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CONTROL OF LAND AND LIFE IN BURMA

by *Nancy Hudson-Rodd* and
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Land is the ultimate resource, for without it life on earth cannot be sustained.

Land is both a physical commodity and an abstract concept in that the rights to own or use it are as much a part of the land as the objects rooted in its soil. Good stewardship of the land is essential for present and future generations. (United Nations 1996:3)

Land is the major source of wealth and power and has been the focus of successive ruling bodies in Burma from the British colonial rulers (1931-1948), to the independent/democratic government (1948-62), to the various guises of military regimes: the Revolutionary Council (1962-1974), the Burma Socialist Programme Party (1974-1988), the State Law and Order Restoration Council (1989-1997), and the State Peace and Development Council (1997-present).

Colonial rulers usually ignored the customary use of the land and simply acquired land deemed useful for their development purposes. After Burma gained independence, through successive forms of governing bodies, there was a similar process by the State of taking land thought to be useful for commercial or infrastructure projects,



Burma

ignoring the customary system of land use. The most significant land problems in Burma remain those associated with landlessness, rural poverty, inequality of access to resources, and a military regime that denies citizen rights and is determined to rule by force and not by law. A framework to ensure the sustainable development of land is needed to address social, legal, economic, and technical dimensions of land management. This framework can only be created and implemented within and by a truly democratic nation.



Example of Burma's State-sponsored signs

Land and Sustainability

Burma covers a land area of 676,578 square kilometers, making it the largest country in Southeast Asia. It is one of the least densely populated countries in the region, at 67 people per square kilometer in 1996/7 (UNDP 1998b). The population is estimated to have risen to 60 million in 2000 (Committee Representing Peoples' Parliament 1999). There are four distinct climatic and geographical regions: the Western and Northern Hills; the Shan Plateau; the Dry Zone, Central Plains Region; and the Rakhine and Tenasserim Coastal Regions. Four major river systems flow north to south following the general slope of the country. The basins of these rivers form the fertile delta of the Irrawaddy.

The current government, the State Peace and Development Council (SPDC), declared that the focus of the

state is on the “development of agriculture as the base and all-round development of other sectors of the economy” (*Myanmar Alin* 1999b). Major General Nyunt Tin, Minister for Agriculture and Irrigation, stated that the “fertile valleys and highlands and rich water resources not only ensure national food security but also generate surplus for regional food security.” Food security is important given the steep decline in rice exports from nearly 2 million tons in 1962 to only 35,000 tons in 1996 (Khin Maung Kyi, et al. 2000).

Burma's wealth of natural and human resources should be able to sustain the present and future generations of people while maintaining ecological diversity. We define productivity in terms of people's well-being as a function of the national economy. Three-quarters of Burma's population live in rural areas; the majority of whom depend on agriculture for their livelihoods. However, the yields of many crops have remained the same or have fallen since 1985. Irrigation is poorly managed, roads are in very bad condition, and credit is all but impossible to obtain. The environment in both the Dry Zone and the Delta areas is deteriorating (UNDP 1998a). Sources of fresh water are becoming scarce, and in the Delta there is an increasing scarcity of fish, crabs, firewood, and even vegetables for the landless and land-poor households (UNDP 1998b). An alarming consequence of this deterioration in living standards under a military regime is that, in 1997, 12% of children under the age of three suffered severe malnutrition (weight for age) and another 36% of children under the age of three suffered moderate to severe malnutrition (Department of Health Planning 1997).

The current rural economic development policies based on land use and agriculture potentially will further impoverish the social well-being of the majority of people, causing more peasants and farmers to become landless,

reducing opportunities for prosperity for the majority of the people, and creating a small wealthy class of national entrepreneurs (Committee Representing Members of the Peoples' Parliament 1999). This stagnation in production is the antithesis of a policy of land use that favors improving the well-being of smallfarmers. A highly unequal structure of landownership may be the single most important factor contributing to an inequitable distribution of wealth and income. When land is unevenly distributed, rural cultivators have little opportunity to increase their economic wealth, and they have little access to power in the social, economic, or political realm.

Land policies of governments with short-term, self-interested agendas do not serve the long-term public interest.

Agrarian policy since 1988

Prior to SPDC coming to power in 1997, the State Law and Order Restoration Council (SLORC) adopted all the agrarian policies issued by the Burma Socialist Programme Party, which ruled from 1974-1988. After SLORC seized power in 1988, it arranged a meeting between the agricultural ministry and divisional officers in the agricultural department. At this meeting, SLORC created policies that would:

- allow the public sector, cooperatives, and private sector to produce and sell agricultural produce according to their will and the freedom to choose what to grow and to whom to sell,
- develop virgin land and guarantee farmers the right to grow as long as perennial industrial crops are cultivated,
- allow farmers to purchase farming machinery and fertilizers,
- exempt agricultural land from cultivation so that it could be used for development projects deemed necessary for the State and market economy.

There was no freedom for the farmers to grow crops in a sustainable manner or to improve the communities' economic and social well-being. Under SLORC, all land within Burma—fields, forests, mountains, and reserved lands—belonged to the State and were controlled by SLORC. All land set aside for paddy fields must grow paddy only, and there was no program to redistribute land to the poor.

On 31 December 1988, SLORC issued an order that stated that persons



State-sponsored sign

with permission to grow paddy have the duty to yield harvests to the full capacity of the field. Only after the paddy season was over and the set quota sold to the government were other income-earning agricultural products or cash crops permitted to be grown (SLORC Publications Sub-Committee 1991).

Under this decree, farmers were forced to grow paddy as the dominant crop. Growing other cash crops or fruits and vegetables for market sale was severely restricted. This reduced the variety of food available for household consumption and increased the vulnerability to malnutrition. SLORC used the land as a means to earn foreign currency by forcing some farmers to grow triple crops without any local community consultation. This meant that farmers often were forced to grow crops not suited to the local soil, water, and site conditions. SLORC followed the Burma Socialist Programme Party in constructing a feudal land system under the guise of the State, with “State” in this case

Table 1. Comparison of agricultural land use rights between individual cultivators and agricultural "entrepreneurs," 1999		
	Individual cultivators	Agricultural entrepreneurs
Access to inputs	No permission to purchase fertilizers. No loans available.	Exempt from taxes and duties for imported machinery, insecticides, fertilizers. Loans guaranteed.
Size of land	Approximately 3-5 acres	5,000 plus acres
System of access	Rent on yearly basis. Thi-sa-cha.	30-year lease
Ability to sell produce	Forced to sell 12-14 baskets to government, civil servants, charity, and defense forces at prices below 50% current market price.	Permitted to export 50% of crop and sell the remaining 50% within Burma at current market price.
State infrastructure	No infrastructure development.	Builds roads, bridges, telegraphic communication, and digs wells at no cost to entrepreneurs.
Responsibility to state	Forced to "volunteer" service to authorities, and to clear, plough, and cultivate land owed by Defense	No responsibility to state or common goal
Sources: Committee Representing People's Parliament 1999; Kyaw Nyunt 1998; Ministry of National Planning and Economic Development 1997.		

referring only to the military rulers and their cronies and not to the majority of the Burmese people.

In 1990, SLORC issued directives that gave it total control over all land required for fruit orchards, brick production, rice mills, salt production, and other purposes (SLORC Publications Subcommittee 1991). By 1995, the three



Rice field

main targets of the Agricultural Ministry were to have a surplus in paddy crop production, be self-sufficient in edible oil, and increase the production and export of various pulses and beans and industrial fibre crops. The goal was to achieve these targets within 3-5 years.

After assuming power in 1997, SPDC continued the same land and agricultural policies of the SLORC. New approaches were implemented to ensure more extensive agriculture, and the land was under the effective control of "comrades" and supporters of the military. One of SPDC's significant efforts in developing the country's agriculture sector was to invite national entrepreneurs to take part in large-scale farming in the states and divisions that had vast areas of untamed land. Currently, entrepreneurs are farming thousands of acres in Ayeywaddy, Yangon, Magway, and Taninthayi Divisions; some local companies are taming thousands of acres in Bago Division, Shan State, and Kachin State in order to set up farms; and there are vast areas of vacant, virgin and fallow lands in Mon and Kayin States. Though there was danger of insurgency in the past, peace and stability has been maintained in the states (*Myanmar Alin* 1999b).

The following special privileges are granted to entrepreneurs who undertake large-scale cultivation of 5,000 acres or more in these newly acquired lands (see table 1):

- 30-year leases,
- permission to export 50% of the crop and to sell the rest within Burma,
- exemption from taxes and duties for machinery, insecticides, fertilizers imported for the purpose of cultivation,
- provision of "no-cost" infrastructure (roads, bridges, telecommunication, wells),
- guarantee of loans.

This approach to create an entrepreneurial class heavily subsidized by the State in terms of access to credit, agricultural products (fertilizer, seed, pesticides), infrastructure (roads, bridges, wells), and communication links raises critical questions. Who benefits from this support of an entrepreneurial class? What is the legal status of so-called “vacant, virgin, and fallow lands”? Who worked the land in the past? Why did this land become vacant? Have the former owners of the land been forced out of their villages and off this land in the name of “restoring national peace and security”? Were the former cultivators not supported in their agricultural practices (access to credit, seeds, fertilizers, water, markets, etc.)? What crops are best suited to grow in these lands based on soil, climate, and site capabilities and in terms of long-term sustainability of land? Do the SPDC and the entrepreneur families understand sustainable practices? What will be the role of local cultivators in this “modernization” process? Will they be consulted for their local knowledge of agriculture or will they become a form of cheap labor to work the large farms? Who are the entrepreneur families (see table 2)? What is the role of private investors?

Critique

The central focus of all policymaking is now understood to be based on a concept of sustainable improvement in the quality of life of all people (Report of the Independent Commission on Population and Quality of Life 1996; UNRISD 1997). For a variety of reasons, past land policies did not bring about improvements for the rural majority, in spite of land reform policies and programs of rural development. The relationships between poor people and their environments have been misunderstood (Leach and Mearns 1996). Smallfarmers have an intense sense of place that is connected to a deep

Table 2. Private enterprises, regions, and townships receiving grants for cultivation of uncultivated, virgin, and wet lands, 1999		
Company/ Organization	Sub-township/ Township	Granted acreage
	Magwe Division	198,400
1. Asia World	HtaeBoGan Salin	10,000
2. Dagon International	YayBokeGyi Pwintbyu	36,000
3. Myanmar Billion Group	MyoZaBo Minbu	29,000
4. Yuzana	KyeeGan/ Minbu/ KanToke Minhla	30,000
5. Service International	Nagaphae/Salin	40,000
6. Shwe Family	KoeBin/ Sinbaungwae	10,000
7. ShweThaZin Syndicate	TharZi/ Sinbaungwae	20,000
8. Olympic	AKaeRiz/Sinbaungwae	5,000
9. Aung Htein Min	YayDwinGaung Taungdwingyi/ShwePanDaw Aunglan	7,000
10. small companies		11,400
	Rangoon Division	28,580
11. Interior Ministry	SinGyan/Tikegyi	2,000
12. Rangoon Municipal	Tikegyi	1,500
13. Dagon Agriculture	Htantabin/Teikgyi	18,000
14. Golden Plough	SinGyan/Tikegyi	2,080
15. Steel Stone	Hmawbi/Tikegyi/Htantabin	5,000
	Irawaddy Division	244,343
16. SI Limited	Nyaungdon/Danubyu	30,000
17. Yuzana	MoeGokeDiDoke (South) Pantanaw	20,380
	AhYwaeJin Pantanaw	1,500
18. Olympic	MoGokeDiDoke (North) Pantanaw/Einmae	10,650
	Danabyu	10,000
19. small companies		171,813
	TOTAL	471,323

Source: Myanmar Alin 1999.

attachment to the land. When people are driven off their land, or are gradually and continually impoverished, then personal, individual well-being and ability to improve the family's condition are denied. There is a lack of research being conducted in Burma to understand the exact relationship between people and their land and the effects of being forced from communities for reasons of new infrastructure developments, such as road building or creating capital intensive agribusinesses.



Dock scene

In Burma, the farm household has remained the basic unit of production throughout the years since independence. For most farmers, the methods and structures of production have remained largely unchanged despite the ideological rhetoric and official government reports. The State has controlled the trade in paddy and other agriculture products. While the government states that it embraces an open-door market-oriented policy, prices and other financial responsibilities are still centrally controlled. The Private Investment Law of 1990 retained a series of registration fees and licenses constraining private enterprise (Cook 1994). Will the new "entrepreneurial" system remove some of these constraints for legitimate private investment and will the entrepreneurs have any autonomy in their agricultural business ventures?

The number of people who are landless and who cultivate marginal, nonviable small farms of less than two acres are increasing partly due to population pressure in rural areas. One study conducted at the village level in the Delta area in 1998 estimated that agricultural laborers constituted 25-33% of those employed (Myat Thein and Maung Maung Soe 1998). This is almost twice the number of people working as agricultural laborers in 1974-75, when researchers from the Institute of Economics at Rangoon University, found that between 15-20% of people were laborers with no land to cultivate and no prospects of inheriting land. Secure tenure rights to the individual farmer is important, and this does not exist in Burma. The State controls all land. Farmers have rights only to cultivation, which household members can inherit if permitted by the authorities of the Township and Village Land Committee and the Settlement and Land Records Department. The State can revoke land-use ownership rights if the farmers do not grow the crops specified by the authorities or use the land as specified. Land sales and transfers are illegal but tenancy and land sales and transfer of land to non-household family members do exist at the informal level.

Theories of development and practices derived from these theories usually neglect including the rural poor's participation in policy agenda and formulation. Top-down approaches of development assumed that local people were obstacles to their own growth and needed new knowledge and new ways of working the land. It was believed that modernization of farming practices required greater extension of land under cultivation, creation of large-scale farms, large mechanical equipment, new seeds, chemical fertilizers, and pesticides. This is the top-down approach to development being promoted by SPDC.

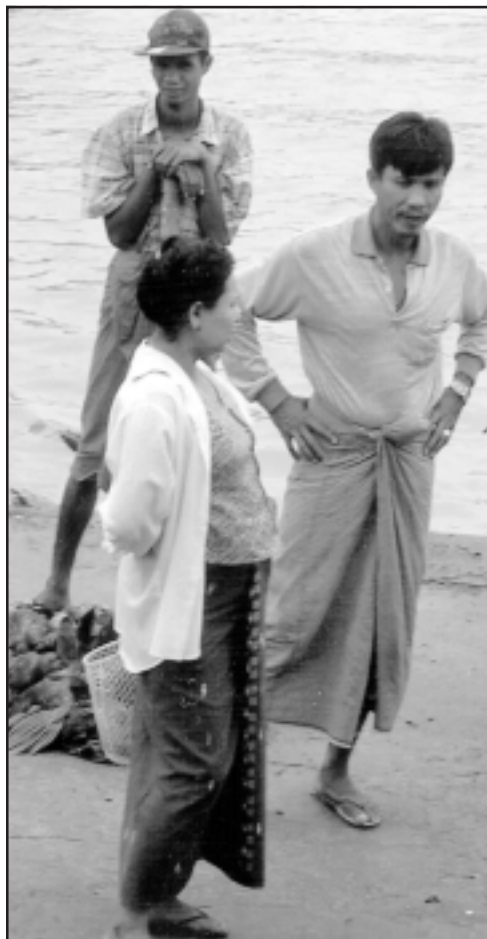
Since the 1970s, these models of development have been criticized from

diverse perspectives: economic, geographic, sociological, historical, cultural, and gender (Chambers 1994 and 1998; Corbridge 1990; Mehmet 1999; Scott 1985; Slocum, Wichart, Rocheleau, Thomas-Slyter 1995; Tomlinson 1991). Far from creating better living conditions, these development approaches have contributed to unsustainable farming practices, inequalities between wealthy and poor, and the destruction of rural livelihoods (Barkin 1995). It is unlikely that the current agricultural “modernization” policy in Burma will lead to improved conditions for rural farmers. Control of land and resources is centralized by the military into the hands of a small number of entrepreneurial families and public and private corporations, both foreign and national. The extension of land for farming is not being implemented with the knowledge and cooperation of local small farmers but is State-imposed.

Implications of these practices on the people and the land at the local township level need to be studied in long-term research projects to gain understanding of the relationships between the people and the land at the household/family level. Research is required to analyze what has happened in the specific states, which have been declared as “safe areas” and now under State control. In the Kayin, Kachin, Mon States, land has been designated by SPDC as “vacant, fallow land” and allocated for agricultural development. What is the current and past ownership and land-use pattern in these states? How has the household/family unit survived this process of pacification? What changes to the household structure and composition have occurred (female/male, generational)? How has the family/household unit sustained itself through these changes within their unique milieus?

From a theoretical perspective, the current land policy has potential to further concentrate wealth and power of

land and resources and further ensconce unsustainable farming practices. Successive ruling regimes in Burma have controlled individual rights to the use of land and dictated who, what, when, and where to grow, and, indeed, who can participate and how. Control, misunderstood for power, or substituted for power, hinders learning and sustainable development. Learning is needed to create land policies that are based on processes of change and participation of a diverse range of people within their own unique environments. Instead, the SPDC has built upon the approaches of previous ruling governments in Burma in its attempt to maintain control and allow no freedom of choice for cultivators or for entrepreneurs. Empowering the people of Burma is the first step to ensuring sustainable land use. 🌍🌍





TENURE BRIEFS

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All views, interpretations, recommendations, and conclusions expressed in this paper are those of the author and not necessarily those of the supporting or cooperating institutions.

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