committed “with intent to destroy, in whole or in part.” From an assemblage perspective, where the “crash of bodies” results in subjugation and the making of new identities, it is pertinent to ask whether the violence use in land grabbing appears to be committed with such intent. The demonstration of intent is not possible from these narratives. However, in all four locations where ethnic minority populations were affected (Kachin, Southern and Northern Shan, and Mon States), there is strong reference to the military and administrative authorities taking advantage of their relative lack of education, and inability to communicate well in Burmese language. Some, such as respondents from Mon State, explicitly referenced the ways in which those seizing the land took advantage of linguistic dominance, and the lack of ability of those from minority backgrounds to seek redress through the Burmese dominated legal system.

The demonstration of intent to undermine particular ethnic identities is also complicated by the involvement of local elites from the same ethnic background, such as Yup Zaw Kwang, who were seen to be perpetrating injustices against their own people: as one respondent put it “this kind of internal conflict between Kachin people, it is very rough/violent.” Counter-arguments in relation to the erosion of ethnic identities are also valid: successive decades of Myanmar scholarship continue to identify the persistence of well-defined, well-organized ethnic identity associations, political parties and militias (Cheesman, 2017a; Cheng Guan, 2007; Clarke et al., 2019; Jolliffe, 2014, 2015; South & Lall, 2017). Here again, viewing land grabbing in assemblage terms may be instructive as it can draw attention to what land-grabbing actually achieves, rather than what the perpetrators claim to be seeking to achieve. This is akin to Farr and Puars’ descriptions of domestic violence: whatever the claims of the one(s) doing the hitting and punching, what is achieved through these acts is deterritorialization, subjugation and domination. If the result of that subjugation is indeed the undermining of local, ethnic and cultural cohesion, identity and agency, then in one sense claims and counterclaims of intent are largely irrelevant. What counts is what is actually achieved, not what was claimed as the reason to commit violence.

This poses two key challenges for any land conflict resolution processes. Firstly, there is a need to properly acknowledge the role and legacy of the multiple forms of violence in land grabbing, particularly with reference to generational impacts which I would argue here at times at least resemble genocide. This means the objective of land dispute resolution is not simply to affirm or return the control of land to a particular party, or even to recognize and recompense for losses and injuries incurred through the process, but to clearly acknowledge the nature of the injustice and the legacy of its damage. The patterns of land grabbing here do not simply fall into the category of 'land for development', but represent a more primal objective to subjugate threatening 'others.' The implication here is that land conflict resolution is not simply about returning stolen property: it is about recognizing, recompensing and reversing years, if not decades of subjugation by violent means, often with implicit undertones of undermining the viability of particular ethnic minority communities. Linking this to the peace process is critical, but also invites an unwelcome reckoning for a range of actors complicit in land-grabs. If the link between land grabbing, subjugation, and the systematic undermining of particular ethnic communities is indeed pursued, that reckoning extends well beyond returning land, changing laws and providing compensation.

Secondly, by highlighting the challenge of contrasting and competing land ethnographies, the challenge for land conflict resolution processes is to seek processes which avoid treating customary land right-based claims as a kind of 'special concession' handled within the dominant, formal land tenure legal system, but instead can approach land rights as an expression of particular ethnogeographies, which in turn are rooted in localized identities and politics. Again, this presents an inevitable link between land conflict resolution, land reform, political discourses around self-determination, and articulations of localized identities. At the most basic level, taking seriously the issue of a plurality of ethnogeographies casts serious doubt on the likelihood of achieving adequate resolution through process primarily rooted in Burmese constitutional and legal practice, values and language.

EPILOGUE

FIRE

In the pre-dawn of February 1st 2021, mere hours before the newly-elected government (voted in a landslide win in November 2020) was due to convene, the Commander-in-chief of the Myanmar armed forces, Senior General Min Aung Hlaing, staged the latest in a long line of coup d'états in Myanmar. Despite shrill protestations that the actions were simply the discharge of constitutional responsibilities, both scholarly legal and public opinion roundly rejected any claims to legitimacy. Nonetheless, having detained and imprisoned senior leaders, including Daw Aung San Suu Kyi and President (and likely next President) Win Myint, the Myanmar military proceeded to occupy key government buildings, and take over control of the civilian government. In the days and weeks that followed, rapidly growing public demonstrations loudly pronounced their unwillingness to accept the coup, and hundreds of thousands of public servants, led by health, education and transportation staff, joined the Civil Disobedience Movement, effectively striking from work. The military responses to such demonstrations quickly reverted to old, heavy handed, incremental brutality: night raids to detain strike leaders, the release of violent prisoners to foment terror, and the inevitable beefing up of police security with army personnel and weapons. Perhaps uniquely in the history of crowd control, army snipers were deployed to pick off specific, often symbolic targets within the demonstrating crowds.

Resistance movements quickly diverged from previous, more non-violent expressions, recognizing an urgent need to provide physical protection to demonstrators, strike leaders, and often whole communities being subject to police and army brutality. What emerged were variously termed 'People's Defense Forces' or PDFs, typically drawn from and affiliated to a particular geographical area. Initially poorly

armed and trained, in the early weeks of post-coup resistance many young people fled to territories controlled by some of Myanmar's older, more established Ethnic Armed Organizations. There they received more effective military training and, upon completion, access to better weaponry. Over the ensuing months, political resistance began to coalesce around the National Unity Government, as well as the National Unity Consultative Council, in various degrees of alliance with the EAOs, some of whom were more active in resisting the military coup than others. At ground level, resistance to the now-ensconced military junta, which called itself the 'State Administrative Council', was increasingly active in four main areas: Kayah (Karenni) State, Karen (Kayin) State, Chin State, and in the northwest centered on Sagaing Region. Whilst Kayah, Kayin and Chin State all had significant numbers of forces prior to the coup, Sagaing Region had (with the exception of the Northwest area bordering India) been relatively conflict-free for decades. However, the region also had a rich legacy of self-organized youth 'protection' and 'welfare' associations, which in previous decades provided informal security for their villages from roving bandits or fire hazards, and more recently had morphed into social welfare associations, managing health, education and funeral events for their own village (Griffiths, 2019a). These organizations in turn proved to be the kernel for post-coup resistance groups, again primarily organized around local defense and protection. For the most part, this involved protection against military raids, but with political factionalism particularly prevalent in that area, numerous pro-junta militia groups also emerged as a threat to other villages, and thus defensive actions were also targeted towards these militias as well.

What ensued was the emergence of Sagaing Region as a particular hotbed of both junta resistance, but also military brutality against mainly civilian populations. For decades, in primarily ethnic minority dominated areas, the Myanmar military had used the infamous 'four cuts' strategy to target civilian populations in the drive to deny food, funds, recruits and information to resistance groups. In the months after February 1st 2021, civilians in rural communities in Sagaing increasingly bore the brunt of junta brutality. By the second anniversary of the coup on Jan 31st 2023, the region accounted for 29 percent of all conflict events, and 41 percent of over 31,000 fatalities in relation to the coup, including young children. Increasingly, junta troops engaged in raiding,

looting, and burning rural communities. Within two years, over 55,000 households had been burned - 44,000 of those in Sagaing Region alone. Amongst the buildings destroyed by arson or heavy artillery shelling were religious buildings, including Buddhist monasteries.

This demonstrated a new phase of conflict, one which increasingly targeted those who were not traditionally ethnic 'others', such as in Shan, Kayah, Kayin or Rakhine State, but those who were staunchly Burmese and Buddhist, and for whom the Buddhist monastery was long considered a place of legitimate refuge, immune from destruction by military forces. In the post-coup era, new demands for subjugation of previously 'friendly' territories appear to have wrought, or perhaps exposed, more elemental configurations of self-identity and other-identity on the part of the military. The result was hundreds of villages burned to the ground, and hundreds of thousands of mainly Burmese, Buddhist rural dwellers displaced from their homes. At the time of writing, 14 of the 37 townships in Sagaing Region had been placed under martial law. In total, 50 of the 330 Townships across Myanmar are under martial law, with the remainder mostly in Chin, Kayah, Kayin, Kachin and Mon States. The declaration of martial law places all civilian government mechanisms under direct military control, with the result that civilians may be detained for any reason and tried in military courts, with no right of appeal except directly to the Commander-in-Chief of the armed forces, Senior General Min Aung Hlaing himself (Manny Maung, 2023).

What a careful analysis of the actual practices of the military in this area reveals, however, is a striking degree of continuity with the land-grabbing tactics described in previous chapters. The core thesis of this chapter, and indeed of this book, is that the violence unleashed in post-coup Myanmar is in fact not an anomaly, or even a surprise: it is simply an expansion of a long process of violent subjugation which has been the principle focus of the military for the past six decades, and which in turn echoes the subjugation myths of colonial, and pre-colonial rulers. In essence, this frames land-grabbing violence as a crucial enabler of such subjugation, keeping alive the skills, culture, and myths, and to some extent the economic resources required to efficiently achieve and retain control. By maintaining impunity in relation to these actions for so long, the Myanmar military, rather than enact new, specific strategies and tactics, is simply able to ratchet up what it has maintained so well: a legacy of brutality and fear.

EYEWITNESS: HOMES ON FIRE

Between November and December 2022, local researchers interviewed people in six villages in Sagaing region which had suffered raids and arson attacks over the previous month. The sheer scale of the effect on communities is staggering: in a group of twenty villages in one township which were part of a long-standing welfare support programme, all but one had experienced military raids. Over 80 percent of all the households in that area had been displaced at least once, and most had in fact been displaced multiple times. In another township with 80 villages, only 20 were known to have escaped military raids. Some were able to do so because they themselves had a strong presence of junta-loyal militias, but most escaped simply by virtue of being more remote.

The names of respondents, of villages and administrative townships have been redacted here for security reasons, and great care was taken to preserve anonymization at all levels of the research, as well as to ensure ongoing physical and psychological support for the communities concerned. What follows are firstly two extended narratives recounted by villagers who witnessed military raids.

A 50-year-old woman from a village in Sagaing, which experienced several raids by military forces, was interviewed in December 2022:

It happened to me, although some parts of that day I don't remember well. They shot with big guns, and came in. On that day, a father and his sons were in a boat, and got hit by a mine, five of them died. That I remember well. This was the full moon, all of us had to run away quickly to the lower island. We had to hide there overnight. About 3am, we could see that they had set fire to two buildings, and 19 or 20 houses were burned. We just ran away, I mean, we couldn't prepare much, it was not something which happened before. When they came, we had to run away, crawl away. Everybody was in trouble. We didn't dare go to the upper island. We were so weary from running, we had nothing to eat or drink. The whole village ran, not one household was left. We left our homes behind. We had to leave behind about 70 people. We left them in the school building and locked it, we hoped they would

be OK. It was elderly people, some infants who needed breastfeeding, I mean, people who the army would not consider 'able bodied.' They stayed there overnight, and the next day, about 9pm, they also left. The next day, we all moved to another place on the other side of the river. We took what we could carry, but not much was left. Half the house was destroyed, the animals were hurt. You ask, 'who did it?' Was it those soldier-dogs, I couldn't be sure. It was early morning, 6am when they came. It happened once before, we had to run away. Some fled to the town, some went away on motorbikes, some just went on foot. Those without motorcycles just had to go on foot. It was really rough, really violent. But when they came that time, they didn't burn anything. This time, they burned. Now, after these 19 houses are burned, the fires have gone out, but we can't live in the village. We are all too afraid, so every night, we go back to hide in the forest on the hill. Some can stay in the [Buddhist] monastery. After this has happened, I don't know how we can live. We sleep in tents, we put them up ourselves. Some can stay in the houses of their relatives. We eat when we can, what we can. We are all farmers, and we try to share what we have. But for us, every day, it is 'how will we be able to eat?' I mean, I had to sell things to get food, I had to borrow a lot of money, have a lot of debt. I have no money, nothing left. Just enough for this rice, these vegetables. They took it all, they destroyed it all. Not one good thing is left, nothing. Some people who lost their homes, their relatives came and helped them. People do what they can. But our village has really suffered because of this. I mean, they didn't just burn the houses, they burned the crops, they burned our paddy [seed] store. So, we have nothing left to eat, to plant. After they shot with the big guns, the next day, two people died. One had a stroke. All our business, our livelihood, it is gone. Even if we could plant and grow anything, there's no one to come and buy. I mean, we even have to try and mortgage our land to get money, but there are no takers! They [soldiers] took everything, they despoiled everything. They crept in, and whatever

was there for eating, like chickens, they took. When they were here, they got all the children who had to stay in the monastery, and made them cook for them. They took all the stuff from the small shops, then they got petrol stored in those shops, and that's what they used to set fire to the houses. It has got so much worse, especially for those who already lived hand-to-mouth. I mean, they literally have nothing now. There's no work for them. I mean, if there's no paddy there [all burned] there's no work for them to help harvest paddy. No beans to harvest. Everyone is just surviving with whatever they can.

A 50-year-old man from another village in Sagaing Region which was raided described his experiences, also in December 2022:

My name is [...] from [...] village in [...] Township, Sagaing Region. You asked about what happened when they came? I will tell you. They came from the south, they had burned [x] place, and they came through our village. The first time, they didn't set fire to anything, just stayed in the monastery. But when they came again, next time, they said 'we have to burn this time, we can't leave without burning.' To be honest, we left when we heard they were coming again, we went to [x] village. We could see from there that they were burning our village, we could see from the top of the hill. Oh! To see you own village on fire! We were so helpless, we were just standing there, hands in pockets, watching it all burn. Only once they left, we could get back and try to put the fires out, but you can see, half of my house is already destroyed. You want to know who did it? Well, we know it was mainly those dogs. I mean, who else would come and burn our village? Now, we lost so much. How to survive? Right now, we don't even have stuff to sell. It's just debt, debt, we have to borrow to survive. There's no way to restart any work yet. I haven't really comprehended yet how much is lost. You look around, I lost my house, who has lost their house? Some cry, some laugh, it's like that. Once they had left, the PDF came, and they all helped to put out the fires. The

neighbouring village came to help as well. Altogether, they had a list to destroy 70 houses, although when we gathered the list for assistance, 64 houses were considered destroyed. The PDF came and supported us, in what way they could. They collected donations to help those who lost houses and stuff. They distributed fairly, and helped people to get shelter. Some had to stay in temporary places under the trees nearby, some people could stay in the houses that had not been destroyed. Some stayed in the monastery, I mean, when it gets too hot, it's not possible to live in the tent. The PDF helped find food for us.

STRATEGIES

One of the features of the violence described by respondents is its systematic, planned nature. Several respondents reported information they had received from those who had been forced to stay in the village to cook and clean for the soldiers temporarily making camp there, which alluded to the soldiers referring to specific commands from their seniors as to which villages should be targeted, and even which houses in each village should be targeted. Whilst purportedly based on intelligence concerning the presence of either PDFs or LDFs¹⁷, in reality the targeting is more partisan, focused on causing harm to households not considered loyal to the military. This was largely based on prior knowledge of political loyalties - which people supported which party in the previous elections. Those who had openly supported the military aligned USDP party could expect to be spared, whilst other households, particularly those which had openly supported the NLD party, were targeted:

They have a clear objective [in burning]. They know which villages to burn, which houses they should burn, I mean, they have a list. If the village is green [USDP] then

17. Whilst at times not easily distinguishable, Local Defence Forces tended to be drawn largely from the village population itself: 'local militias operating autonomously at the local level' (Ye Myo Hein, 2022) whereas People's Defence Forces (PDFs) tend to be 'larger armed [...] operat[ing] under joint command systems established by the NUG and several ethnic armed organizations (EAOs)'

they don't burn. If the house is green [USDP] they don't burn (76-year-old male, Sagaing Region).

The effect of this is multi-faceted: not only does it selectively undermine the resistance capacity of those who are either in opposition, or at least not actively supportive of the military, but it also sends a message: we know who is with us, and who is not, and we will punish accordingly, in the time and in way of our choosing. This points to the psychological impact of planned, targeted violence, demonstrating a degree of controlled power which can reward friends and devastate foes or bystanders.

This is how they do it. The people, they gained victory with the election, with votes. But these guys [military] they can only get victory with guns. That is their way (72-year-old male, Sagaing Region).

The actual conduct of raids, arson and violence also demonstrates a strategic approach, with five key elements. Firstly, military troops would tend to make an initial, low-key entrance to the village. Respondents reported how the first time troops came, it appeared to be primarily for reconnaissance: they would stay for a few hours or days, arrest a few villagers to extract information, and then leave again. The following visits were far more likely to involve violence and arson. However, follow up raids were typically reported as planned and scheduled: which villages were to be raided on which day were determined by more senior commanders. Rather than the violence being reactive or purely wanton, most respondents perceived it to be calculated, scheduled violence.

Secondly, there were frequent descriptions of using heavy weapons, such as artillery, mortars and rocket-propelled grenades at the start of the assault, designed to inspire fear, and provoke villagers to leave. Whilst occasionally early-morning raids were conducted to maintain an element of surprise, most accounts reported that the advancing military made no attempt to hide its intentions, using artillery mounted either on boats to attack riverine villages, or even siting mortars with the grounds of pagodas on top of nearby hills to enable shelling of specific village targets.

The soldiers first shelled the village with artillery, and they came in. They based themselves in the monastery, and then they seized all those who couldn't flee. Then some of them went off and set fire to houses in the village (55-year-old male, Sagaing Region)

Thirdly, whilst looting was widespread and indiscriminate, the targeting of specific homes for arson was again done with specificity: homes known to be owned by supporters of the now-ousted NLD party, particularly if wealthy, were targeted, whilst homes known to be owned by supporters of the military-backed USDP party were spared.

They targeted the big houses first, they said 'those are supporting PDFs' and burned them. They came round 4.30, they accused some people of supporting PDFs. But we didn't do anything. Some people went to them [soldiers] to request not to do it, but they said 'We have to do it according to our list, whatever' (60-year-old female, Sagaing Region).

Arson was to some degree carried out with considerable planning, making sure that the damage was extensive in the places they had chosen:

They even broke women's oil jars. They just took whatever they wanted. They cut open the rice sacks, they took what they wanted. They did it very purposefully, very intentionally (47-year-old female, Sagaing Region).

The way they did the burning, it was very systematic. Like, we had a table downstairs, and it was in a place which would not get damaged by fire if the houses burned, but they moved it into the house to catch fire. They broke water pipes so that it would not be possible to put the fires out later. They planned very systematically how they could really oppress us people (64-year-old man, Sagaing Region).

It was them for sure, I saw with my own eyes. We were fleeing as they arrived. It was them for sure, and they were very systematic in destroying the homes in our village (72-year-old male, Sagaing Region).

Fourthly, the use of the ‘four cuts’ strategy involves destruction of livelihoods, as a means of both denying access to the means to support resistance groups, but also to undermine the capacity of rural communities to resist subjugation. The destruction of standing crops, of seed stores, fertilizer, as well as farm implements and animals, all cause profound interruptions to rural livelihoods. With many farmers already holding significant debt incurred as part of the normal, highly leveraged agricultural cycle, the loss of the means of re-planting is devastating and made worse by the need to sell remaining assets, to mortgage land and take on further debt simply to get food and shelter.

They didn’t respect anyone. Anything of value in the village, all the stored rice seed, all our fertilizer bags, they slashed with their knives, just spread it everywhere; they smashed water pumps with sticks, they cut electricity cables, they destroyed everything. They didn’t even spare our eyeglasses; they broke those too. This army really has sunk to the lowest point (47-year-old female, Sagaing Region).

It has happened again and again, we flee, we creep back, we flee again. We have had to sell all our stuff, we have so much debt. I can see they have done this very deliberately, to make us weak and afraid. But honestly, we don’t need to be afraid (54-year-old male, Sagaing Region)

Now, we have nothing left in our hands, nothing. It is all taken [by them]. What we wear now, is whatever is donated. What we eat now is whatever is given to us (78-year-old female, Sagaing Region).

Fifthly, the military strategy of selective targeting was used to exploit or create divisions and social cleavages within communities. Two tactics exemplify this: one, on entering villages for the first time, soldiers would arrest young people and detain them for several days, mainly for information gathering. Some would be taken away to military prisons - or in some cases, shot - but some would be released back to the village, seemingly free. However, for those young people, the question always remained whether they were released on condition of providing further information to the army? Or if they had become

covert informers? Several respondents reported how the families of those young people remained under suspicion, weakening the social cohesion of the village. Two: targeted houses were named as those supporting the resistance groups (PDFs). Whilst some others were spared - again creating divisions and diverting blame for the destruction of the village onto a small minority who were singled out as resistance supporters - this tactic aimed to generate resentment of villagers whose houses were not targeted, but who nonetheless suffered the more generalized destruction. The message: it was because of those households that you all suffered. One occasion, the military would even claim that the PDFs themselves were the ones conducting the arson - a claim which tended to attract ridicule from most villagers:

What is happening now, all this suffering, it is the SAC doing it. Only them. Our village is not making problems, but they specifically targeted our village to destroy it. It's only them doing it (44-year-old male, Sagaing Region).

However, the practice of weaponizing divisions, mistrust, and generating false narratives to divide and rule is an all too familiar one.

BURNING OR FENCING: THE BLURRY LINES OF SUBJUGATION

The accounts of post-coup violence described in this chapter, when considered in the light of the analytical categories used to study land grabbing in previous chapters, reveal considerable similarities and continuities between the two sets of accounts. Perhaps most obvious are the actors: mainly military, but often working in collaboration with others - in the case of post-coup violence, with pro-junta militia groups often aligned with the USDP. This suggests an important feature: that the military is ultimately reliant on non-military actors to maintain control, whether those be the civilian actors, retired soldiers or hired thugs found in land-grabbing narratives, or the militias in the post-coup era. Maintenance of control is a costly business, requiring a degree of permanent occupation, which in turn places a substantial demand on military forces. In some cases, the military formed new militia groups, which they term 'Pyithu Sit' and which opponents term 'Phyu Saw Htee', to maintain the occupation of villages to deny people

the opportunity to return. Thus, the tactic of using other occupiers to maintain control appears to be a consistent thread.

	Land Grabbing	Post-coup Violence
Actors	Military, often accompanied by civil authorities, commerce, and sometimes hired muscle	Military, sometimes accompanied by pro-junta militia
Nature of violence	Use of armed threats, warning shots and visible force	Reconnaissance, often followed by long-range assault before raid
Maintenance of control	Fencing, legal threats to incursion	Sentries; siting of mortars on hilltops to prevent movement of villagers
Treatment of land	Destruction of standing crops, often degradation of land, but often left land fallow or unoccupied	Destruction of standing crops; usually left villages unoccupied
Denial of means of subsistence	Prevention of access to land	Prevention of access to land; destruction of means of planting
Criminalization of victims	Counter-suing of those seeking recompense	Labelling as terrorist anyone suspected of supporting PDF. Self-fulfilling process where, if your house is targeted, then you must be a PDF supporter, therefore a criminal. The event of arson provides evidence of criminality
Undermining of social cohesion	Targeting young people with unfair compensation to drive a wedge between generations	Selective detention and release; selective targeting of households to generate suspicion and blame
Impact	Downward economic spiral; debt; negative physical and mental health	Downward economic spiral; debt; negative physical and mental health

Table 1: Comparison of land-grabbing violence and post-coup violence

Likewise, an efficiency of violence: using force, where possible, in demonstrative terms rather than actual killing, also appears to be a consistent finding. This is not to deny the alarmingly high number of actual fatalities in the post-coup violence: but to reiterate that the approaches described appear to be tailored towards generating fear and causing people to flee, rather than to catch people unawares and kill en-masse.

The maintenance of territorial control in post-coup violence was achieved through a mixture of weaponizing fear and uncertainty, and strategic positioning of light artillery and mortars to indiscriminately target villages after raids. This often resulted in displaced villagers being unable or unwilling to return to their villages, for fear of further attack. Conducting arbitrary night raids also perpetuated an atmosphere of uncertainty: some villagers remained displaced from their villages eight months after the first raids, kept away by fear of shelling or further attacks.

As with land-grabs, post-coup violence features considerable destruction of land, including standing crops, but also a conspicuous absence of sustained occupation. Just as a large proportion of land in grabs remained unused, in post-coup violence there were few instances of the military retaining any strategic positions. The aim was thus not to take control of the land per se, but simply to render it unusable for the rural communities.

The undermining of livelihoods and denying the means of subsistence also runs through as a common thread when considered in light of land grabbing tactics. In the post-coup violence, aside from the aforementioned destruction of crops and in some cases the mining of village tracks between paddy fields, there were widespread reports of looting and killing of animals, of destroying seed, fertilizers, implements, and irrigation equipment. The interruption of the agricultural cycle at critical stages has multiple ripple effects. As one of the respondents pointed out, with no crops planted not only do farmers lose out, but day-wage laborers have no work. Economic pressures result in out-migration, and a draining of the necessary labor should more conducive economic conditions return.

The criminalization of victims of post-coup violence also follows a familiar pattern. Military forces, using lists provided by their superiors, have targeted particular homes as being 'supporters of the PDFs.' As with land grabbing, legal niceties are irrelevant, and the only evidence furnished that the house is guilty of being a supporter of an organization labelled as 'terrorist' by the junta is the fact that they are on the list to be burned. Thus, to have your house burned is to be de facto confirmed as guilty, and as criminal. Leaving some houses burned and some not, serves to create conditions of suspicion and blame, intentionally singling out individuals as 'criminal' in the wider community.

This is part of a broader strategy to undermine social cohesion: as mentioned previously, the practice of releasing a few detained youth back to the community generates suspicion, as does the use of particular lists to determine whose house is burned and whose is not. The inclusion in targeting of those who provide humanitarian assistance as criminal also serves to criminalize charity, again seeking to undermine community cohesion. The undermining of livelihoods, and the targeting of the monasteries typically seen as the sites of last resort, also serve to undermine the normative means of social cohesion in communities in the Dry Zone: Buddhism, and the local Buddhist clergy. As the economic means of the community declines, so too does their means to support Buddhist clergy, which in turn undermines the capacity of Buddhist clergy to provide material and moral support to their community. By targeting Buddhist monasteries, the military also further undermines the final means of maintaining community cohesion, and the means of rehabilitation – in what arguably could be considered the fifth 'cut.' This carries a rather deadly irony, as much of the rhetoric of the current military junta and indeed of the Myanmar military in previous times, appeals to their role as the protector of the Buddhist religion and the Bamar race, openly aligning with nationalist movements such as Ma-Ba-Tha and its subsequent iterations (Aung Kyaw Min, 2017; Htet Naing Zaw, 2019).

LEGACIES OF VIOLENCE: BETWEEN THEN AND NOW

The thesis of this book proposes that the accounts of land grabbing violence are considered as part of pattern of behavior, occurring in tandem with more explicitly militarized counter-insurgency operations,

and followed by the Rohingya crisis, and by the post-coup violence. If this is indeed correct, then the nature, extent, and objectives of violence in the post-coup era are treated as neither a case-specific response to opposition, nor as an aberration, but as a continuation of a decades-old campaign of subjugation, largely employing the same tactics and rhetorical justifications. I would further argue here that the necessary capacity to undertake this level of violence against a domestic (albeit regarded as foreign) populace has been established and maintained through the persistent use of force in land grabs. Whilst periodic military campaigns in Shan State, Kachin State and Kayin State have conducted protracted, and sometimes larger-scale offensives against ethnic-affiliated armed groups, a key enabler for ongoing subjugation has been the seizure of land in those areas. By being able to do so repeatedly and with impunity, the Myanmar military has maintained a culture of violent subjugation which is skilled at using multiple forms of violence to achieve its aims: physical, cultural, structural, economic, psychological and ecological:

armed groups use displacement as a mechanism for sorting and capturing the civilian population. Triggering displacement makes people “vote with their feet” and send costly and highly visible signals of allegiance or obedience based on whether – and to where – they flee. Moreover, it renders those who relocate within an armed group’s purview “legible,” enabling political and military actors to extract intelligence, economic rents, and recruits from a larger segment of the populace (Lichtenheld, 2017, p. 42).

The current deployment of these forms of violence against a much larger and more differentiated population to some extent muddies the waters in relation to accusations of genocide, typically understood to be violence directed to ‘others’ on the basis of ethnicity or religion. However, contemporary research on the typology of genocide highlights the importance of ideology and belief, where genocide may be derived from developmental concerns such as where a particular group is considered “an impediment to the colonization or the resource exploitation of a given geographic area” (Alvarez, 2008, p. 2), or may be directed primarily against political rivals (despotic) or those with different beliefs and values (ideological). Each may

traverse ethnic and religious affiliations, and, as Helen Fein (1993, p. 80) and others acknowledge, the many scholars “have disagreed with the UNGC’S exclusion of political groups and social classes as victims and the need to establish intent.” Indeed, one of Fein’s typologies of genocide, retributive genocide, refers more specifically to “attacks on a group in response to their challenge to the domination of a ruling group” (Fein, 1993, p. 82). In this form, the acts are committed “by one group against another to protect or change a hierarchical and stratified political and/or social order” (Alvarez, 2008, p. 3). Whilst genocides, and more specifically, genocidal intent, rarely fits neatly into one category, a more nuanced understanding of genocide moves the framing away from more fixed ethno-religious identities towards issues of class and social order: where violence is primarily used to subjugate populations considered to be a threat to the social, economic, and political hegemony of a particular class. In this case, the history of violence of Myanmar’s military, including land grabbing, is construed as primarily directed towards maintaining the dominance of their class - and more specifically, the elite officer class within the military whose interests are served by the maintenance of the current order.

This brings about a sense that the current patterns and practices post 2021 are not simply made possible by the preservation and performance of the means, culture, and impunity of violence, but that they in fact represent an extension, or if you like, an expansion of the same dynamics and objectives of subjugation. The fact that affected communities include Bamar and Buddhist is in many ways irrelevant, as new lines of cleavage, rooted by fusing Buddhist ethnonationalism with military identities and myths, effectively equates military subjugation with the protection of race and religion. In other words, those resisting military subjugation are in effect opposing this particular iteration of race and religion, and so can be legitimately considered as ‘others’, despite being Bamar/Buddhist.

Arguably, in the post-coup era, the term genocide becomes more pertinent, as it begins to relate less to the destruction of a previously identified ethno-linguistic/religious identity, and more to the manipulation of such categories to designate as belligerent ‘others’ any who do not conform to the redefined identities aligned to the ethnography of the military. The objectives appear to align most closely with the

desire to produce not so much loyal subjects as ones stripped of all agency. The current strategy, allowing millions to out-migrate through legal and illegal channels, of undermining the means of subsistence in rural strongholds, and deliberate defenestration of sources of moral authority and agency, all serve to enshrine the military as the sole force and arbiter. This approach appears to have little interest in generating any sense of tacit endorsement or electoral support: merely to produce a cowed, submissive population from whom labor and goods can be extracted at will, and with no resistance. Seen through the perspective of land grabbing assemblages, then, the objective of the current post-coup violence is dominance and subjugation: a de- and re-territorializing of people in Myanmar which radically transforms their identity-producing a new generation of those displaced, marginalized and criminalized. The energy of resistance is directed specifically towards this, utilizing multiple tactics of evasion, deception, and confrontation to maintain spaces, identities and agency.

The result of the 'crash' is, to date, not as predicted: vigorous territorial claims resulting in a transformation of the control of specific spaces, themselves often made vacant by the forced displacement of residents. Whatever the final outcome, the furniture has been re-arranged: the question remains whether international actors, often encumbered by ponderous, state-centric views, can summon the requisite political intelligence, courage, and vision to engage with the emerging identities in the Myanmar space, or remain wedded to systems which legitimize and perpetuate subjugation and violence.

ANNEX 1

METHODOLOGY

The field research for this book was conducted in 2022, initiated by a local CSO with extensive experience in land rights in Myanmar. A prior research report, published in 2020, had identified a large number of cases of land seizure, and these cases formed the core of the research for this book. After an online training session on narrative interviewing and the use of the interview guide, a dozen researchers with prior experience and contact with victims of land seizure identified both old and new cases of land seizure. The old cases were people who had previously had land seized, and who had either participated in a previous round of research some three years earlier, or who had been in contact with land-rights advocacy groups. New cases were identified mainly through referral by the old cases, or in some instances, contacts through other land rights networks. After securing informed consent, researchers recorded the interviews, some of which were conducted by telephone due to security concerns, and then uploaded as audio files onto a secure server. In total, 46 primary interviews (interviews conducted directly with the person who had had land seized) were conducted, along with 56 secondary interviews (interviews conducted with a person close to, or related to, the victim of land seizure).

Of the 102 cases, 92 were old cases - meaning they were follow-up interviews with households who had previously had land seized more than 10 years ago, - and 10 were new cases, where land had been seized within the past decade.

The analytical approach of this research uses narrative analysis as the key methodology. This approach treats the whole narrative as a unit of data, and pays attention not only to the specifics of what is said, but of how a particular participant constructs and presents their reality through

story. Narrative research seeks to investigate how stories are constructed around specific events, and how the presentation of that particular story, to that particular audience, serve a particular purpose for the narrator:

By collecting stories [...] by listening and comparing different accounts, by investigating how narratives are constructed around specific events, by examining which events in an organization's history generate stories and which ones fail to do so, we gain access to deeper organizational realities, closely linked to their members' experiences. In this way, stories enable us to study organizational politics, culture and change in uniquely illuminating ways (Symon, 1998, pp. 135-136).

Narratives seek to capture a clear sense of chronology, including land seizure, consequences, and attempts at redress. Narratives are rarely told with neat chronological sequence, and our analysis is interested not only in what happened, but in how the events, consequences and experiences are recounted using specific words, phrases and references. Narratives recorded in the present time, but relating to historical events, also need to be interpreted in the light of current dynamics: the post-coup dynamics and widespread hatred for the Myanmar military may explain the prominence in the narratives of the role of the army, and the relatively muted accounts of the failings of the civilian government of the NLD to effectively reform the land process. Overall, the analysis of the narratives is less interested in the verification of facts; rather, we are interested to know why this person, who underwent this experience, used this story, with these words, to convey this meaning to this person, at this time. Narrative analysis allows a degree of speculation as to subconscious motives in the choosing of certain phrases; for this reason, our analysis has always been on the primary text, or a Burmese language version of the primary text. In total, over 700 pages of interview transcript were coded and analyzed, representing over 40 hours of recorded interviews.

State/region	Old cases (>10 years)	New cases	Total
Kachin	17	5	22
Northern Shan	22		22
Southern Shan	30	1	31
Mon	23	1	24
Yangon	0	3	3
Total	92	10	102

Table 2: Distribution of land seizure cases

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INDEX

A

- alcohol abuse 100, 111, 118
- alienation 20, 69, 74
- army 5, 19, 38, 41, 49, 50, 51, 53, 56, 58, 59, 65, 70, 71-73, 75, 77-82, 88, 104, 114, 120, 141, 145, 150, 159
- army camp 51, 56, 70, 75, 77, 114
- arrested 2, 3, 39, 54, 80, 81, 82, 100, 114
- ASEAN 3, 8
- assemblage 12, 17, 123-127, 138
- Aung San (General) 40
- Aung San Suu Kyi 2, 3, 40, 88, 141

B

- Bamar 13, 41, 58-59, 61, 68, 83, 133, 154, 156
- barbed wire 7, 11, 62, 64-65, 127
- boundary, boundaries 8, 63, 64-67, 69, 77
- British 20, 21, 26, 38-39, 40, 68, 130, 134
- Buddhist 10, 11, 13, 32, 39, 42, 115, 132-133, 135, 143, 145, 154, 156
- bulldozer 51, 55, 61, 70, 71, 77, 112, 124, 127-128
- Burmanization 22, 27, 43, 130,
- Burmese 10, 27, 28, 38-41, 43, 59, 61, 68, 69, 73, 85-86, 128, 130, 138, 139, 143, 159
- burned 5, 39, 134, 143, 144, 145, 146, 149, 154
- burning 5, 15, 133, 143, 146-147, 149, 151

C

- Civil Disobedience Movement 3, 141
- (CDM)
- ceasefire 22, 27-28, 61, 86, 129
- ceasefire capitalism 22, 28, 61, 86, 129
- Chettiar 21, 40
- colonialism (colonization) 11, 19-21, 26, 38-40, 43, 68-69, 72, 76, 120, 122, 130, 131-132, 135, 137, 143, 155

compensation 16, 23-24, 49, 51, 53, 57-59, 60, 65, 70, 72, 73, 77, 81, 90, 91, 95, 110, 114-115, 116, 139, 152
 corruption 7, 11
 coup 1-3, 5, 13, 22, 31, 41, 50, 57, 62, 64, 92, 113, 132, 141-143, 151-155, 156, 157, 159
 Covid-19 2, 4, 66, 80, 92
 criminalization 7, 11, 62, 63-64, 66, 79, 81, 82, 85, 91, 107, 120, 121, 152, 154, 157
 crony 9, 22, 48, 46
 CRPH 4
 cultural violence 32, 35, 37, 43, 133
 customary 10, 18, 19, 20, 21, 23, 24, 26, 27, 47, 73, 75, 128, 139

D

debt 7, 11-12, 20, 85, 89-95, 98-99, 101, 110, 118, 127, 128, 145, 146, 150, 152
 deterritorialization 76, 81, 106, 107, 121, 124, 125-126, 138
 displacement 7, 11, 48, 62, 63, 68, 95-97, 100, 101, 106, 107, 108, 112, 113, 114, 117, 121, 126, 128, 130-136, 155, 157
 dispossession 1, 11, 12, 16-19, 36, 62, 63, 64, 68-69, 72-74, 76-77, 79, 81, 82, 85, 91, 92, 100, 101, 105-111, 113, 115, 118, 119, 121, 128, 129, 131
 domestic violence 91, 118, 124-126, 129, 138
 drugs 12, 98, 108, 111-112, 119
 Dry Zone 13, 154

E

education 6, 14, 22, 24, 38, 55, 83, 87, 96, 98, 100, 101, 102, 103, 104, 105, 107, 108, 123, 128, 131, 132
 ethnic armed organizations (EAOs) 4, 7, 22, 23, 24, 28, 41, 86, 131, 142, 147
 ethnic minorities 12, 13, 27, 29, 54, 58, 68, 128, 130, 131, 138, 139, 142
 ethnography 19, 22, 45-47, 63, 65, 156

F	
fallow	22, 24, 27, 61, 73, 96, 130, 135, 152,
fence	11, 62-68, 77, 81, 82, 101, 126,
food insecurity	92, 95
frontier	7, 15, 16, 18, 21, 23, 25-27, 29, 62, 72, 120, 137
G	
genocide, genocidal	8, 42, 131, 132-136, 138, 139 155-156
guns	7, 9, 11, 43, 45, 51, 56, 58, 61, 62, 78, 80, 124, 126, 127, 129, 144, 145, 148
H	
health	4, 7, 25, 81, 82, 91, 92, 94, 100-102, 104, 106, 110, 112, 113, 115-116, 141, 142, 152
Htay Myint	50
I	
impunity	1, 8, 13, 31, 62, 82, 143, 155, 156
indigenous	7, 27, 46, 72, 117, 132, 136-137
informal justice	11, 43, 91, 119
institutional violence	34, 37, 41
irrigation	49, 52, 70, 103, 153
J	
Jade Land Company	86
junta	4-6, 62, 142, 144, 152, 154
K	
Kachin	4, 9, 16, 22, 23, 25, 40, 45, 49, 50, 55, 56, 57, 58, 77, 79, 81, 86, 97, 109, 111, 112, 113, 118, 137, 138, 143, 155, 160
Kachin Independence Army (KIA)	23, 50, 86, 137
Kachin Independence Organization (KIO)	50
L	
land control	1, 15, 18, 22, 27, 46, 48, 67, 68, 85, 126, 129

land ethnographies 15, 18, 45, 46, 47, 61, 139
land grabbing 1, 6-9, 11-13, 16-18, 23-25, 28, 29, 46-48,
50, 62, 76, 80, 83, 106, 115, 117, 120, 121,
123, 125, 126-131, 136, 138-139, 151,
152, 153-154, 156, 157
land records 55, 57, 68, 73
land tenure 16, 18, 19-21, 23, 27, 73, 139
landless 108, 118, 119, 129,
law 10, 22, 23-24, 38, 42, 43, 53, 60, 85, 89,
93, 143

M

marginal 11, 64, 97, 107, 119, 120-121, 126, 132, 157
Marxist 16, 17
means of subsistence 2, 7, 11, 41, 48, 56, 62, 63, 64, 74, 76, 77,
79, 80, 82, 97, 106, 111, 121, 128, 132,
134, 152, 153, 157
means of violence 1, 6, 7, 8, 33, 34, 37, 43, 64-65
migration 27, 92, 96-99, 107, 108-111, 113, 116,
127, 128, 131, 137, 153
Min Aung Hlaing 2, 141, 143
mining 25, 49, 50, 53, 60, 69, 70, 86, 87, 97, 112,
153
Mya Na Di company 61
Myanmar Economic
Holdings Limited (MEHL) 52, 53, 60, 61, 57
Myanmar military 2, 8, 13, 18, 23, 24, 25, 26, 28, 40, 43, 50,
58, 72, 133, 137, 141-143, 154, 155, 159

N

national security 24
National Unity Consultative
Council (NUCC) 4, 142
National Unity Government
(NUG) 4, 11, 142, 147
nationalism 132, 133, 156
Ne Win 41
National League for
Democracy (NLD) 2-4, 40, 88, 90, 147, 149, 159
Northern Command 16, 56

O

- obfuscation 7, 43, 65, 91
- Ohn Myint 49, 50, 51, 56

P

- Pa-O 23, 51, 54, 58, 72, 137
- PDF 4, 6, 141, 146-147, 149, 151, 152, 154
- physical violence 6-8, 31, 32, 34, 39, 128
- Phyu Saw Htee 151
- primitive accumulation 16, 47
- psychological violence 7, 33-34

R

- Rakhine 22, 37, 42, 132-135, 137, 143
- resistance 6, 131
- reterritorialization 76, 81, 82, 121, 125-126, 129
- Rohingya 8, 42, 132-135, 137, 155

S

- Sagaing 5, 26, 41, 123, 1, 133, 134, 135, 137, 138, 139, 140
- set fire 96, 134, 135, 138
- Shwe Thanlwin Company 50
- Shwe Wa company 57, 81
- SLORC 3, 22
- social stigma 109
- SPDC 3, 22, 47, 48, 55
- Special Economic Zones 105
- stacked laws 25
- State Administration Council 5, 6, 31, 151
(SAC)
- state violence 34, 36-37, 67
- structural violence 32, 34-36, 134, 136
- subjugation 1, 11, 12, 13, 18, 19, 25-27, 33, 37, 62, 72, 76, 105, 122, 126, 127, 129, 131, 133, 135, 138, 139, 143, 150, 152, 155, 157-158
- symbolic violence 35, 39

T

Tatmadaw	2, 24, 83, 86, 134
territorial claims	4, 10, 23, 26, 41, 105, 157
territorial domination	62, 130
territorialization	28, 48, 61, 77, 120
Thein Sein	24, 48, 49, 88, 133
Thilawa Special Economic Zone	95, 116
Thiri Company	79
title (land)	21, 23, 27, 47, 53, 60, 61, 65, 67, 68, 70, 72-75, 87, 90, 98

U

U Nu	21, 68
USDP	22, 42, 50, 88, 90, 133, 147-148, 149, 151

V

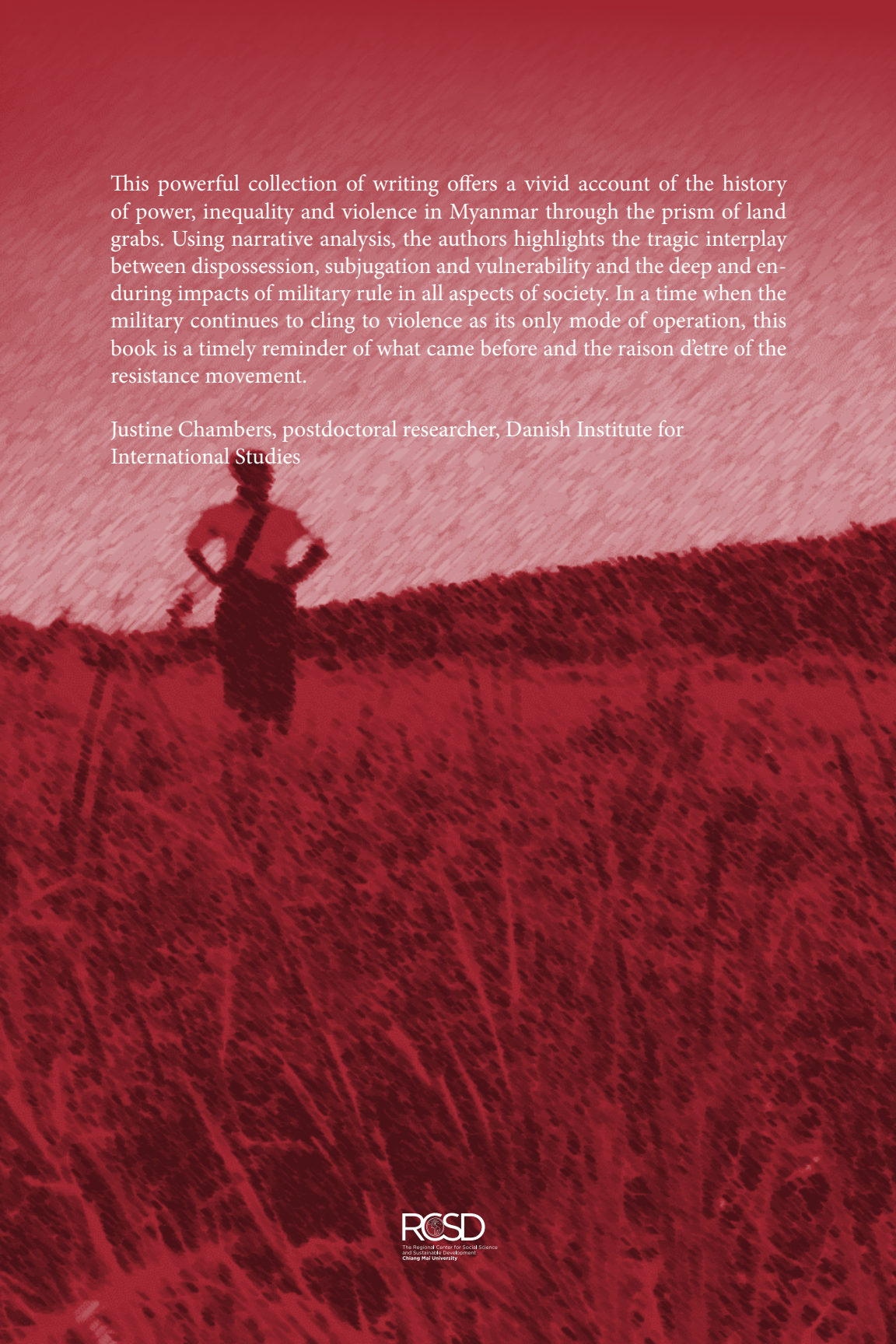
Vacant, Fallow and Virgin Lands	22, 27
---------------------------------	--------

W

Win Myint	2, 50, 88, 141
-----------	----------------

Y

Yangon	9, 42, 45, 52, 55, 66, 95, 103, 160
YCDC	55
Yup Zaw Kwang	86, 87, 112, 138
Yuzana Company	49-50, 72

A person is standing in a field of tall grass, silhouetted against a bright sky. The person is wearing a light-colored shirt and dark pants, and is looking towards the camera. The grass is tall and dense, and the sky is a pale, hazy blue. The overall scene is peaceful and natural.

This powerful collection of writing offers a vivid account of the history of power, inequality and violence in Myanmar through the prism of land grabs. Using narrative analysis, the authors highlights the tragic interplay between dispossession, subjugation and vulnerability and the deep and enduring impacts of military rule in all aspects of society. In a time when the military continues to cling to violence as its only mode of operation, this book is a timely reminder of what came before and the *raison d'être* of the resistance movement.

Justine Chambers, postdoctoral researcher, Danish Institute for International Studies