Title
The War to Rule: Ceasefire Capitalism and State-Making in Burma's Borderlands

Author
Woods, Kevin

Publication Date
2017

Peer reviewed|Thesis/dissertation

The War to Rule:

Ceasefire Capitalism and State-Making in Burma's Borderlands

By

Kevin Woods

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

Environmental Science, Policy, and Management

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Nancy L. Peluso, Chair
Professor Michael Watts
Professor Louise Fortmann
Professor You-Tien Hsing

Fall 2017

The War to Rule:
Ceasefire Capitalism and State-Making in Burma's Borderlands

Abstract

The War to Rule:
Ceasefire Capitalism and State-Making in Burma's Borderlands

by

Kevin Woods

Doctor of Philosophy in Environmental Science, Policy, and Management

University of California, Berkeley

Professor Nancy L. Peluso, Chair

In March 2011, the world watched as Burma's first civilian-led government in six decades took office. The transition of power in Burma brought hope for an end to crippling poverty and the world's longest running civil war. In the resource-rich forests of Burma's uplands however, the story was not one of peace, but of war continued by other means. The "war to rule" – the fight to bring rebel frontier landscapes and ethnic minority populations under control of the lowland state – continued, and this time the embrace of markets and foreign capital started to accomplish what a century of counter-insurgency was never able to achieve. This dissertation summarizes nine years of study on the agrarian political ecology of violence and state-making in northern Burma's rebel frontier from the end of the Cold War in the late 1980s to the present day. In areas once dominated by drugs, rebels and warlords, land has turned to capital, and battlefields to marketplaces. These agrarian transformations began as *military* counter-insurgency, using direct violence against ethnic minority populations, morphed into a form of *economic* counter-insurgency using a combination of physical force and market reform during the ceasefire era. Land deals located in rebel territories created state property regimes, making state territory and state subjects where previously ethnic minority rebel governments held sway.

This dissertation examines the outcome of Burma's celebrated opening to global capital in zones under both ceasefires and renewed civil war in two particular ways. First, I examine how political violence embedded within the structures of Cold War legacies became integral to the nature of capital accumulation. Second, I look at how turning land into capital can act as its own sort of battle on behalf of the military and its statecraft. The case studies taken together reveal how turning land into capital has nationalized natures and consolidated state territorial power and authority in the rebel frontier. These violent agrarian changes have set the stage for the post-colonial state to exclude certain racialized populations from the state's imaginary of the nation.

In a process I call "ceasefire capitalism," I examine the production of three resource commodities to demonstrate the ways that the spatial placement of land deals and the

allocation of land concessions to military cronies and former warlords helped achieve with the market what military force never fully did. Through case studies on rubber, corn, and timber investments, I examine an assemblage of three techniques, processes, and practices that operate together to build frontier state power. First, these resource investments resulted in state territorialization by privatizing, registering, mapping, taxing and physically occupying land and then allocating those territories to loyal Burman state subjects and companies. Second, I demonstrate the ways in which ethic minority populations have been differentially conceived and governed in relation to their land and resource uses and to the political territories they inhabit. Third, I examine how the rule of law – especially efforts to enforce notions of "environmental crimes" – is used as a discursive cover and a weapon to extinguish rebel group activity by denying ethnic rebel governments' agribusiness and timber revenues.

The first part of the dissertation demonstrates how contemporary land deals rearticulate Cold War political violence through the means of the market. Chapter 2 traces the making of Burma's early post-colonial state through the government's reliance on para-militaries who held together the fractured nation in the midst of widespread ethnic-based and communist insurgency. As the Cold War became more pronounced and the drug trade mushroomed starting in the 1960s, Burma's military again relied on para-militaries to help quell rebellion. The military enticed these ethnic strongmen to side with the state and fight rebel groups in return for unfettered tax and trade in the opium economy. After the end of the Cold War and socialism in the late 1980s and the subsequent rise of China in the region, Chapter 3 details how generals applied these counter-insurgency strategies within the new context of market transformation. Land and resource concessions offered financial rewards to national "cronies" and provincial strongmen for their service to the military. Using land deals to entice ex-rebel strongmen and cronies to work as counter-insurgency agents effectively commercialized counter-insurgency. My study of contemporary Chinese cross-border land deals is set within this legacy of political violence.

The second overall dissertation claim is how the Burmese state's policy to "turn land into capital" and the implementation of China's opium substitution program in northern Burma continued to wage war in ethnic territories by other means. In the three empirical field chapters I examine natural resource governance regimes and efforts to turn battlefields to marketplaces in armed territories in Shan State and Kachin State. As the Cold War came to an end in the late 1980s, the governments of Thailand and China convinced Burma's military to grant them access to natural resources in the borderland territories then controlled by ethnic-based rebel groups. Militarism and markets worked together with Burma's nascent state-making entrepreneurs: national crony companies, provincial strongmen, town moneylenders, and village elites. Chapter 4 highlights the two land laws that rolled out in 2012, which effectively carried the so-called paddy nation into the upland ethnic minority forest frontiers by turning government-labeled "wastelands" into private property. In Chapter 5, I show how these same wastelands were transformed into smallholder fields of corn, but with starkly different economic effects among households. Many poor households in northern Shan State lost their land to ethnic Chinese brokers in towns and state-backed elites in their villages. In Chapter 6, similar dynamics were at work in the forest areas of Kachin State. Despite holding

onto forest territories during war-time, under the ceasefire the Kachin rebel group lost their guerrilla forests to regional leaders' logging and agribusiness concessions and road construction permits granted by the military. The three case studies collectively illustrate how the "repertoire of rule" in Burma enlisted state-like elites, Chinese capital, and the rule of law to turn land into capital and subsequently push rebels further into the forested mountainous margins.

The third main argument advanced in the dissertation is how commodifying nature and turning land into capital opened new pathways for violent forms of state-building and subject-making in the upland rebel frontier. Land deals, processes of racialization, and the "rule of law" built state territories and state subjects out of what I call the borderlands' "armed sovereignties." Chapter 2 and Chapter 3 pointed to the legacies of racialized rule in how the military state governed in the lowland paddy nation comprised of majority Burman Buddhists, versus rule by war in the non-Burman, predominately Christian upland forest frontier. Rubber estates profiled in Chapter 4 present cases on how agribusiness contributed to state territorialization and subject-making. Agribusiness concessions demarcated property under state-like armed authorities, and subsequently erased customary claims to the area by farmers who were more sympathetic to rebel governance. Concessionaires built roads, and police forcibly removed villagers who were thought to be associated with rebel groups; sometimes they were resettled into new roadside strategic hamlets. Burman Buddhist landless migrant laborers often moved into the area seeking to work on the plantations. The roads, para-military landlords, state property, removal of ethnic minority villagers, and monocultures cultivated a landscape more conducive to eradicating rebellion. Only by enlisting foreign capital and liberalizing the land and resource sectors has the Burman Buddhist paddy nation made progress in enclosing the upland rebel frontier.

TABLE of CONTENTS

LIST of FIGURES

LIST of TABLES

ABBREVIATIONS

BGF	Border Guard Force
BSPP	Burma Socialist Program Party
CBO	Community-Based Organization
CP	Charoen Pokphand
CPB	Communist Party of Burma
CPP	Chinese Communist Party
EU	European Union
EC	European Commission
EITI	Extractive Industries Transparency Initiative
FLEGT	Forest Law Enforcement, Governance and Trade
IDP	Internally Displaced Person
IFIs	International Financial Institutions
INGO	International Non-Government Organization
JICA	Japan International Cooperation Agency
KIA	Kachin Independence Army
KIO	Kachin Independence Organization
KMT	Kuomintang
KNLA	Karen National Liberation Army
KNU	Karen National Union
LSLAs	Large-Scale Land Acquisitions
LUC	Land Use Certificates
MADB	Myanmar Agricultural Development Bank
MNDAA	Myanmar National Democratic Alliance Army
MOAI	Ministry of Agriculture and Irrigation
MTA	Mong Tai Army
Na Ta La	Ministry of the Development of Border Areas and National Races
NDA-K	New Democratic Army - Kachin

NGO	Non-Government Organization
NLD	National League for Democracy
NTFPs	Non-Timber Forest Products
PLA	People's Liberation Army
REDD+	Reducing Emissions from Deforestation and forest Degradation
SR-1	Special Region One
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
USDEA	United States Drug Enforcement Administration
USDP	Union Solidarity and Development Party
UWSA	United Wa State Army
UWSP	United Wa State Party
VPA	Voluntary Partnership Agreement
WFP	World Food Program

GLOSSARY

Armed sovereignties

Highly fractured territorial complex pieced together from competing armed authorities over a stretch of terrain

Aung San Suu Kyi

Leader of the NLD political party in Burma and de-facto leader of the country since 2016.

Battlefields to marketplaces

Phrase popularized by Thailand's government in the late 1980s, the geo-politics of fixing capital investment in post-conflict border areas

Borderlands The mountainous territory along Burma's national borders that is predominately inhabited by ethnic minorities and under armed conflict

Broker A moneylender middleman for farmers to finance household economic activities in the absence of funding from the state, company, NGO, or family

Burma Former official name of the country, and still used by most of the exile community, refugees, and the US government

Burman Or Bama, the name of the majority ethnic nationality group in Burma; also the ethnicity of the military state

Burmese Used as an adjective for the country of Burma, and as a noun to collectively name those people from Burma

Ceasefire capitalism

Processes of and outcomes from militarization and state-making through capital accumulation endeavors in violent post-conflict, resource-rich territories

Crony company

National Burmese (Burman or Sino-Burmese) company who effectively operate as private arm of military with close association to the military; the workings of which produce "crony capitalism"

Hybridity Multiple, iterative, and overlapping expressions within a single unit; for case of "hybridity governance," overlapping authorities over a territorial unit

Kachin Ethnic nationality group comprised of many sub-groups who inhabit parts of Kachin State and northern Shan State in northern Burma

KIA Kachin Independence Army, the KIO's military branch

KIO Kachin Independence Organization, one of Burma's most prominent rebel groups, operating along the Sino-Burma borderlands

Kokang Ethnic nationality group, ethnic Chinese who predominately live in northern Shan State, specifically Kokang Self-Administered Zone

Military state Also "military government," refers to the Burmese national political governance apparatus whereby the military and government are not seen as separate governance institutions

Myanmar New official name of the country since 1989 when it officially changed from Burma

National League for Democracy (NLD) Burma's main political opposition party, headed by Aung San Suu Kyi, and the party that swept the 2016 national elections

Para-military Armed group that operates as a proto-government armed force under the direction of Burma's military, but nonetheless exerts considerable agency

Rebel Armed group fighting against the state; also, insurgent, non-state armed group (NSAG), or ethnic armed organization (EAO)

Rebel governance Signifies rebel leaders governing territory, resources, and populations

Repertoires of rule The stock of statecraft in rule inclusive of politics of possibility

State-like Not formally-recognized as belonging to the "state," but exhibit authority

and power that generally falls under the remit of state power ("stateness")

Strongmen Provincial ethnic armed para-military leaders, many of whom are involved in the drug trade, and now land deals; operate "strongmen economies"

Studying up Studying those in power to understand structures of oppression

Swidden Also "slash and burn" or *taungya* in Burmese, a diverse set of agro-ecological practices employed to cultivate food on a hilly slope

Territorialization

Set of state practices that work to establish control and legal authority over a space and the people and resources contained within it

Territories of influence

An armed group's overlapping and precarious territorial arrangements of power and authority that changes that is not fixed in time

Turning land into capital

Phrase popularized by Hernando de Soto, the process by which land is made into a fungible commodity

Village elite Villagers who maintain patronages to the military and government that offer administrative, political, and economic advantages; examples include policemen, headmen, soldiers, schoolteachers

Burmese words (Romanized spelling)

Bway sa A broker or middleman, usually in reference to a village moneylender

Duwa Kachin hereditary chief

Ka Kwe Ye Home guard militia unit, part of Burma's Cold War's counter-insurgency

Ok Chok Yay Hmu

Village tract headman, from Burman administration system

Pyithusit People's militia unit, part of Burma's Cold War's counter-insurgency

Saopwa Shan hereditary chief

Sut see ywa Resettlement village, legacy of Cold War strategic hamlets; in Jinghpaw

	Kachin, called *Buga go sharawt*
Tat	People militia units, formed at the early stages of the post-colonial Burmese state, contributed to making of counter-insurgency units during Cold War
Tatmadaw	Burma's Armed Forces
Taungya	Swidden cultivation

ACKNOWLDGEMENTS

This work began by spending lots of time with Burmese ethnic minority activists and community development workers in the early to mid-2000s who organized in a variety of ways against state militarization and resource exploitation in their ethnic territories. Fifteen years of working in northern Burma has accumulated many debts, first and foremost to the land rights defenders and community organizations working in ethnic states in Burma that have been my long-time collaborators and inspiration. To them I dedicate this dissertation. May you achieve your dreams in your lifetime.

Much of my work was based on research done in places that, because of the war, white Westerners like myself are prohibited from traveling – or it certainly made it really challenging. In times when I could not work directly in the places I wanted to study, I trained and worked with community-based action researchers at local organizations in northern and southeastern Burma. They easily out-performed the most well trained and well-heeled Rangoon urbanites in understanding my field sites and the people who populate them.

I wish I could name the handful of Kachin elders and community organizers who were the first to point out to me the political significance of land and resource grabs in their communities, and who have always encouraged me to research and write about their situation to broadcast to the wider world. For security reasons, I cannot name them nor other Burmese activists I've worked with over the many years, but they have my unending respect for their dedication to their people, their forests and rivers, and to manifesting a more promising future for Burma's long oppressed minority groups. Special thanks to those I can name. In particular, two exceptional Karen "elders" stand out: Paul Sein Twa at Karen Environmental Social Action Network (KESAN) has held my hand since the beginning, and Saw Frankie Abreu showed me how small is beautiful in village organizing. Also to the national NGO METTA, who despite being one of the largest local NGO's in the country still is able to keep so grounded and focused on what matters to rural farmers. And to the national NGO Eco-Dev, who helped me get my feet wet when I first moved to Rangoon, and who is always ahead of the curve.

I've had a handful of formative expat friends who have also dedicated much of their professional lives on Burma. First and foremost, to Tom Kramer, who patiently showed me how Burma's armed political histories and drug economy are fundamental to understanding many facets of the country today. Our many late nights, sketchy border crossings, and storytelling always kept me eager for more. John Buchanan, who also has been by my side from the beginning, helped me think much more deeply about the opium economy in state building. Other long-time colleagues working in and on Burma who have provided much needed intellectual banter and comic relief include Brooke Zobrist, Matt Walton, Liz Tydeman, Rob Tizard, Elliott Prasse-Freeman, Tony Neil, Edith Mirante, Dave Mathieson, Susanne Kemple, Shawn Kelley, and Peter Halford. And of course, many more.

Nancy Peluso and the Land Lab gang at the University of California, Berkeley's Society and Environment Division gave me a family to bring my work to, and the theoretical tools with which to think about it with more depth and clarity. Nancy, Michael Watts, Louise Fortmann, and Yo-Tien Hsing gave me my theoretical bearings, incredible mentorship, and wisdom over the years to conceptualize and write up my work. Nancy, thank you for being my toughest critic

and never giving up on me. To Louise and You-Tien, my fictitious-kin aunties who hugged first, critiqued second. And to Michael, whose seminars kept me coming back for more. The community at Berkeley's Environmental Science Policy and Management (ESPM) and Geography Departments were the fertile ground for my intellectual upbringing. The Center for Southeast Asian Studies (CEAS) kept area studies alive for me, thanks in large part to Sarah Maxim.

In my many wanderings away from the Berkeley campus, I have had the great fortune to encounter many kindred academic souls. Ajan Chayan at Chiang Mai University, Thailand; Jun Borras at the IIS in The Hague, Netherlands; Derek Hall at Wilfrid Laurier University, Canada; Pal Nyiri at the University of Amsterdam, Netherlands; and several Chinese colleagues at universities in Kunming who I cannot name for security reasons. My one Burmese scholar activist colleague in Burma who was a professor at a provincial university got kicked out for not tugging the state line; there perhaps can be no better honor for a professor in Burma. My one retired government colleague who helped me gather government data got rejected from starting his doctoral program abroad when the military took over. I finished the last stages of writing and revisions at the East West Center and the Geography Department at the University of Hawai'i, Manoa, which made me the calmest finishing doctoral student you could hope for.

This dissertation spans research I have done as both an academic and an activist, and drew on financial support from traditional academic and practical development funders. First, the academic ones: The Social Science Research Council's (SSRC) International Dissertation Research Fellowship (IDRF), with funds provided by the Andrew W. Mellon Foundation; UC-Berkeley's Dissertation Writing Fellowship for a year of focused writing; UC-Berkeley's Simpson Fellowship from the Institute of International Studies (IIS); UC-Berkeley's Institute of East Asian Studies (IEAS); UC's Human Rights Center; and finally the ARCS Northern California chapter with several years of funding. As for my practioner world, LIFT, a consortium of western development agencies funding livelihood issues in Burma, funded my case study on corn in cooperation with the Land Core Group (LCG) in Rangoon, although I think the funders hoped for a rosier result. The UK's DFID funded my work on the forestry sector in Burma for years through my collaboration with Forest Trends in Washington D.C. They may have also wanted less focus on the politics of timber legality that I write about, and more on how to actually achieve legality in an armed conflict setting. Oxfam Hong Kong were one of the first out of the gate to fund agribusiness research in mainland Southeast Asia; they provided initial funding that got my agribusiness case material off the ground.

A special thanks to the team editors for two fantastic special issues I got to be involved in: Nancy Peluso and Christian Lund, and Julie Klinger and Joshua Muldavin, all four of whom are incredible mentors. In particular Christian Lund at Copenhagen University helped show me the light at just the right moment. Jun Borras and Jenny Franco and the rest of the MOSAIC team for the healthy diversion from dissertating to dig deeper into land politics and climate change mitigation in Burma with a two-year funded "post-doc." I am especially indebted to my collaborators at Forest Trends, in particular Kerstin Canby and Naomi Basik, and my project co-conspirators Art Blundell and Emily Harwell, who have supported my practical work and writing on the intersection of natural resource reforms, ethnic armed

conflict, and environmental peace building in Burma. U Shwe Thein at the Land Core Group (LCG) in Rangoon, who is a source of inspiration (and funding), showed me how to effectively work from the inside and who I first started taking road trips with to the capital to directly engage with the government on land reform.

Good colleagues are hard to find. Annie Shattuck and Mike Dwyer – thank you for being my soul mates, teaching me to more smoothly navigate the academic world, offering the world's best editorial skills for free, and the most amazing conversations, sometimes even on theory. To Gustavo Oliveira, fellow neighbor, radical geographer, dinner partner, and road-tripper. Abby Martin, who joined me at cafes to write and gave me the best advice along the way. Margot Higgins, who got me out and about in the bay area, and always on a bicycle. Alice Kelly, Dan Fahey, Mez Baker, Hekia Bodwitch, Juliet Lu, Ashton Wesner, and other members of Nancy's Land Lab at Berkeley were the best intellectual fellow travelers and friends one could hope for. Robert Reddick worked editorial wonders on the manuscript under a tight timeline. To the Heck family in Grass Valley, northern California, which I hope will always be my home away from home, nestled in the foothills, and keeping the dream alive. Finally, thanks momma for always believing in me and encouraging me; the hostile world you've always tried to protect me from inspired me to instead fight like hell against it.

CHAPTER 1

THE POLITICAL ECOLOGY OF THE WAR TO RULE

Introduction: Battlefields into Marketplaces, Warlords into Landlords

During the middle of the monsoon season in 2010, I returned to Nam San Yang, a small rural town of a few hundred households in the far northern reaches of Burma, halfway between the Yunnan, China border and Myitkyina, the provincial capital of Kachin State.[1] The collection of bamboo and wooden houses was located between a modest river and the main road between Kachin State's capital and the China border, less than fifty miles away. This small trading town in the Sino-Burma borderlands – caught between the state and rebels[2] – underwent profound political and material transformations as the area developed during the ceasefire period and then endured war once again.

The country's main rebel group, the Kachin Independence Organization (KIO), and their army, the Kachin Independence Army (KIA),[3] controlled the territory surrounding the town. The KIO operates in and controls significant areas in northern Burma,[4] throughout Kachin State and in the northern stretches of Shan State near to the China border. Since their ceasefire with Burma's military government in 1994, the KIO has retained their soldiers and some of their

[1] The US Government is one of the only countries in the world that has retained "Burma" in official references to refer to the country, the name that most Americans are more familiar with. Therefore, I use "Burma" here. The military government changed the country's official name from "Burma" to "Myanmar" in June 1989—a year after their military crackdown against pro-democracy protesters calling for political regime change. Only during the past few years, however, has the name "Myanmar," in reference to the country and its people, been officially adopted by most of the international community to reflect their closer diplomatic and business ties to the country. My research and writing on this project started before "Myanmar" became the more commonplace name. I have thus decided to refer to the country as Burma, and its people as Burmese. This means I also need to retain other past nomenclature, such as Rangoon (rather than Yangon). Exceptions are made for quotes, a name of a company, or in the works cited.

[2] Burma's government refers in English to those armed groups fighting against the state as "insurgent" or more recently "terrorist" organizations. The international development community often uses the objective term "non-state armed group" (or NSAG), or specific to the case for Burma, "ethnic armed organization" (or EAO). In the dissertation, however, I predominately use the word "rebel," and interchangeably at times "insurgent" or "guerrilla" group. This nomenclature implies a sort of injustice committed by the state against a less powerful group, with the connotation of rebels or insurgents being renegade revolutionaries. It is this spirit of rebellion, which some still retain today, that sparked the dawn of ethnic-based armed groups in Burma.

[3] The KIO is the political entity, whereas the KIA is the KIO's military branch, much like how national governments have their military branches. Hereafter I will call them the KIO, unless I am specifically referring to a military function of the KIO, in which case I will write KIA. In a few cases, it is not possible to determine what function is being referenced (political or military action), in which case I write KIO/KIA.

[4] In general, "northern Burma" includes Kachin State, the country's most northern region, and Shan State (which itself includes northern Shan, southern Shan, and eastern Shan geographical divisions).

"territories of influence,"[5] acting as a proto-government of sorts. The political geography in northern Burma's borderlands[6] is a patchwork of overlapping and competing armed political authorities among a long list of rebel groups and paramilitaries.[7] Most of the infrastructure routes and towns in the valleys are under Burma's government administration, while some lowland villages and more rural valley areas are under joint administration with both the government and the KIO. Para-military militias add to the mix in some areas. More than three and sometimes upwards of ten different political authorities can partially control a given territory. But in the more remote forested highlands beyond the direct influence of the state, and closer to the China border, the KIO holds ground as the sole political authority.

We stopped the car a few miles before reaching Nam San Yang so that we could get a better sense of the politics of the place. A KIO office building stood modestly off to one side of the road. On the other side, KIA uniformed soldiers and local villagers collectively planted rice seedlings in a straight row using their own hands. A few of the soldiers rode elephants to help conduct the farm chores — the first time I had seen an elephant, tamed or otherwise, in Burma. Running along one side of the road were military telecommunication lines yet to be buried, a reminder of competing claims by state and rebel to rule over this territory. After we passed through the town, the rural landscape changed strikingly. Replacing the KIO's modest rice fields were industrial paddy plantations with green government signs advertising the hybrid seed variety, acres planted, and the year of the plantation's founding. Machines turned over the soil, and hired migrant wage laborers added chemicals and planted rice seedlings. What had been added took away in equal measure local people and their politics. My Kachin friend who accompanied me pointed to the nearest hills stretching out of the valley — the beginning of KIO territory — where he suspected these farmers had fled to cultivate poppy plants instead. In this small frontier trading town, the mechanized, military-run paddy plantation replete with chemical inputs represented only the beginning of what I call "ceasefire capitalism," a term which I flesh out below.

---

[5] I use the phrase "territories of influence" to emphasize the overlapping and precarious spatial arrangements of power and authority. This is in contrast to "territory," which confers the meaning of a more spatially and temporally fixed authority.

[6] I use the word "borderlands" in a very broad sense, both spatially and discursively. Geographically, "the borderlands" refers to a wide swath of territory within a few hundred miles of the national border. It also represents the geographical periphery of the country that is predominantly inhabited by ethnic minority populations, mostly in the uplands or highlands (as opposed to the lowlands). The northern borderlands (the China-Burma or Sino-Burma borderlands) refers specifically to the part of northern Burma that borders Yunnan, China: eastern Kachin State (from Bhamo northwards), northern Shan State (from Lashio northwards towards Kutkai and Muse), and eastern Shan State (including Wa Semi-Administered Division and Kokang Semi-Administered Zone). The area under study for this paper includes eastern Kachin State (eastwards from the provincial capital, Myitkyina), northern Shan State (radiating out from the northern provincial capital, Lashio), and eastern Shan State (in this case Wa Semi-Administered Division).

[7] Para-military groups are not rebel organizations, although most were started by former rebel leaders and their soldiers. Paramilitaries operate on behalf of the state, mostly to oppose rebel organizations. Despite being a semblance of a para-state entity, the militias exert significant agency and are not always compliant with military state demands.

When we returned to Nam San Yang many years later in 2010, the momentum of ceasefire capitalism and the associated landscape changes stood stark against the soft green monsoon vegetation. By now the KIO office and collective paddy farm on one side of the town had been replaced by the same kind of government-run industrial paddy plantation as on the other side. Numerous private rubber plantations had replaced farmers' swidden rice fields along both sides of the valley road. The town itself had undergone noticeable changes that reflected the growing presence of the state. Across the street from the long-standing Kachin Baptist church, the government had erected a rather prominent Buddhist pagoda, representing their respective religions. The front of the pagoda was awkwardly decorated with the Kachin traditional cultural motif, despite Kachin's Christian faith. Further down the road in town we noticed a government-run school with a township-anointed Burman (ethnic majority) teacher.[8] Several Chinese style Burmese tea shops lined the streets next to Chinese shops selling mobile phones and parts. And many new non-Kachin Burmese migrants had set up bamboo shacks further back from the road. They had arrived to work for a Chinese company to mine alluvial gold along the riverbank using gas-fuel hydraulic machines that dug away at the riverbanks. Hearing about this development, I had wanted to return to this town in order to learn more about the ways in which ceasefire politics and natural resources informed each other.

Before we could even reach the mounds of riverbank sand and dirt piled high alongside the changed water course, we were stopped by an undercover Burmese "special branch" police officer. Two young Burman Burmese officers stationed in this two-road town jointly administered between rebel and the state were happy to publicly exert their military authority—against a white American no less. In addition to the Chinese mining concession awarded by both the state and the KIO, we were on our way to visit a 30,000-acre rubber and banana plantation surrounding the KIO headquarters at Laiza exactly on the China border. Only several years later, when I finally got the chance to visit the concession — this time arriving from the China side — did I learn why undercover military police had stopped me from continuing on my trip. Nestled high in the cold wet mountains, the large private agribusiness estate occupied the same area as KIO rebel bases as well as marked on state maps as a state forest reserve. As it happened, the KIO's Agriculture and Forestry Department, Burmese military and state officials, a Chinese businessman, a Kachin businessman, and a Sino-Burmese woman joined across many political lines to carve out this concession, which was supported by China's national opium substitution program. By 2010, after more than fifteen years of business deals and stalled political negotiation caught between war and peace, ceasefire capitalism had matured.

A year later as the monsoon gained strength, the KIO and the Burmese military (known as the *Tatmadaw* in Burmese) went back to war — an outcome, I would argue, of ceasefire capitalism. The KIO and Kachin civilians long grew frustrated by the absence of any political resolution during the ceasefire period, accompanied by Tatmadaw militarization and resource extraction. Once armed fighting came within reach of Kachin villagers, they fled. The luckier

[8] Burman, or *Bamar* (also *Bama*) in Burmese, are seen as the ethnicity of the state and the military, and are typically Buddhist just as is the official state religion.

ones made their way to relatives' houses in towns that were under firm military state control and thus safer. Over 100,000 Kachin villagers ended up in internally displaced peoples (IDP) camps scattered throughout the region; as war continues, few have returned home at the time of writing. Kachin villagers also fled Nam San Yang, where fighting was particularly heavy because of its strategic location along one of the main roads in Kachin State. Kachin IDPs from Nam San Yang who had secretly ventured back to check on their belongings and property talked about how they felt they had lost their home forever. Their rice fields and orchards had been occupied by landless Burman migrants and soldiers from the Burmese Armed Forces. Their village forest had been logged by a Chinese company. Their bamboo homes had been burnt down, and their livestock gone missing. Burmese soldiers and their families, together with a mix of new non-Kachin migrants, occupied the village, along with a handful of the original non-Kachin residents who the soldiers allowed to stay as they were not considered to be associated with the Kachin rebel group.

In 2005, as we crossed the Balaminhtin Bridge over the expansive Irrawaddy (or Ayeyarwaddy) River on the on the way out of Myitkyina, a Christian Kachin friend pointed out a gold-painted Buddhist stupa. He remarked disparagingly about its prominent position on an outcrop along a stretch of the river, a reminder that his home city is the seat of power of the Buddhist national government in Kachin State, or what Kachin like to call in English their "Kachinland." These iconic state landmarks, logged forests, mined and dammed rivers, and industrial agricultural enclosures are all visible signs of what the military calls "development for peace."[9] But the growing wealth accumulation by elites, tied to and facilitated by Burma's military state,[10] is the product and process of ceasefire capitalism. The Kachin experience with development during the ceasefire period came to be defined by a new sort of political violence. A young Kachin community development worker in Myitkyina explained to me the general sentiment towards the military government's "anti-politics machine"[11] in the early 2000s: "Now Kachin people don't like the word 'development;' development is a method of control."[12]

Development and violence became oriented towards each other during the ceasefire period. But ceasefire capitalism was more than just postwar capital accumulation by politically favored ex-rebels and national businessmen. Armed groups with overlapping territorial authority and competing political and economic aims have played a crucial role. Para-military

[9] The military government coined the phrase "development for peace" in reference to development projects in the borderlands during the ceasefire period. I see this as their own take on Thailand's "turning battlefields into marketplaces." "Development for peace" became the mantra set to win the "hearts and minds" of ethnic minorities left behind in the country and just coming out of decades of war. In reality, the forms of development during the ceasefire period amounted to large-scale natural resource extraction with little to no benefits to local populations, as the field case studies show.

[10] I use the term "military state" or "military government" to refer to both the past and present Burmese national political governing apparatuses. I see these governance institutions as still being impossible to separate into two distinct regimes, even since political reforms got underway in 2011. When I only want to refer to government line agencies, I write "government" or the specific state department; likewise, when referring only to military officials, then I write "military." But in most instances, it is the military and government involved in the processes that I describe in the dissertation.

[11] See Ferguson (1994).

[12] Interview, Myitkyina, Kachin State, June 2003.

units, ex-rebel organizations under ceasefire, and remaining rebel groups still fighting all held territories, backed by arsenals soldiers of varying strength and size. The territorial configuration in place since the Cold War arose in the absence of strong, or even any, functioning state institutions, oftentimes held together instead by paramilitaries as state proxy. In the wide gaps of state (or proxy) rule, rebel rulers arose and filled societal functions (for example, providing social services), producing varying degrees of "rebel governance."[13] Rebel governance signifies rebel leaders, much like their state counterparts, governing territory, resources, and civilians. A mosaic of overlapping armed political authorities ruling over fragments of territory still today defines northern Burma's territorial and governance arrangements.

Competing armed territorial authorities, whose politics cross the spectrum, have produced a highly fractured territorial complex which I call "armed sovereignties." I borrow from Christian Lund's "fragmented sovereignties" (2011) in how I pair expressions of sovereignty (measured as state quality, or "stateness")[14] with that of the plethora of armed groups – both in type and number – operating in northern Burma's borderlands. Lund's fragmented sovereignties accounts for a "range of competing institutions, endowed with different resources, which engage in the co-production of property and political subjects…[t]his production is not the purview of a single institutional actor; competing institutional actors engage in it and the ability to define and enforce property rights and political subjectivities is fragmented among them."[15] My conceptualization of armed sovereignties necessarily measures sovereignty in degrees and multiplicities by a host of armed actors (including the Tatmadaw), rather than as absolute or indivisible rule by a state over a contained territory.[16] Armed sovereignties specifically adds the element of armed groups to the mix of institutions and types of authority figures who exhibit these state qualities.

The other defining element of armed sovereignties is how this territorial assemblage drives the military state to try to become the single institutional actor who possesses the monopoly of the legitimate use of violence within a given territory, to use Weber's definition of the state.[17] Land deals located in these territories underpinned by armed sovereignties effectively formalize state property regimes and inscribe statutory laws. What is constitutive of state rule, land deals have thereby crucially functioned as contested *state territory-making* projects. These territorial dynamics played out in this competitive field of armed actors, combined with capital accumulation by political elites, have determined the key elements of, and outcomes from, ceasefire capitalism.

Political elites arose out of Burma's military-led counter-insurgency during the Cold War era. The military strategically picked off powerful ethnic minority rebel leaders with

[13] On the concept of rebel rulers and associated "rebel governance," see for example Mampilly (2011).
[14] Christian Lund defines "stateness" as the "quality of an institution being able to define and enforce collectively binding decisions on members of society" (2011:887).
[15] Lund, 2011:887
[16] On an explanation of how sovereignty is conventionally understood, see Agnew (2005, 437). On sovereignty measured in degrees and multitudes, see Mbembe (2000), Ong (2000), Sassen (2000) and Hansen and Stepputat (2006), among others.
[17] Weber, 1965

enticements of political and economic power, this time sanctioned by the national state. Cashing in on their new political position vis-à-vis the state and the protection it afforded, ex-rebels attained even greater financial wealth and territorial reach the time they fought against the state as rebel leaders. At the height of the heroin boom in the 1970s through the 1990s in Southeast Asia's "Golden Triangle,"[18] this meant more targeting of the production, tax, and trade of opium and its derivative, heroin. Counter-insurgency and the Cold War became defined in the northern borderlands as much by the drug trade as by political aspirations.[19]

Ceasefires with remaining rebel groups in the late 1980s and early 1990s continued this legacy, again absent any political settlements. But after war and socialism, geopolitics starkly shifted. "Turning battlefields into marketplaces," a phrase coined by Thailand's then Prime Minister Chatichai Choonhaven in reference to the Thai-Burma border after the first round of ceasefires with Burmese rebels, best captures the regional change in post-Cold War Indo-Chinese strategy.[20] The Burmese military grew in power and determination to end their own war, as other Southeast Asian governments had more-or-less successfully done in the 1980s and 1990s. China and Thailand threw their weight behind Burma's military government, withdrawing from the rebel groups they had supported during the Cold War. And with the change in political winds came substantial foreign investments. At the same time that Thailand and China started to protect their own natural resources from their respective post-1980s development boom, Burma's vast natural resource base — less hindered by active rebel groups thanks to ceasefires — opened up to the region's growing economy and middle-class aspirations.

In the rest of Southeast Asia, the commodification of land and resources happened only *after* armed rebellions were defeated. The case of Burma's borderlands showcases the agrarian political dynamics of turning battlefields into markets and land into capital *before* the state consolidated sovereign power over their full territorial extent. Previous scholarly studies in mainland Southeast Asia have examined the politics of resource extractivism in a post-war or conflict transition setting.[21] Chinese investment in Burma's borderlands in the wake of the Cold War played out in territories neither at war nor at peace, and still controlled by an array of armed groups. Instead of investments channeled exclusively through government agencies or even villagers and related associations, non-state armed leaders played a leading role in fixing capital in ceasefire capitalism. Investments also played a role in shaping population dynamics. Large-scale investments targeted areas where villagers were of the same ethnicity as rebel groups, forcibly pushing them off their ancestral lands. In other cases, state agents and armed elites awarded economic concessions in historical settlements where villagers previously fled Tatmadaw troops and military offensives, diminishing the hope of return or restitution during peace. Even their resettlement sites along military-patrolled roads became economic concessions, forcing villagers to move yet again. Funneling investments into territories where

[18] McCoy, 1973

[19] Meehan, 2011

[20] Innes-Brown and Valencia (1993: 333). For the case of the geopolitics of land control dynamics in northern Laos and "turning battlefields into marketplaces," see Dwyer (2014).

[21] To name but a few, see Le Billon (2000); Un and So (2011); Baird (2014); and Diepart and Schoenberger (2016).

ethnic minority rebel groups still fought for self-determination and recognized political authority decidedly changed the face of the fight.

Starting in the early-2000s, especially in the northern frontier, an influx of Chinese cross-border investment in land and resources turned Cold War battlefields into capital. Ex-rebels under the tutelage of the military state cashed in on their positions of political power and territorial armed authority, just as they had done during Cold War counter-insurgency. Local armed elites, under degrees of political authority aligned with the national military, teamed up with Chinese investors to access timber and agricultural commodities. The power of the gun worked with finance capital and expanding regional consumer markets. Armed elites tapped new opportunities for capital accumulation and further consolidated their power over territory and the economy. While battles between the Tatmadaw and rebel groups previously displaced ethnic minority populations, now land theft and debt also displaced them. In effect, bullets turned into bulldozers, barbed wire, and brokers, and warlords and moneylenders into landlords.

But foreign investment in ceasefire zones was not just about political elites making more money. Ceasefires and resource-based investment went hand-in-hand with state territorialization. I follow Peter Vandergeest and Nancy Peluso's (1995) definition of state territorialization, defined as "excluding or including people within particular geographic boundaries, and about controlling what people do and their access to natural resources within those boundaries."[22] The ceasefires enabled the Burmese military state to wrest territorial and administrative control over most major towns and transportation routes. This initial territorial gain, along with an end to active fighting, facilitated the state's administrative and development efforts. The military government resettled ex-poppy farmers, opened state schools, built pagodas, constructed roads and bridges, and taxed transported goods in and around these new state settlement areas. Chinese-backed logging and agribusiness concessions overlaid, and then further contributed to, the military state's expansion into the rebel frontier. In and around postwar settlements and resource concessions the military beefed up security and launched offensives against the remaining rebels.

Ceasefire capitalism, as a theoretical term, describes the processes of and outcomes from militarization and state-making through capital accumulation endeavors in violent post-conflict, resource-rich territories. I apply my theoretical term to the context of Burma's resource-endowed environment and legacy of political violence during the ceasefire period. My theoretical term is also applicable more generally to post-conflict places operating under more extreme forms of political violence, although my dissertation only covers the case for Burma. The conditions after war and socialism in the early 1990s created a particularly salient historical moment. State and private land concessions were doled out to the military, government departments, cronies, and strongmen in the wake of war. The territorial nature of these land concessions, the types of political territory where they were located (government, rebel, or mixed), and who received the land concessions all carried considerable influence over military state-building measures and outcomes.

[22] Vandergeest and Peluso, 1995:388

As both a descriptor and a concept, "ceasefire capitalism" expresses the political gravity of the particular historical conjuncture of national privatization measures, foreign investment, and business alliances in militarized contexts, in this case ceasefire zones. The situated interactions of militarism, markets, political violence, and law in ethnic minority regions have created the conditions for ceasefire capitalism. The playing out of ceasefire capitalism since the end of the Cold War led the military and government to gain greater control over rebel territories and populations. Furthermore, ceasefire capitalism helps explain the transition back to war with rebels in the northern borderlands. The manifestations of ceasefire capitalism in Burma's ethnic minority populated territories are specific to the material conditions and politics of the country. Yet the workings of ceasefire capitalism also travel to other post-conflict violent frontiers defined by political violence and resource or land wealth, and undergoing a surge in resource investments.[23]

The conditions under which ceasefire capitalism operated transformed again when Burma underwent a second wave of investment after the military regime, headed by Senior General Than Shwe, concluded its decades-long "roadmap to democracy." In 2011 the military dictatorship announced Thein Sein, the former Northeast Military Commander who presided over northern Shan State's military operations, the country's new president — the first time the country had a president oversee the nation since the initial military takeover in 1962. The new parliamentarians included representatives from the northern region, many of whom were themselves previously drug warlords running para-military organizations on behalf of the military.[24] The first test of democratic rule making for this brand-new Union Parliament was a pair of land laws meant to commodify the nation's number one asset in the eyes of foreign investors. Other laws related to investment also quickly passed. Hundreds of millions of dollars in international development aid quickly followed, along with foreign investment.[25] Burma, long a pariah state, suddenly became a site of neoliberal development for state and corporate accumulation, and a darling of the global development and aid industry.

Meanwhile, the President set on course a national peace process in the hopes of quelling armed conflict in the country for the first time since independence from the British. Para-military outfits and ceasefire rebel groups were pushed to become part of the Union Army as "Border Guard Force" (or BGF). Ex-rebel militias, already on the military payroll, readily joined. Some of the ceasefire groups, however, refused; the most prominent among them was the KIO. After the latter rejected the BGF proposal in 2010, the Tatmadaw and the KIA went back to war, breaking a seventeen-year ceasefire. Other armed groups, namely the Karen National Union and their Karen National Liberation Army (KNU/KNLA) who operated in the Southeast along the Thai border, signed the military government's National Ceasefire Accord

[23] For example, for Colombia, see Grajales (2013); for Indonesia, see Eilenberg (2011); and for Cambodia, see Le Billon (2000) and Baird (2014), among many others writing on violent post-conflict development in resource-endowed countries.

[24] SHAN, 2011

[25] See the government's website for data on approved foreign investments at http://www.dica.gov.mm/en/data-and-statistics (last accessed 6 August 2017). See also https://tradingeconomics.com/myanmar/foreign-direct-investment for monthly foreign investment data graphed from 2012-2016, with increasing average year on year (last accessed 6 August 2017).

(NCA). As Burma began at last to emerge from a violent past and its citizens continued the hard battles for political and economic reforms in Rangoon and Naypyitaw, northern Burma's ethnic rebel groups went back to war. Villagers caught in the crossfires fled into the forests and across the China border.

The spirit of the political and economic reforms underway in Burma for the past several years was captured by a citizen journalist during a show of "law and order" staged by Aung San Suu Kyi (pictured in **Figure 1**). She orchestrated the event in 2013 to demonstrate that the state would stand up against protesting farmers, now landless, who were seen as interfering with state-led development (see Chapter 6 for more background on what led to the dramatic standoff).

Two red banners, with words in Burmese and English, were lifted in front of a line of unarmed protesters, the bottom one reading, "The rule of law is the key to attract and protect foreign investors." Below the vaulted red banners stretched two rows of police: the first armed with rifles, the second in riot gear with body shields. This is what post-conflict development and the rule of law looks like throughout Burma: instead of the military and police protecting its citizens as hoped during the democracy transition, their efforts have turned to securing foreign investment in land and resources.

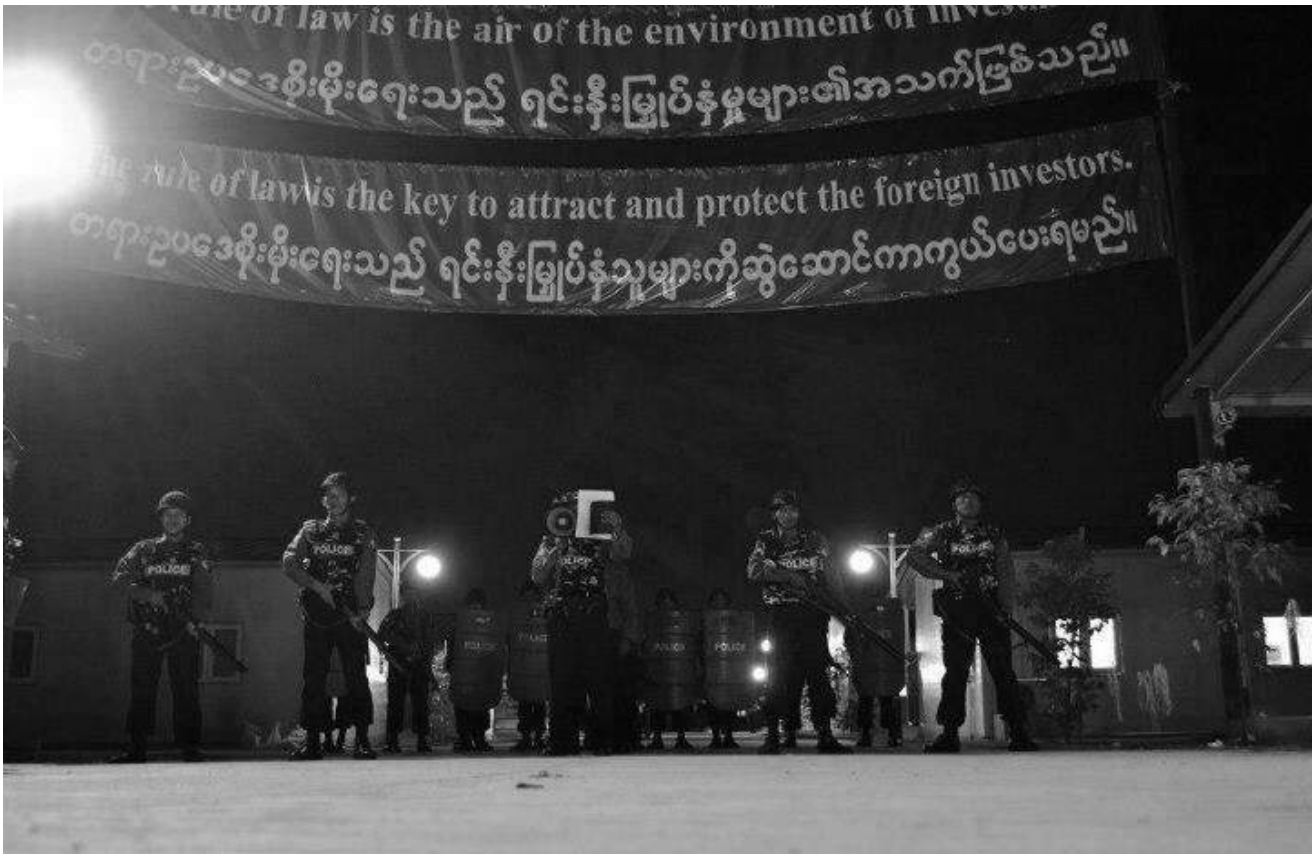

Figure 1. *Two red banners hung above armed policemen confronting protesting farmers reads: "the rule of law is the key to attract and protect the foreign investors," and "the rule of law is the air of the environment of investment." Source: unknown citizen journalist.*

In the decade following 2010, foreign investment soared into the billions of dollars. The ambition to extract Burma's natural resources (especially oil, gas and minerals), so greatly depleted in other parts of the world, was far greater than ever before. In engaging Burma, the international community largely exchanged its human rights and democracy platform for one defined by public-private partnerships, where the establishment of international trade regimes set the course. Yet the rebranding of international diplomacy and investment comes at a time when arguably more armed conflicts and human rights abuses are being committed by the military, para-military organizations, and national companies than during the last several decades. The scene pictured above provides a glimpse into the new battles being waged in Burma, this time more effective in their geographical reach and political impact.

State-Making in Violent Environments

This dissertation investigates the agrarian politics of land and resource-based investments in a forest frontier zone where war continues and a drug economy is entrenched. I seek to critically examine racialized[26] power, politics, and violence behind contemporary biophysical landscape transformations and changes in land use rights and access regimes. This dissertation examines "turning land into capital" as an instrument of frontier state-building after socialism and war in the Sino-Burma borderlands. Field case studies trace how *territorialization, racialized rule, and the rule of law* — as the state's war of rule — have iteratively come together by political elites accumulating capital and been enacted by means of violence against racialized (so-called ethnic minority) populations.

Foreign investments funneled into narco-territories under the control of rebels and paramilitaries sets my field cases and analysis apart from other post-Cold War research projects in Southeast Asia. Tracing the changes in statecraft of rule from the deployment of state soldiers to that of military-selected businessmen equipped with briefcases and law books, this dissertation demonstrates what Michel Foucault (1980) labels (in an inversion of Carl von Clausewitz's phrase)[27] as the "continuation of war by other means."[28] Land deals in violent narco-territories not yet fully controlled by the state offer insight into how commodification and markets contribute to the repertoire of rule.

Burma is the most illuminating country in contemporary Southeast Asia in which to study the intersectionality of war and violence, ethnic identity politics, and natural resources. As in other Southeast Asian countries, Burma's natural resources have played an important role in the country's violent political history. The country's famed teak forests, for example,

[26] I consider "race" to be constructed as part of a politically and socio-culturally embedded process, rather than an ontological given. The colonial British formalized racialized categories of belonging haphazardly according to rough geographies of habitation and other physical attributes. Edmund Leach's (1964) classic 1950s study on how villagers who initially identified as Shan and Kachin would oscillate between their respective ethnic identities pending their geographical location and community of practice offers an early debunking of any such hard natural boundaries. For the material and discursive politics of race and territory from a political ecology perspective, refer to, for example, Peluso and Vandergeest (2001), Kosek (2006), and Moore (2006).

[27] Clausewitz, 1976:87

[28] Foucault, 1980:90

first brought European colonial powers to its shores to expand their fleets of ships.[29] Since then armed rebellion, counter-insurgency, and state-building efforts have come to rely on the country's wealth of natural resources. The country has some of Southeast Asia's last remaining extensive natural forests, expansive habitats for wild mega fauna, vast underground deposits of minerals and gems, Asia's largest oil and gas reserves, and free flowing major rivers.[30] An incredible diversity of ethnic identities and socio-cultures also lies within Burma's borders — thus far spared, like the country's environment and natural diversity, the worst effects of industrialization.[31]

Northern Burma also produces nearly all of Asia's poppy-derived heroin and methamphetamines, with production levels on the rise since the mid-2000s. The material landscape cannot be separated from the decades-long political conflict between rebels and the state, just as the history of armed conflict has shaped the physical (and socio-cultural, economic, and political) landscape. The wealth of natural resources and diverse socio-cultural environments found in these territories has both brought rebels and the military state together and torn them apart in struggles over self-determination, control over populations, and rent seeking. More recently, natural resources and land have been made into the conduit for state-making through the process of privatization.

This dissertation details northern Burma's legacy of political violence and counter-insurgency, shedding light on how development, violence, and state-making proceeded after the Cold War into the present. I show here how forms of (counter-) insurgency and political violence since the 1990s can be best understood through excavating regional violent political histories that have been born out of, and continue to foment, political and economic grievances.[32] In the making of state territory, certain ethnic minority populations were purged

[29] The colonial British were keenly aware of the plentiful teak trees scattered throughout the Karen (also, Kayin) inhabited hills in Tennesserim (now called Tanintharyi Region), wedged between the Andaman sea and peninsular Thailand. In the earlier decades of the Nineteenth Century, the British were in competition against the French to harvest large volumes of teak in the region to expand their fleets of ships. British officers sailing over from British India brought with them Indian convicts to act as indentured slave labor for teak processing in Tennesserim. See Keeton (1974) and Bryant (1997).

[30] See the Forest Department (2015) on Burma's National Biodiversity Strategic Action Plan (NBSAP) that details the country's exceptional biodiversity.

[31] There are more than 135 different ethnic groups in Burma, each with its own history, culture and language. The majority Burman (or Bamar in Burmese) ethnic group makes up about two-thirds of the population and controls the military and the government. The minority ethnic nationalities, making up the remaining one-third, live mainly in the resource-rich border areas and hills of Burma, although many have been forcibly removed from their homes by the military-backed government as it confiscates land for development projects and resource exploitation. As a result, millions of people from these minority groups have become internally displaced people (IDPs) within Burma, or refugees in neighboring countries. The seven largest minority nationalities are the Chin, the Kachin, the Karenni (or Kayah), the Karen (or Kayin), the Mon, the Rakhine (Arakanese), and the Shan. Burma is divided into seven states, each named after these seven ethnic nationalities, and seven regions (formerly called divisions), which are largely inhabited by the Burmans.

[32] On political and economic grievances driving insurgency, see, for example, Richani (2005) and Richards (1999).

and replaced by those who identified (more closely) with the state.[33] Only after the state's "vetting" process of who may inhabit state spaces did the current imagined community of the Burma nation-state take shape, and Michel Foucault's governmentality (the conduct of conduct),[34] unfold. Exclusions from the post-colonial state based on racialized identity (which includes political and religious affiliations and agricultural practices) have pushed certain populations outside the state's imaginary of the nation. In the wake of these purges, insurgency and the drug economy prevailed in the frontier. Similar currents have come to define development and political violence after war.

The research project

My entry point into the dynamics of ceasefire capitalism and frontier state-making is Chinese investment in land and resource extraction (hereafter collectively called "land deals"). I examine cases in both the agricultural and forestry sectors, specifically in relation to the drug economy located in territories under the control of rebels and paramilitaries. My approach to "turning land into capital"[35] and related uneven dispossessory outcomes is placed within the more specific context of state-making in a rebel frontier. The project is also more broadly located within the context of land use and access rights,[36] patterns of agrarian change,[37] and new forms and avenues of agrarian capitalism.[38]

Case studies and analysis highlight how contemporary land deals represent what Massimo De Angelis (2004) argues is the continuous nature of capital accumulation by extra-economic means.[39] This dissertation examines the effective role and outcomes of Chinese capital and global markets operating in zones under both ceasefires and renewed war in two particular ways. First, how forms of political violence embedded within legacy structures became integral to the nature of capital accumulation. Second, how markets — turning land into capital — do a different sort of battle on behalf of the military and its statecraft.

Political power, the rule of law, and violent force together drove land deals in a resource-rich environment. The means of the market economy, however, are not divorced from agrarian transformation dynamics, as the cases demonstrate with China's regional

[33] In most cases those inserted into landscapes purged of ethnic minority populations identified as Buddhist Burmans, but in some cases newcomers were non-Burmans but who nonetheless aligned closer to the state than those purged (e.g., Shan villagers replacing Kachin).

[34] Foucault, 1991

[35] On the popularization of the idea and policy prescription of "turning land into capital"—which had become the World Bank's answer to alleviating poverty by capitalizing on the poor's only and best asset—see Hernando de Soto (2003).

[36] Ribot and Peluso, 2003

[37] Borras and Franco, 2012

[38] White et al., 2012; Hall, 2013

[39] De Angelis, in conversation with Marx in *Grundrisse,* argued for the continuous nature of primitive accumulation. "Capital must continuously engage in strategies of primitive accumulation to recreate the 'basis' of accumulation itself" (De Angelis 2004:70). Primitive accumulation and capital accumulation proper must be viewed, therefore, as dialectically composed on a continuous basis. On the conceptual clarity of Marx's claim of the need for extra-economic force in primitive accumulation (1976) and forms of violence in capital accumulation proper, see also Glassman (2006) and Levien (2011).

resource economy and insertion of smallholders into the country's commodity supply chains. But the market operated under highly coercive conditions that have resulted in differentially dispossessing more marginalized farmers while rewarding more powerful villagers tied to the state. I place emphasis, therefore, on how land deals emerged from and give greater definition to the legacies of politics, power, and violence in my field study sites in northern Burma, but which nonetheless operate at multiple scales.[40] These places, where most of the case studies occur, are territories inhabited by the "ethnic nationality"[41] known as Kachin,[42] under the control of various Kachin-led armed groups. Additional cases profile the Kokang Chinese ethnic nationality and ethnic Chinese-led militias.

This dissertation examines three types of land deals.[43] Each one brings attention to bear on a different commodity boom and land grabbing mechanism. The land deals take place in territories under the control of a range of different armed actors: the military state, paramilitaries, and rebel groups; sometimes, these territories and authorities overlap. I use a case study approach to generalize from similarities and differences in how Chinese-financed land deals unfold as spatialized and racialized processes of state formation. Field cases encompass both regional and global scales, examining Chinese finance capital, state policies (directed from national and provincial capitals in Burma and China), Cold War politics, and commodity consumption patterns.

Private agricultural estates, smallholder corn contract farming, and logging concessions with associated cross-border timber trade are each presented as empirical case study chapters. The Burmese state forcibly evicted smallholder farmers from their upland customary fields[44] to allocate private agribusiness concessions, predominantly for rubber, to narco-militias and ceasefire groups. The second case looks at a different type of land grab, this time by a voluntary corn contract farming scheme in Shan State, northern Burma, to supply chicken feed in China. The field case uncovers differential dispossession of household village land mediated by the market, yet overdetermined by racialized, extra-economic structures. The third and final case, on logging concessions and associated timber rent-seeking, profiles how the rule of law was deployed in conjunction with armed groups to legitimize cooperative plunder during the ceasefire period, but then disguised as military attacks against rebels after the return to war.

---

[40] Peluso and Lund, 2011

[41] The government's phrase "ethnic nationality" is a racialized categorization scheme known as *Daing Yin Tha* in Burmese

[42] On the making of racialized identities and "becoming" Kachin within a (post-) colonial context, see Sadan (2013). "Kachin," a racialized category created by the British, subsumes what has now become "sub-ethnicities" under Kachin, such as Jinghpaw (the dominant ethnicity and the lingua franca among Kachin), Lachik, Rawang, Zaiwa, and occasionally Lisu, among others.

[43] Witnessing the visible changes in the biophysical landscape over the past decade led me to study contemporary agrarian transformations underway in northern Burma's restive rebel frontier. These visible changes opened a window for me to see into the region's dark legacies of armed politics and the illicit drug economy, and as a proxy to the formation of the military state in the frontier.

[44] The production of swidden rice fields followed a rotational shifting cultivation method. The diversity of ethnic identities and agro-ecological practices escapes making further generalizations apart from harvested upland rice was either exclusively for home consumption (i.e., subsistence) or only partly for market.

I use these different case studies to explore a multiplicity of forms and mechanisms of ceasefire capitalism and the war to rule. Specifically, I ask how political histories and the nature of each resource and the mode and means of its production contributed to the construction of political and racialized territories, and the securitization effects of these spatial productions that led to postwar state-making. The three case studies taken together reveal how "turning land into capital" has turned ex-rebels, opium moneylenders, village elites, and national companies into the country's new landed elites, and thereby consolidated state political power in the frontier.

This dissertation relates the Chinese-led commodity production boom in rubber, corn, and timber through the lens of the region's drug economy and armed political history from the 1990s to today. The next two chapters devote careful attention to Burma's armed political history and opium economy in order to situate the field case studies within the country's longer history of counter-insurgency, state building, and agrarian transformations. Chinese investment after the Cold War cannot be disentangled from natural resources and the opium economy. Both studies on industrial agricultural development (rubber and corn) are therefore placed within the illicit drug economy and China's liberalized opium substitution program.[45]

The land grabbing and dispossessory mechanisms can be categorized as "accumulation from above" for the cases of agribusiness and logging concessions, and "accumulation from below" in the corn cash-cropping case. Accumulation from above required extra-economic means. Political and legal power and violent force secured the land concessions. The mediation of the market economy in smallholders' cash-crop undertakings, on the other hand, defined accumulation from below. But the market also proved to be highly coercive and anything but ordinary, uniform, or invisible. The means of the market were underpinned by post-Cold War politics; ethnic minority villagers not connected to conduits of state political power were at much higher risk of losing their household assets and land to those who linked arms with the military state. Coercive market relations and physical force (or the threat thereof) therefore cannot be easily separated from agrarian capitalism.

Looking at the different means of capital accumulation and their respective forms of violence within and across the case studies is an exercise in bringing together Hall, Hirsch, and Li's (2011) four means of exclusion — regulation, the market, force, and legitimation — in shaping land access, exclusion, and control. The dynamics of agrarian frontier capitalism can be best described as the conjoining of different forms of accumulation and violence that are more than the sum of their parts.[46] The modes and mechanisms of postwar capital accumulation, relying on a mixture of physical force and structural violence, turned insurgent landscapes into state territory and nationalized natures.[47]

In order to study the dispossessory processes and outcomes against marginalized farmers, I studied the political elites behind the land deals. Political elites have been historically tied to the military state through Cold War counter-insurgency and migration

[45] Kramer and Woods (2012); Su (2015, 2016)

[46] The idea that elements of both forms of violence interpolate each other in the making of capitalist spaces builds in particular from De Angelis (2004), Glassman (2006), Levien (2011), and Hall (2013).

[47] On counter-insurgency and nationalized natures in Southeast Asia, see Peluso and Vandergeest (2011).

patterns.[48] In the agribusiness- and timber-concession cases, ethnic-based narco-militia paramilitaries (referred to here as "strongmen"), national Burmese companies (collectively called "crony companies"),[49] and the KIO spearheaded capital accumulation that led to forced evictions. Poor ex-poppy smallholders in debt from corn cash cropping, on the other hand, turned their land over to their ethnic Chinese moneylenders in towns and elites (headmen, schoolmasters, police officers, or local government officials) in villages.[50]

During the Cold War, these military-backed elites exhibited degrees of political power emanating from their varying linkages to the military state. But socialism, a severely hampered legal economy, and rampant fighting limited the benefits of their military connections to being somewhat protected from military-inflicted human rights atrocities and, importantly, cashing in on the drug trade. But after war and socialism, the ceasefires and opening economy placed elites in a favorable position to cash in on their Cold War-era political clout. The military government's push to industrialize the agricultural sector, liberal land reforms, and foreign investment in agriculture positioned elites well to play a prominent role in the building of agro-capitalism. Strongmen, cronies, moneylenders, and village elites have thus become the new landlords of the North.

Despite differences in commodities and accumulation mechanisms, similar patterns emerged across the cases. First, poor upland ethnic minority households caught between the state and rebels lost their land to elites backed by the Burmese military and state. Second, land deals involved a mix of physical force and structural violence. Third, elites tied to the military state reanimated historical legacies of racialized political violence (that underpinned decades of civil war) through land deals. Fourth, Chinese investments have underpinned all these transformations. Taking all these identified patterns together, the cases collectively demonstrate the ways in which the military state gained greater control over land, territory, resources, and populations.

I measured state-making exercises by identifying military state physical landmarks and material outcomes in relationship to the spatial locations and effects of land enclosures.[51] State-sponsored infrastructure, forced movements of local populations, and changes in borderland ecologies illuminated the ways in which military-state institutions and state-like agents traveled through these messy terrains. Discursive conditions that both structure and form out of processes of state formation compliment these material conceptualizations of

[48] On one of the earlier articulated notions on the method of "studying up" in anthropology, see Nader (1969/1974).

[49] I define and further elaborate on "strongmen" and "cronies" in the section "studying up" later this chapter.

[50] "Ethnic Chinese" here means Burmese citizens (in most cases, at least) who either originated in China or are descended from those who did, and who often speak a Chinese dialect at home. Most Burmese from around the country simply refer to "Sino-Burmese" as "Chinese," making no differentiation between Chinese who are from Burma and rightful citizens, and those who are from China and Chinese citizens (i.e., *Ta Yok* in Burmese). This method of naming, while factually incorrect in terms of country of origin and citizenship, is nonetheless revealing in terms of how non-Sino-Burmese (and even Sino-Burmese from major urban centers) tend to view the Sino-Burmese in the northern frontier.

[51] I did not subscribe to Benedict Anderson's (2006) notion of nationalism to understand *nation*-building, as I believe these forms of nation-state building can only proceed after state territorialization and the subsequent vetting of populations within state-inscribed territories.

state-making. I do this by taking seriously the historical, ideological, cultural, and political currents that jointly shape these state-forming processes.[52]

State territorialization, rule of law, and racialized rule, collectively working within and across the means of the market and violent force, constituted the Burmese state's repertoire of rule after war and socialism. These state-building processes have benefited political elites backed by military state institutions, in particular ex-rebel paramilitaries, and been detrimental to rebel groups at war with the state. These processes and tools of statecraft are individually and collectively demonstrated in the three cases.

This dissertation is an in-depth exploration of what I and other scholars call the *political ecology of violence*,[53] the different aspects of which I explore in detail in the theoretical section at the end of this chapter. A political ecology of agrarian violence and state-making brings together different aspects of violence in struggles over the political embodiment of, and the allocation of use and access rights to, land, territory, and natural resources. The construction of racialized natures embodies the politics of violence. My analysis grounds the war to rule in a robust geographical framework. I argue that racialized technologies of state-making are part and parcel of the violent political territorialities throughout Burma and the wider region. Military units and government agencies punished or excluded (politically, economically, spatially) those populations who remained sympathetic to insurgency. Who is allowed to be in state spaces and how is a deeply historical question, the answer to which has often been invisibilized and forgotten by the state and its subjects. My dissertation brings the political history of state-making more into view in order to think critically about what this means for landscapes and the people who live (or lived) in them.

Research inquiries

My project proposes three central research questions. The question that guided the overall study is ***how and to what effect do legacies of political violence get reanimated by governance transitions towards market-based rule*?** The political and economic reforms underway since the end of war and socialism in the late 1980s have had a tremendous impact on the economy and society. What has been crucially missed in understanding the gravity of Burma's more recent reforms (since the early 1990s) is how economic structures have continued legacies of political exclusions and violence. Chapters 2 and 3 brings the country's violent political history into the present in order to contextualize the field case study chapters. The country's contemporary economic development trajectory — led by land and resource deals — is structured by its (sub-) national armed political histories. The processes and outcomes of land deals are overdetermined, however, by the political-economic structures that arose out of, and were further cemented by, ethno-nationalist armed movements and Cold War counter-insurgency. The military's counter-insurgency tactics during the Cold War politically placated former enemies of the state by offering them economic concessions and

[52] See Vu (2010) for how his developed method of studying the post-structural state was applied to the case of Malaysia.

[53] The political ecology of violence builds on the work of particular scholars such as Le Billon (2001), Watts (2001; 2004), Peluso and Watts (2001), and Peluso and Vandergeest (2011).

permission to continue to be involved in the illicit drug economy. Since the 1990s, wartime counter-insurgency measures have been transformed into an effort by state-backed ex-rebels to capitalize on new land-based economic opportunities.

The transition in the tools of state building from bullets to bulldozers and barbed wire led me to my second question: ***How does turning "battlefields into marketplaces" manifest in natural resource governance regimes?*** The biophysical landscape in these frontier places matters as much as the political one. Forests, rivers, gems and minerals, poppy fields, and agro-forest lands are all contested resources in the interplay of rebellion and counter-insurgency. The biophysical characteristics of the borderlands have shaped the mode of rebel activity and counter-insurgency, and in turn have transformed the landscape. Similarly, the ecologies out of which the Burmese military state emerged — lowland irrigated paddy fields and arid soils — have influenced the forms of postwar statecraft applied to upland agro-forest ecologies. Borderland ecologies and racialized identities associated with them have gone on to influence land deals. In this context, turning "battlefields into marketplaces" has meant commodifying land and resources in a mountainous frontier latent with insurgency. The military state has redirected resource rents away from rebels and towards state-backed armed authority who subsequently redefined the relationship between political violence and the environment.

The pairing of postwar counter-insurgency and the commodification of resources led me to my third and final research question: ***What are the political, territorial, and governing outcomes of turning land into capital in armed narco-territories?*** Commodifying frontier forestlands from which rebels conducted guerrilla warfare, and where minority populations lived implied much more than just a deforestation crisis and the emergence of industrial agribusiness. The transformation of nature as a result of its commodification through land deals changed borderland ecologies in such a way as to make the landscape more hostile to guerrilla warfare. An industrialized landscape under the control of military-backed elites is also a nature less favorable to guerrillas and one more amenable to counter-insurgency. Forests were cut, rebel units driven out, poppy cultivators resettled to military-patrolled roadsides, Burman laborers migrated in, and resource rents directed to military-backed elites. A commercialized form of counter-insurgency, a new sort of war against the remaining ethnic-based rebels and associated highland populations, got underway, and with much greater success than before the ceasefire.

Geography of study

I define border ecologies and counter-insurgency as political embodiments of each other; their spatial relationships take shape from the surrounding physical geography, political territories, racialized populations, rebel activity, and natural resource wealth. The topographic map in **Figure 2** spatially orients the legacy of racialized geographies and how they map onto state governance.

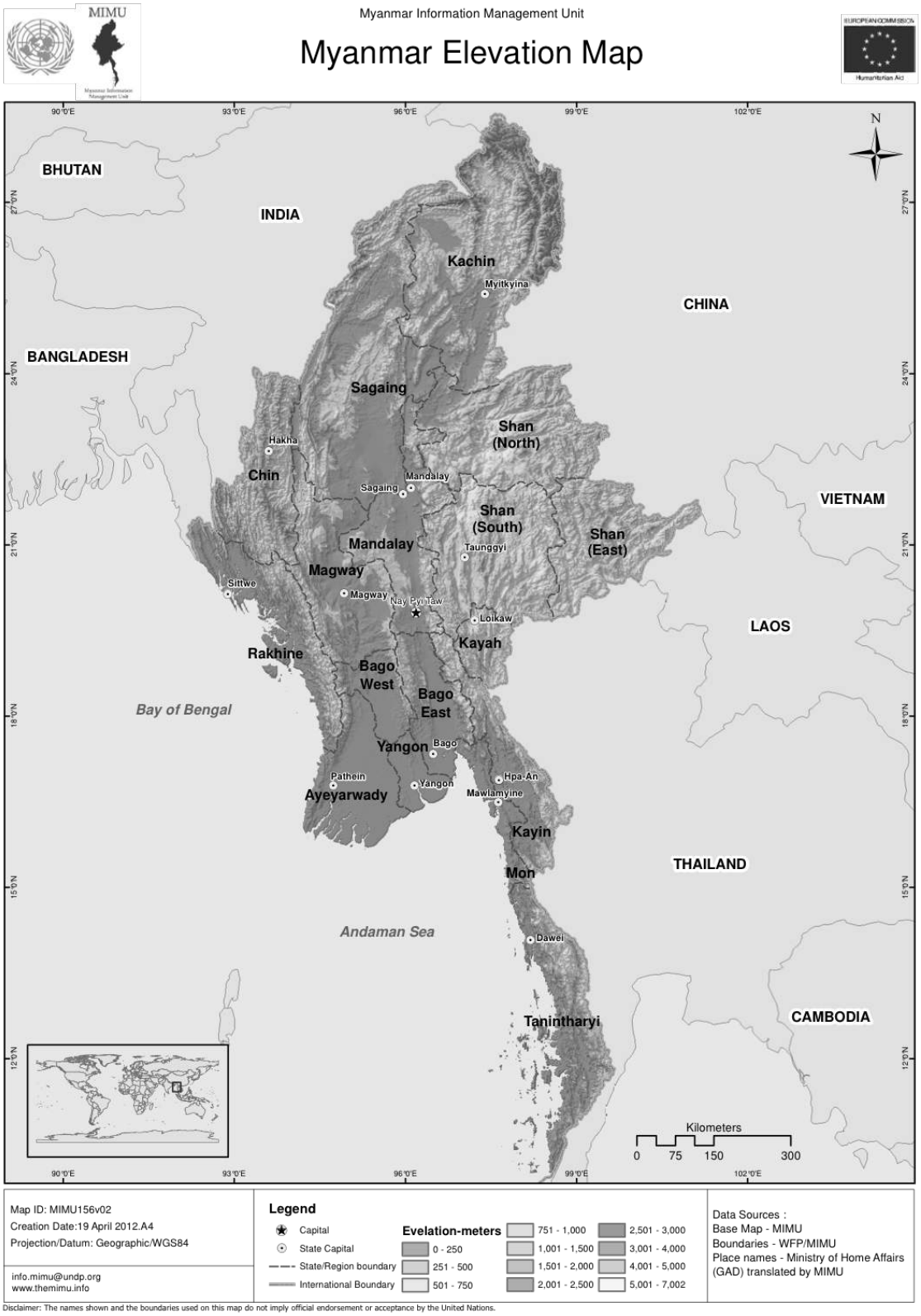

Figure 2. *Topographic map of Burma. Source: Myanmar Information Management Unit (MIMU), 2012.*

The darker grey color represents the predominately irrigated Irrawaddy (or Ayeyarwaddy) River basin of the Delta Region as well as the flat lowlands of the Central Dry Zone. These two regions represent what I call Burma's geography of the "paddy nation," those predominantly Buddhist Burman lowland settlements cultivating irrigated paddy in the alluvial plains.[54] This is the human and physical geography from which the pre-colonial Burman civilization arose, the stronghold of British colonial government and economy, and the center of power and control of the post-colonial militarized state. Burman ethnicity and Buddhism tend to be asserted as *the* characteristics of both the state and the military. The lowland paddy nation – firmly associated with Buddhism, Burman socio-culture, and Burman agro-ecologies – has received the bulk of scholarly attention over the decades,[55] with notable exceptions.[56] My study, however, focuses on the mostly mountainous geographical periphery of the country (lighter grey colors depicted in Figure 2), where a third of the country's population of over 50 million resides.

This highland (or upland) frontier geography is where mostly ethnic minorities live (for example, the Kachin), and are predominantly Christian (with the main exception of Shan and Arakanese or Rakhine, who tend to be Buddhist). The map in **Figure 3** below presents the geographical pattern of ethnicity and the overall ethnic minority states that encompass the paddy nation. Customary rather than statutory laws and authority still largely govern communities and their land and natural resource base. Agro-forestry practices, especially shifting cultivation or swidden (known as *taungya,* literally "hill-cultivate," in Burmese), complimented by timber and non-timber forest products, define rural livelihoods.

In the case of mainland Southeast Asia, lowland-upland spatial dynamics and their associated agro-ecological practices have heavily influenced forms of racialized rule and state-making. Edmund Leach's (1964) famous structural functionalist study on the political oscillations between Kachin and Shan identities in northern Burma is in part based on their distinct (if over-generalized) land management customs and practices. Burma's colonial project in making the Delta Region into the world's rice bowl,[57] and British colonial officer John Furnivall's (1960) examination of Burma's "plural society," both engaged in governing (if indirectly at times) terrain and population. And more recently but not without controversy, James Scott's (2009) study on "anarchist peasants" traces historical migrations to populate northern Burma's highlands as a state-evading strategy. The undulating mountainous landscape of the sub-Himalayas, interrupted by valleys both sweeping and narrow, tells us part of the history of the war of racialized rule.

[54] On the making of Burma's "paddy nation," see, for example, Aung-Thwin (1990).

[55] For example, Furnivall (1960), Lieberman (1984), Callahan (2003), Taylor (2009), Walton (2016), and Aung-Thwin (2017), among others.

[56] Most exemplary among those studies that focused their scope outside – yet in relation to – the domains of the paddy nation have been Edmund Leach (1964) and James Scott (2009).

[57] For the colonial frontier dynamics specific to Burma's Delta Region, see Scott (1976); Brown (2005); and Adas (2011).

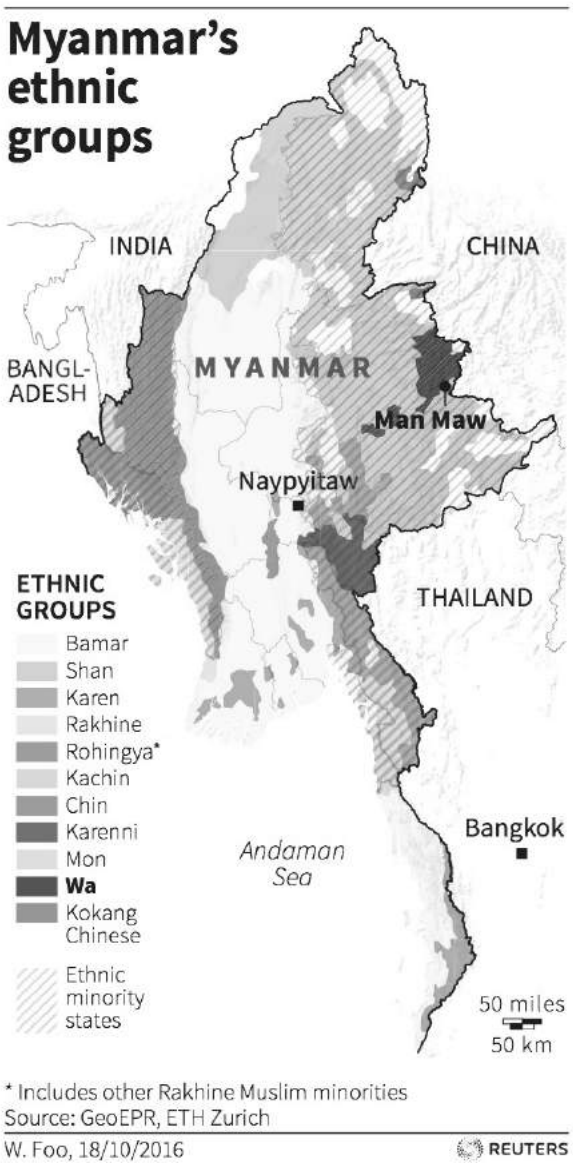

Figure 3. *Generalized geography of ethnic groups. Source: GeoEPR, ETH Zurich.*

The paddy nation and the upland forest frontier, with their associated racialized populations, are of course not so neatly divided. This mapping exercise is meant as a geographical aid to understanding how the military government – in hand with cronies and strongmen – devised land and resource-based reforms in such a way as to enable its politico-legal and military apparatuses to travel further up into the highland frontier endowed with plentiful resources.

The map in **Figure 4** illustrates the geography of Burma's natural resource wealth. There is a clear spatial overlay between the country's resource wealth (Figure 4, below) and ethnic minority populated areas (Figure 3, above). Southeast Asia's largest oil and gas deposits ring the Bay of Bengal along the coast of Arakan (or Rakhine) State in the southwest; agribusiness concessions, forests, and minerals are located in the Karen populated areas of the

southeast along the Thailand border; and large-scale hydropower dams, forests, agribusiness concessions, gems, and minerals are still in plenty in Kachin State and Shan State in the north. The geographical relationship between natural resources, the highland frontier, and ethnic minority populations holds significance for the ways in which violent political ecologies manifest in Burma.

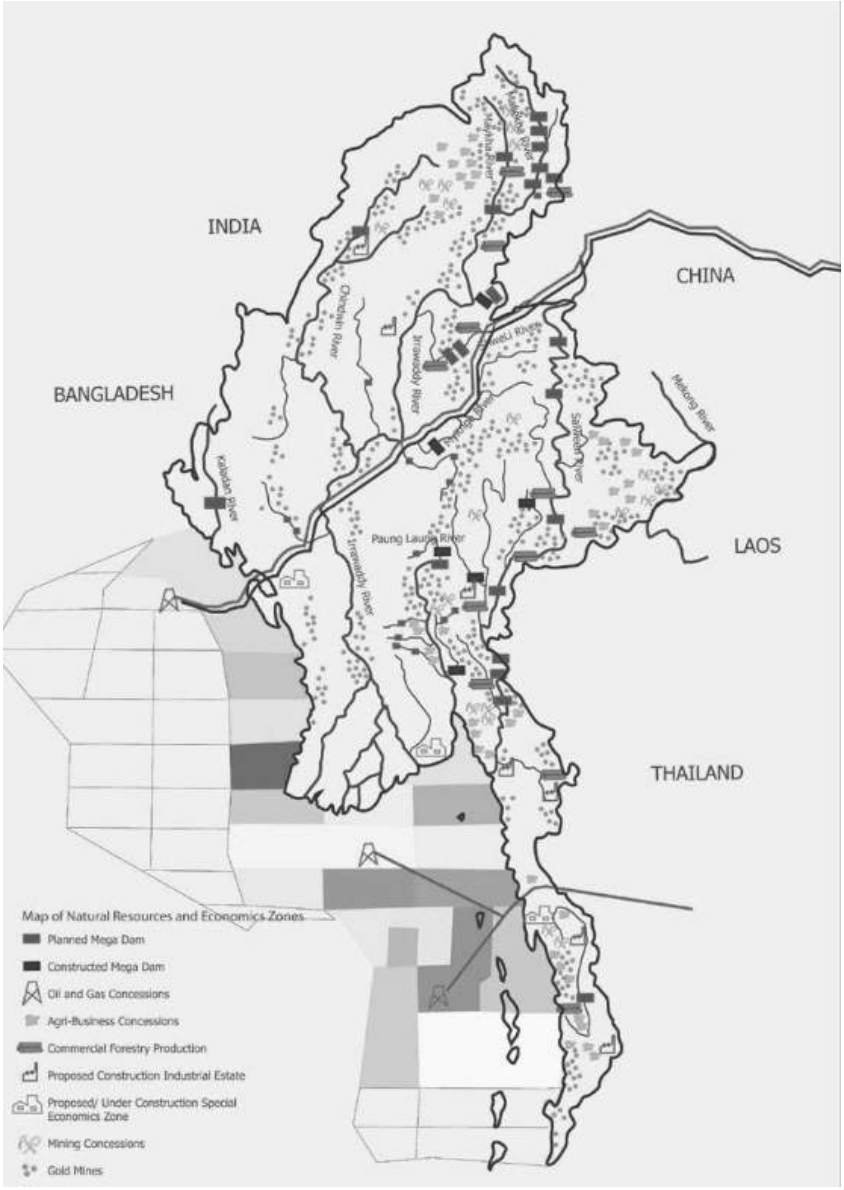

Figure 4. *The geography of natural resource wealth. Source: BNI, Myanmar Peace Monitor, 2016.*

The upland frontier where ethnic minorities reside and natural resources abound is also the same geography where civil war and counter-insurgency have existed since soon after independence from the British in 1948. Each color on the map in **Figure 5** represents a different non-state armed group (NSAG) with a distinct ethnic political identity. It is not by coincidence,

as my study demonstrates, that these rebel groups and natural resource wealth are located in the same geographies. The political ecology of war and counter-insurgency came out of these particular spatial overlays of topography, resources, and racialized populations.

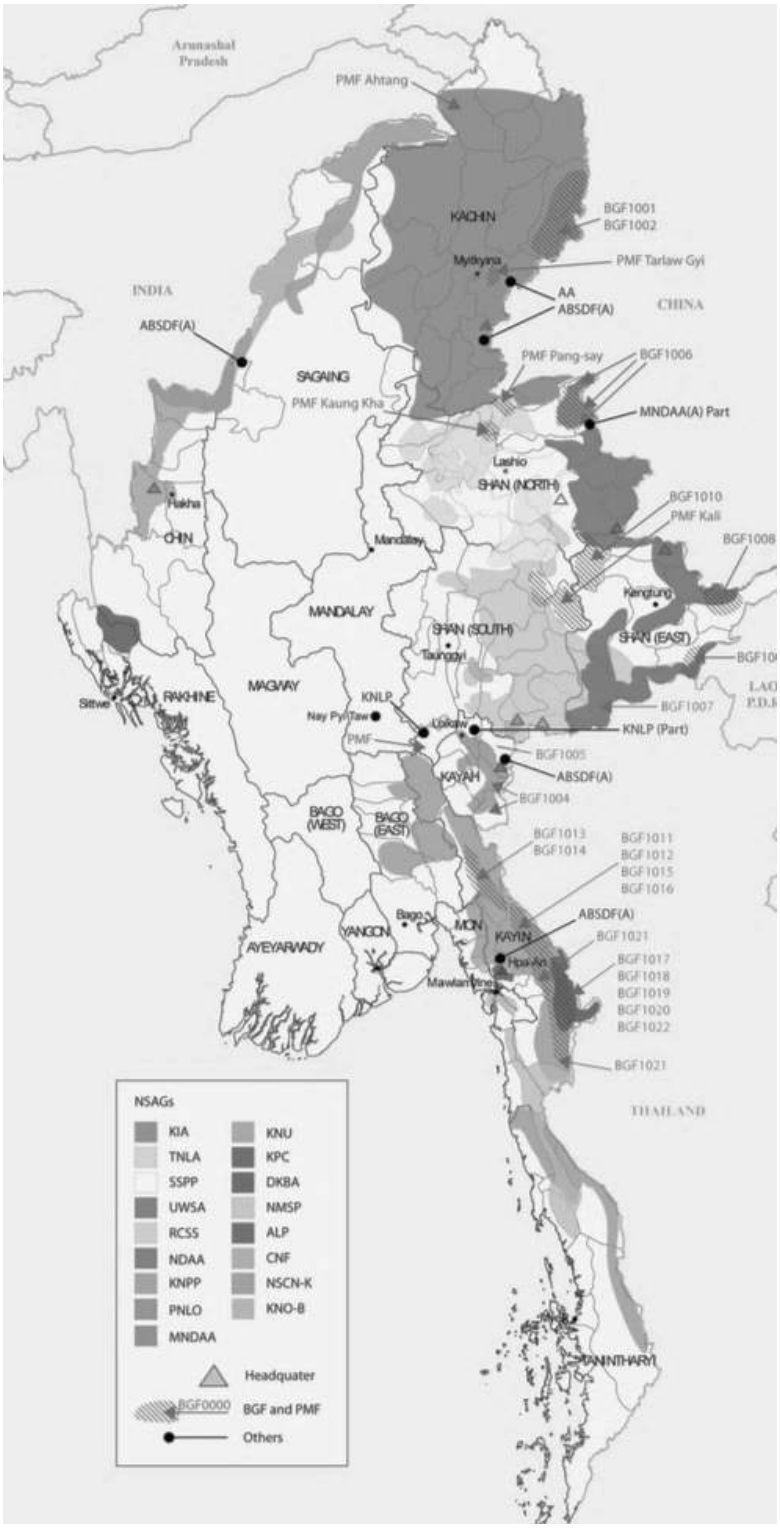

Figure 5. *The geography of active armed conflict in Burma. Source: BNI, Myanmar Peace Monitor, 2016.*

My field case studies are located in Kachin State and Shan State in northern Burma. Most of the field data were collected within a day's drive (on poor roads) of the Yunnan, China border. **Figure 6** is a zoomed-in map of the northern borderlands. The blackened shapes represented the general location of agribusiness (Chapter 4) and timber (Chapter 6) concessions I studied. As illustrated by the maps in Chapter 5, I studied corn cash cropping in a handful of villages in both northern and southern Shan State.

Figure 6. *The general locations of my field study sites in northern Burma's borderlands.*

The Sino-Burma borderlands have been constructed out of violent conflict. This area was a theater of World War II, with the Allied Forces fighting against Japanese invasion with the

help of the Kachin Levies.[58] The wider theater of WW II, of Northeastern India and the Tibetan plateau, topographically divided the British Empire from that of the Chinese, and has left its mark on the land and resource trade cast between. The existing "Burma Road" connecting Lashio in northern Shan State to Wanting and Kunming in Yunnan was built to help supply the Chinese front lines. It remains the only paved road between Shan State and Yunnan, where many agribusiness land concessions are located. Where the Burma Road enters China (the town Muse on the Burma side) is Burma's most lucrative overland trade route, massing tens of billions of dollars every year. Villagers from the rebel highlands have been resettled alongside the Burma Road, which also serves as the conduit of military state power and administration.

In 1942, the Burma Road fell to the Japanese. The Ledo Road, also known as the Stilwell Road for the American General Joseph Stilwell who oversaw its construction, was hastily built across Kachin State's challenging landscape as an alternative supply route to China. Like the Burma Road, the Ledo Road has acted as a corridor of state power, militarization, and business interests in land and natural resources.

Burma gained its independence from Britain in 1948, but very soon thereafter the new democratic Burmese government in Rangoon was faced with a nation-state in crisis. Starting in the 1950s, the Burmese communist party, the retreating Kuomintang (KMT) troops from China, and many ethnic-based armed rebellions against the Burmese state were active in the Sino-Burma borderlands. As the Cold War carried on into the 1980s, a drug economy linked to these various armed organizations flourished.

The armed political legacies and associated material formations in the northern borderlands are specific to these specific frontier places. But the dynamics of ceasefire capitalism and state-making apply to Burma's other border areas and beyond.

Ceasefire Capitalism and the War to Rule

In the context of mainland Southeast Asia, I examine land deals in a *postwar* setting. Legacies of geopolitical conflict shape the uneven distribution of postwar enclosure, as demonstrated by Michael Dwyer (2014) in Laos. Other Southeast Asian scholarship on land deals has more specifically examined elements of state-building within a postwar setting, such as how concessions are used to stave off political rivalries and consolidate the ruling regimes' power and the private sector's capture of resources.[59] Still other scholarship has focused more on how postwar land deals have acted as a tool for state territorialization projects.[60]

Yet no such scholarship in Southeast Asia has examined land deals within a context where war was not yet over, where a range of armed elites vied to cash in on their political authority, and where the military state sought to gain greater control over the rebel frontier. So what does the introduction of market capitalism, together with ceasefires for some rebels and the return to war for others, mean for the rich resource landscape and the agrarian populations who stake out claims in these borderlands? In what ways has the legacy of political

[58] Webster, 2004

[59] See, for example, Le Billon (2000), Baird (2014), and Diepart and Schoenberger (2016).

[60] See, for example, Baird (2011), Barney (2014), and Dwyer (2013, 2014, 2015).

violence reshaped the biophysical landscape, and these new landscapes in turn shaped the ways that political violence continues?

Studying up: State-like state builders

In order to understand how military state formation proceeds in Burma's indigenous highland frontier, this study focuses on different types of capital-fixers who are also state makers. In Burma's borderlands, these are no ordinary state officials and administrators, however. Instead of studying what is often perceived as a monolithic yet amorphous "state," I view the state as an overdetermined legacy structure where historical state institutions affect present and future state structures and processes. Relatedly, I break down the state into its constitutive actors and institutions. These are many and diverse. Not all are formal state entities, but all are shaped by national and regional legacies of power, political ideology, racialization and conflict. The state makers to varying degrees arose out of Burma's military state and business environment, but have found ways to express their own agency within these legacy structures. I approach state-making as a highly varied set of practices by state, state-like, and non-state institutions and actors under diverse circumstances (see below for details). To paraphrase Marx, people make history, but not under conditions of their own choosing. The legacies of past state practice, form, and process influence those of the future, yet at times in unpredictable and indeterminate ways. In the theoretical section at the end of the chapter I explore in more detail my approach to studying the state and state makers.

In my dissertation, I focus on four types of "state-like"[61] (non-state but state-allied) actors who embody different but overlapping economic and political geographies. The state-like state builders reviewed in this dissertation are *national crony companies, armed ethnic strongmen, moneylenders,* and *village elites*. National "crony companies," or simply "cronies" as Burmese call them even when speaking in Burmese, arose out of the military government's partial opening of the economy in the early 1990s after war and the collapse of the socialist regime. The derailing, cash-poor socialist economy needed a jumpstart of private capital and access to business community networks. The top military brass hand-selected businessmen, predominantly ethnic Chinese based in Rangoon, who effectively helped to raise military state revenue as well as implement economic development projects. The military opened some sectors — gem and precious stones mining, logging, agribusiness — to extraction, production, and trade by their cronies. In return for land and resource deals, crony companies developed infrastructure and provided other services when called upon, such as financing disaster relief and procuring military hardware. "Crony capitalism" thus helped the military economically survive in an impoverished state subject to Western government sanctions.

In the country's mountainous border regions, ethnic minority "strongmen" have long monopolized both the economy and the deployment of political violence. Many provincial strongmen have their own (small) standing armies. As a group, these local strongmen were strengthened by the military's counter-insurgency strategies against regional rebels during the Cold War. Many were rebel leaders fighting against the state; most were heavily involved in the

[61] On the "state-like" attributes and state-building roles of elites and institutions not normally formally associated with thel state, see Lund (2006).

illicit opium trade. As detailed in Chapter 2, many were selected by Tatmadaw commanders to lead state-backed para-military forces. Often the military provided strongmen weapons to better arm their soldiers. In return for their services, the state allowed these militia leaders to engage in business — mostly the drug trade — without state interference. The state even went so far as to assist these strongmen by granting them permission to use military-controlled infrastructure routes, sometimes even providing added protection. A strongman's state-backed power and authority became the bedrock for "strongmen economies" reliant on poppy and other natural resources. Over time, ethnic strongmen grew in political, economic, and territorial power through their at first tenuous association with the military state. **Figure 7** shows a rare grainy photo of ethnic minority strongmen in northern Shan State who lined up alongside Burma's prominent regional military figures.

Figure 7. *A lineup of a handful of ethnic strongmen militia leaders in northern Shan State, alongside Tatmadaw officials. Source: anonymous.*

I borrow the rather generalized term "strongmen" from Joel Migdal (1988), but with significant differences: the ethnic minority strongmen depicted in my field case studies reflect the particularized state-society relationships found in Burma. The strongmen in northern Burma that do not hold much leverage over military officials (unlike Midgal's strongmen), but rather the other way around. Moreover, the strongmen I profile in my cases mostly do not

deliver welcomed social services to the local populace; instead they operate as para-military militias who at times terrorize villagers.[62] Finally, Burma's strongmen do not impede the state in carrying out its functions or weaken its nature, but rather help build its capacity to govern over those populations. Strongmen in northern Burma emerged from the context of Burma's military state, rather than from Midgal's strong society-weak state scenario.[63]

Burma's provincial strongmen informally govern over local populations with the blessings of central military officials through a mixture of coercion and clientelism. In this sense, they may be grouped with other state-like state builders who have relied on violence as a means to govern and accumulate capital. Well-known examples include Bloc's Italian "mafioso" (1974), Tilly's European "warlords" (1985),[64] and Volkov's Russian "violent entrepreneurs" (2002). The best known provincial strongmen specific to Southeast Asia, who are not unlike Burma's own, are Thailand's "chaopho" (or "godfathers")[65] and the Philippine's "bossism,"[66] but there are similar groups for each country in the region.[67]

Both types of military-backed "indigenous capitalists" — cronies and strongmen — conduct business in particular ways and geographies, which have changed over the course of ceasefire capitalism. "Crony capitalism" was birthed in the "paddy nation" where Rangoon as the economic (and until the mid-2000s, the political) capital of the country sat at the center. "Strongmen economies," on the other hand, formed in the upland, ethnic minority populated frontier, rich in natural resources and where rebels, paramilitaries, and the drug trade flourished.

These two types of political economies have not remained in the specific geographies from which they formed, however.[68] Crony capitalism entered ethnic minority ceasefire areas as a byproduct of the success of state-building, since cronies' ability to run their businesses is predicated on state support. Strongmen economies, likewise, started to fill out into the paddy nation as strongmen grew in power and wealth. Some ethnic strongmen have received lucrative construction contracts in downtown Rangoon during the current development boom; others are members of parliament in the national assembly. Crony companies hold substantial resource concessions in ethnic states where the military state has made gains against rebels. Each is now found in the spaces where the other was formed; nonetheless each type maintains dominance in their place of origin.

The prominence of various types of indigenous capitalists is also apparent in village-level dynamics of uneven dispossession, as explored in the corn case study in Chapter 5. In

[62] Strongmen do take care of some of their "own kind." But this is limited in extent, and overshadowed by their para-military operations against other villagers.

[63] Rebel leaders, such as those commanding the KIO, to some degree have arisen more out of Midgal's weak state / strong society scenario. Rebel strongmen and the local populace are wedded through a more patron-client relationship, where the former takes the place of state officials. But even rebel strongmen do not really fit Midgal's ideal type of strongman.

[64] See also Volkov (2002) for the case of Russia.

[65] Ockey, 1993; McVey, 2000

[66] Sidel, 1999

[67] For a good overview of the "gangsters" of Southeast Asian states, see Trocki (1998).

[68] For a more detailed explanation, see Woods (2016(a)).

addition to cronies and ethnic strongmen, local moneylenders (*bway sa* in Burmese), and state-like village elites have also become the new landlords of the North. Those I refer to as "village elites" tend to hold prominent positions in the village or surrounding areas, such as policeman, headmaster, government administrator, village founding family member, and the like. Moneylenders, for example, have played a long and prominent role in Burma's agrarian economy in the absence of state finance to smallholders.[69] In northern Burma in particular, moneylenders have played a crucial role as opium brokers, acting as middlemen in buying up opium balls from farmers and selling them on to bigger opium bosses, often associated with rebel groups and paramilitaries.[70] Moneylenders and village elites connected to the military-state administration in one way or another have benefited from smallholder cash cropping schemes. Instead of just playing the role of opium brokers in areas where poppy persists, moneylenders today also lend their services to poor farmers to engage in the legal agricultural cash crop economy. Chapter 5 demonstrates how corn cash cropping has left poor farmers in grave debt, sometimes with little choice but to sell their land to their moneylender, or state-backed elites in their village. In a matter of five to ten years, upland ethnic minority villages have seen a dramatic redistribution of wealth where the majority are landless or very land poor and surviving as tenant farmers, while just a few village households and the local moneylender own most of the village land.

These elites do not entirely function as Dan Slater's "protection pacts," which he describes as "elite coalitions unified by shared support for heightened state power and tightened authoritarian controls as institutional bulwarks against continued or renewed mass unrest."[71] Burma's elites that I discuss here formed out of the military state's inadequate state-building through more conventional tactics: stitching together the borderlands' armed sovereignties through strongmen counter-insurgency agents, as well as employing Burmese entrepreneurs' capital and business acumen. They have been brought into state machinations under highly coercive means, such as prison or murder for not complying with military demands. These elites do not form any sort of united coalition with the state, and remain fragmented with very different interests within and across the groups of elites. What they do have in common with Slater's protection pacts, however, is resource patronage – which is the very element that Slater seems to downplay most in their formation, durability, and role in state-making.

The four types of state-like capital fixers and state makers help us think about the role of nature and resource commodity booms in the production and maintenance of political violence. The history chapters of this dissertation (Chapters 2 and 3) demonstrate how these elite state-like actors first came into power and their role in maintaining state-backed violence during the Cold War as counter-insurgency agents. Soon though, the commodification of

[69] Indian Chettyiars are widely recognized as financing Burma's rice bowl in the early 1900s (see Brown, 2005). But in the instances I am referring to, moneylenders in northern Shan State are usually ethnic Chinese (and particularly Kokang Chinese), whereas in areas further from the China border various ethnic identities can be found with different cultural traditions of lending practices. My study particularly focuses on ethnic Chinese moneylenders in northern Shan State, as detailed in Chapter 5.

[70] McCoy, 1973

[71] Slater, 2010:5

poppy and opium gave strongmen (and rebels alike) new financial incentives. Future legal commodity booms and explosive consumer markets in China brought these strongmen and their legacy relationships to the military state back into full form after war. The commodification of land and natural resources has its origins in legacies of political violence since the colonial era, and ceasefire capitalism in the most recent period. An integral part of both the commodification of nature and political violence has been the racialization of Burmese society, which pinned ethnic identities to certain land-use practices and upland-lowland geographies (Chapter 4), starting with British colonial rule (Chapter 2). Socio-economic networks of resource production and extraction have worked in tandem with racialization to iteratively define each other in and across geographical terrains.

Commercialized counter-insurgency

Commodified land and natural resources, foreign capital, and market-based rule directed through provincial strongmen had nearly equivalent effects to military-led counter-insurgency operations during the Cold War. Resources offered as financial rewards to rebel groups similarly fueled counter-insurgency forces. Turning to natural resources to entice ex-rebel strongmen to work as counter-insurgency agents on behalf of the military-state effectively commercialized counter-insurgency. This type of economic counter-insurgency enticed rebels to make money rather than rebel against the state. This counter-insurgency strategy, with origins in how strongmen ran the drug economy since the 1960s, has had a lasting effect on Burma's political economy and state-building outcomes. Ceasefire capitalism grew out of these Cold War building blocks first erected in the 1950s.

My study challenges more normative understandings of counter-insurgency as military-led offensives against an insurgent group, or "hearts and minds" approaches that try to win over civilian populations.[72] This dissertation broadens the scope of what should be considered counter-insurgency, making a particular case for types of rural development and resource management interventions. My work to expand the definition of counter-insurgency follows from critical reflections on Cold War livelihood development interventions and commodification of nature (such as "boom crops") in Southeast Asia. Domestic and foreign agencies effectively kept peasants and natural resource rent-seeking opportunities away from communist rebels.[73]

This dissertation's two history chapters consider how counter-insurgency against rebel groups evolved from arming ex-rebel paramilitaries from the 1950s to the 1980s to offering economic concessions to armed strongmen from the 1990s to today. The field case study chapters examine how legacies of counter-insurgency morphed into postwar land deals in ceasefire territories. I thereby define counter-insurgency efforts — in form and function —

[72] On the reinvention of the more passive conduct of counter-insurgency that targets local populations, see Kilcullen (2010).

[73] On examples of how states defeated rebels (communists and otherwise) through reconfiguring peasant and rebel access to and use of land and natural resources, see Thompson (1966), Prosterman (1970); Stubbs (1989), Vandergeest and Peluso (2011), Sioh (2010), LeBlond (2010), Eilenberg (2011), and Grajales (2013), among others.

within a postwar development context with specific attention to the commodification of land and resources.

Southeast Asian Cold War projects such as the "Malayan Emergency" or the United States' "strategic hamlet" approach in Vietnam[74] sought to tie more isolated segments of the population to the economies and institutions of centralized states through incorporation into state-led development schemes, particularly settled agriculture.[75] Such a "hearts and minds" strategy tried to co-opt peasants to side with the state — rather than with rebels — by offering economic incentives. The spatial dimensions of this type of development outreach also placed villagers into a regulated state space, usually fenced in and policed. Burma's military state shunned such a strategy. Instead, the Tatmadaw lured ethnic opposition groups into acting as state-sponsored militia units that then terrorized local populations suspected of supporting rebel groups. The different counter-insurgency approaches at varying temporal periods in Southeast Asian countries can be partially explained by the different state-society relations and political histories between the national government and upland ethnic groups, as well as among different ethnic groups within a single region.

At the height of insurgency in northern Burma in the 1970s and 1980s, ethnic minority populations in areas of rebel activity were attacked and forcibly resettled into military-policed roadside "strategic villages" (sometimes referred to as *sut see ywa* in Burmese) in valley areas under (tenuous) state control. Many others fled further into rebel-held forests or across national borders in order to avoid forced portering and other human rights abuses frequently committed by Tatmadaw soldiers in counter-insurgency hamlet areas. By the time of the ceasefires in the early 1990s, the resettlement patterns in northern Burma resembled the fractured political landscape: villages strung along government roads with nearby Tatmadaw battalions, or fragments of village communities hiding in far-flung forested mountains under rebel control.

The practice of relocating villagers from poppy-cultivating, rebel-controlled highlands into state-policed lowland settlements accelerated during the ceasefire period. Populations displaced by war were keen to return to their villages and often hoped for access to infrastructure improvements and social services. In the mid-1990s, armed groups which had agreed to ceasefires began collaborating with the military's border development agency (the *Na Ta La* in shorthand Burmese)[76] to resettle upland ethnic minority populations (often in poppy growing areas beyond the reach of the state) to roadside villages in the valleys. These new postwar settlements were jointly administered by the central state and the rebel groups as an experiment in political governance.[77] Despite the joint administration agreements,

[74] Stubbs, 1989

[75] De Koninck, 2006

[76] The full name of the military's agency was the Ministry of Progress of Border Areas, National Races, and Development Affairs. It has since been renamed the Ministry of Border Affairs, and remains (along with two other ministries) under the remit of the military rather than civilian government.

[77] Since war returned in 2011 to the northern borderlands, villagers of the same ethnicity as rebel groups (e.g., Kachin) have mostly fled from these sut see ywa village settlements. After being once more branded terrorists, the KIO and other rebel groups no longer jointly administer the settlements.

resettlement projects during the ceasefire period nonetheless furthered state territorialization objectives and the nascent formation of state subjects.

Border development projects were often cast as opium eradication and substitution projects, as demonstrated by case study chapters on rubber and corn. The largely failed opium substitution projects in effect (but only temporarily) eradicated the best livelihood option available to farmers struggling to survive, separated rebel groups from their civilian base, and helped justify relocating farmers into new settlements under state surveillance. The extreme poverty that development interventions often caused rendered farmers less able to support their household, their community, and nearby rebels.

Economic concessions during the ceasefire period added new dimensions to counter-insurgency after the Cold War, especially in terms of population dynamics and its political implications. Ethnic minority peasants in Burma were not supported by the state in sedentary smallholder agricultural schemes, unlike the case in neighboring Southeast Asian countries during the Cold War.[78] Land deals and smallholder farmer schemes advertised as opium substitution projects, as explained earlier, were meant to generate wage labor farm jobs for ex-poppy cultivators. But strongmen confiscated farmers' food fields for private rubber concessions, and debt-ridden corn farmers sold their land to local elites. On these estates, the labor was usually supplied by landless Burman migrants rather than ethnic minority villagers from the area; the latter were rarely interested in working as a farm wage laborer, much less so for strongmen who confiscated their land. If we turn to forests rather than agriculture, the Chinese and Burmese governments and local headmen justified logging concessions (Chapter 6) as a normative development path that would subsidize badly-needed infrastructure, such as electricity and roads. But logging village forests destroyed (ex-) poppy farmers resource-based livelihoods and further attracted migrant laborers. Dirt logging roads washed out during the monsoon, electricity lines never arrived, and headmen absconded with company bribes and any community compensation payments.

The new shanty settlements the military pushed peasants into left them with very poor livelihood prospects. More to the point, they were disconnected from the rebel groups they had in part supported (forced or voluntarily) and relied on for protection against the Tatmadaw. Those who fled rather than be resettled entered into the resource wage economy (especially jade mining for men), joined existing settlements further in rebel territory, or fled across the border to China or Thailand. Rebel groups, on the other hand, lost land, territory, and resource rents, and were cut off from their civilian support base. In this way land deals were able to accomplish what war strategies failed to ever produce — more legible state territories populated by subjects of the state and purged of rebels and those supportive of rebel activity.

Poppy substitution projects were not just about eliminating drugs, nor were agribusiness and timber booms just about the military state collecting resource rents or handing over property to elites. The cases reveal how the development interventions played a key role in postwar counter-insurgency tactics, this time subsidized by Chinese-backed finance capital.[79] The introduction of transnational markets into ceasefire areas added a key

[78] See, for example, De Konick (1996).

[79] For the case of Colombia in narco-territories, see Ballvé (2013).

component to the war to rule after the Cold War. The mode and means of resource commodity production and poppy eradication facilitated the making of state space and the consolidation of political power in the hands of cronies, strongmen, moneylenders, and village elites. The introduction of capital and markets enabled new forms of battle where military-led counter-insurgency transformed more into an anti-politics development platform,[80] but with similar counter-insurgency outcomes.

The two types of counter-insurgency projects—military-led during wartime and economic-led during the ceasefire period—mutually resonate in terms of their political, economic, and governance effects on local populations. While significant differences exist between counter-insurgency tactics from war to the ceasefire period, both forms — intentional or not — have enabled the Burmese military government to claim greater authority and power over these contested territories. These different forms and functions of counter-insurgency have reordered the landscape to reflect who has the right to belong in the remade racialized state geography.

A Political Ecology of Violence

The political ecology of violence accounts for the violence in the making of state territories and subjects and national natures. The theoretical explorations in this section hold in tension Karl Marx's primitive accumulation and Michel Foucault's conceptualization of the role of territory and law in the subjugation of populations, each with their respective forms of violence. The different ideas addressed in this dissertation bring together the statecraft of state-making: *territorialization, racialized rule, and the rule of law.* These state tools manifested out of, and gave further definition to, state-channeled capital accumulation measures and the associated means and manifestations of violence against certain segments of the population.

The section starts with a discussion of the recurrent nature of violence in capital accumulation, and then turns to how agrarian capitalism functions specific to forested frontiers. Next, I bring the military and state back into the analytical framework on how agrarian capitalism functions by examining the roles of "state-like" actors (e.g., cronies, strongmen, moneylenders, and village elites). Then I give attention to the pairing of territory and law in how violence plays out in the making of state space. Racialization also defines the making of national natures and state subjects, a process that is covered in the section thereafter. The last section highlights the spatialized forms of violence against certain segments of the population who are forced out in the making of state landscapes.

My political ecology of violence approach addresses how violence is spatially exercised over territory, resources, and populations. Violence is seen as both force and power, exerted over and expressed through populations and their access to (and use of) land and resources. On the relationship between violence and environment, I take my lead from Nancy Peluso and Michael Watts in their co-edited volume *Violent Environments* (2001). To them, violence is a "site-specific phenomenon deeply rooted in local histories and social relations but also connected to transitional processes of material change, political power relations, and

[80] On the anti-politics of development, see Ferguson (1994).

historical conjuncture."[81] This definition of violence in relation to land and natural resources offers an excellent starting point to walk through the forms of violence and its geographical components that encompass the political ecology of violence.

The geographies, resources, and cultures specific to mainland Southeast Asia greatly influence forms of violence and their attributes. Raymond Bryant's study on the political ecology of forests in Burma (1997) brings into focus other crucial components of violence. His archival research on the construction of state forests from the colonial era to the end of the Cold War in Burma highlights the role of state law, authority, and territory as seminal weapons of the state. In some ways, my dissertation on the political ecology of violence in Burma begins where Bryant ends. My study looks through a similar set of lenses as Bryant's, but one that works to de-center the state and add to the analysis the effect of ceasefires and the introduction of a market economy. I also lean heavily on Peluso and Vandergeest's (2011) engagement with issues of Cold War counter-insurgency in the making of national natures in Southeast Asia for the case of how counter-insurgency has played out in Burma after the Cold War. These studies have greatly contributed to my thinking on the intimate interplay between counter-insurgency and the forested landscapes across the region.

Unlike the literature of the political ecology of war and (counter-) insurgency, scholarship on the geography of resource wars and insurgency directly engages with the subtler politics and economics of such conflicts. For example, Paul Richards' book *Fighting for the Rainforest* (1999) offers an anthropological analysis of violence as a product of an "historical and material drama of exclusion" stemming from particular grievances from inequitable resource distribution in Sierra Leone. This process of exclusion I also see as helping to understand ethnic minority rebellions across Burma. Elizabeth Wood (2003), however, stresses the "pleasure of agency" to explain insurgent collective action in order to move past rational choice theory and economism. Whereas Richard and Wood focus on rebel behavior, Maria Ramirez (2012) turns more to identity formation on the part of civilian populations caught between the state and guerrillas in cocoa territories in Columbia. These particular monographs use ethnography to look inside the identity politics of insurgent groups and civilian populations in resource-rich territories. They offer rare and helpful insights into the workings of rebellion. But these texts still fall short of looking at the multiple ways counter-insurgency and state-making continues by other means *after* war and rebellion. This body of literature also does not adequately take into consideration insights from political ecology and human geography, such as the analytics of scale and space, and the social construction of nature.

A political ecology of violence also analyzes *socio-cultural* processes and associated identity politics that constitute larger political frameworks of differential power and resource access. A society's contested narratives of the politics of belonging (racialized identities, class, gender, and so forth) thereby embody nature and its commodification. We must therefore think about how land deals that work through discourses of race, culture, and difference — a racialized body politic — construct racialized natures.[82] As my case studies illuminate, Chinese

[81] Peluso and Watts, 2001:30

[82] On this epistemology and methodology, see in particular Kosek (2006).

land deals differentially (re-)produce and inscribe political authority and racialized belonging in line with Burman paddy nation ethno-nationalism and ethnic Chinese exceptionalism in the Sino-Burma borderlands.

Violent displays of political and racialized difference — in many ways the story of Burma's post-colonial development, as contextualized in Chapters 2 and 3 — becomes embodied in nature. "Violent natures" have likewise recursively shaped politics and its manifestations of violence. In this way, we can speak of nature possessing forms of agency towards the human political realm. For example, when forests are clear-cut where rebels previously hid and from which they launched guerrilla warfare, both the physical terrain and the arena of violence changes with respect to each other. Sometimes the clear-cut forest areas are planted in monoculture crops in neat rows and crisscrossed by roads, so that the open denuded landscape no longer supports rebel insurgency tactics. Government's soldiers using heavy equipment are also more adept at mobilizing in these non-forested landscapes, especially when roads are built. In addition, agricultural workers from the lowlands who migrate to the area do not support ethnic-based rebel activity and do not vote for ethnic-based political parties in the region. We must, then, keep the materiality of political violence and racialized difference in sight. One way to do so is to look more closely at embodied landscapes undergoing transformation. A landscape's layered terrain reveals a palimpsest from which to read the violent past and understand the country's potential future direction.

To situate the theories I rely on for my study, I turn first to Edward Thompson's (1975) foundational study on forest-based violence in early eighteenth century Berkshire, England. His book *Whigs and Hunters* helps us see the operation of normalized violence through the making of state landscapes:

> *Farmers and forest officers had rubbed along together, in a state of running conflict, for many decades and they were to do so for many more. What appears as crisis…was a conflict in the broadest sense political…the 'crisis,' while arising from forest conditions, was accentuated by political intrusions from outside.*[83]

It was Marx's theoretical insights on forms of violence that initiate and drive capitalist accumulation that led E.P. Thompson to inquire into deciphering "what shall be property and what shall be crime."[84] This is where we turn next.

Violence in capital accumulation

Marx's primitive accumulation (the originary act of producers being divorced from their means of production), and "accumulation proper" thereafter, offer insights on the interplay of the use of force (i.e., extra-economic means) and the means of market-based relations in capital accumulation.[85] The means of the initial divorce in the act of primitive accumulation

[83] Thompson, 1975:99
[84] Thompson, 1975:259
[85] Marx, 1973

requires, according to Marx, "conquest, enslavement, robbery, murder, in short, force."[86] After the so-called original moment of violent separation of peasants from their means of production, Marx argues that capital accumulation "raised to a higher power" (or accumulation proper) operates through market compulsion as a structural economic force in and of itself.[87] David Harvey calls this "accumulation by dispossession" (or ABD), which he argues requires "primarily economic rather than extra-economic" force and "is most importantly exercised through the credit system and financial power."[88]

The extra-economic character of primitive accumulation and market-based means that constitutes "expanded reproduction" should not be seen as separate domains, however. Derek Hall (2013) calls for the dichotomy of the two forms of accumulation and means of dispossession to be further complicated, if not completely broken down.[89] What Marx meant by the "silent compulsion of economic relations"[90] also demands further critical attention. Market-based relations do not just depend on the invisible hand of the market in guiding consumer behavior, as neoclassical economic theory purports. The means of the market are often highly coercive and anything but what Marx labeled as "ordinary." As we consider the panoply of violence in the accumulation of capital, we need to broaden and highlight our examinations of coercion and structural forms of violence in market-mediated transactions.

Extra-economic force does not end with the originary moment of primitive accumulation, as Marx's claim is often interpreted. Rather, physical violence transforms into the process of production itself. For this reason Jim Glassman introduces the term "accumulation by extra-economic means," redefining Harvey's ABD as the deployment of extra-economic coercion in the transition from primitive accumulation to accumulation proper, making both types of accumulation recursive to each other.[91] In a similar vein, Massimo De Angelis argues that capitalist relations "requir[e] a *continuous* character — dependent on the inherent continuity of social conflict — within capitalist production."[92] Continual social contestation over enclosure necessitates, therefore, that "capital must continuously engage in strategies of primitive accumulation to recreate the 'basis' of accumulation itself."[93]

My dissertation case studies taken together exemplify the recursive nature of violence in primitive accumulation and capital accumulation proper, further blurring the boundary between the two in both form of accumulation and means of dispossession. Securing private agribusiness (Chapter 4) and logging concessions (Chapter 6) depended on military and police force to evict smallholders with customary claims to the land and resources. In what I refer to as "accumulation from above," enclosure of customary swidden fields relied on extra-economic force and — when farmers challenged the state on legal grounds — parliamentary

[86] Marx, 1976:874
[87] Marx, 1976:875
[88] Harvey, 2006:159
[89] Hall, 2013:1593
[90] Marx, 1976:899
[91] Glassman, 2006:617
[92] De Angelis, 2004:71, author's italics. See also Perelman (2000) and De Angelis (2001, 2007) on theories of primitive accumulation as a continuous process intrinsic to capitalism.
[93] De Angelis, 2004:70

form of robbery. But outright land grabs backed by (the threat of) physical force only accounts for one method of land and resource dispossession. The empirical field study on corn cash cropping (Chapter 5) demonstrates what I refer to as "accumulation from below," where a legacy of structural violence differentially dispossessed indebted farmers of their land. These forms of accumulation are described in more detail in the respective case study chapters.

Land deals highlight how both forms of capital accumulation and means of dispossession operate recursively. Michael Levien (2011) detailed how land grabs to make way for a special economic zone (SEZ) in India were enacted by extra-economic coercion, rather than just the means of the market in Harvey's ABD. The powers of legitimation, regulation, and force in shaping land deals are offered by Hall, Hirsch, and Li (2001) as one way to think about the convergence of forms of violence and coercion in the making of private enclosures. Levien (2011) reminds us that behind both forms and means are decidedly *political* processes and actors that define a state's power in opening new avenues of (re-) production, a key component of which is land.[94] The military and state therefore need to be put back into the analytical framework to understand how forms of capitalist accumulation and associated means of violence are enacted and their political meaning.

Bringing the military state back in

Land enclosures through extra-economic means as well as parliamentary forms of robbery require the backing of the state and its legal repertoire,[95] insight that Hannah Arendt (1958) has offered on the state as central to the violence inherent in capitalist accumulation. The enterprise of violence in capital accumulation is, in the words of Elizabeth Wood, "supported by direct coercion via political and judicial intervention."[96] Wood continues: "The economic imperatives of capitalism are always in need of support by extra-economic powers of regulation and coercion, to create and sustain the conditions of accumulation and maintain the system of capitalist property."[97] According to Jason Read, "primitive accumulation is characterized by an intermingling of violence and law" which allows "the simultaneity of accumulation and the right to accumulate."[98] The state therefore provides more than just the enabling environment for accumulation through the protection of private property, supported by law and order.[99] The extra-economic force of the state is still necessary to open avenues for capital accumulation, such as is the case for the commodification of nature.

This is nowhere truer than in Burma, where military state institutions and authorities have long been central to the regulation of violence, forcibly keeping the frayed country

[94] Levien, 2011:457

[95] David Harvey, however, sidesteps the role of the state in accumulation processes by arguing that capitalist logic drives market processes, such as in over-accumulated capital becoming — as if by an invisible hand — "spatially fixed" (2005:92-3).

[96] Wood, 2002:65. Wood continues: "The economic imperatives of capitalism are always in need of support by extra-economic powers of regulation and coercion, to create and sustain the conditions of accumulation and maintain the system of capitalist property" (2002:178).

[97] Wood, 2002:178

[98] Read, 2002:38

[99] Marx, 1981:80

together. A litany of statutory laws, some on the books since the colonial-era police state, have exclusively granted military- and state-backed institutions (and foreign and national corporations) the right to accumulate. My study seeks to build from the co-edited volume by Evans, Rueschemeyer, and Skocpol (1985) on "bringing the state back in." But rather than imagine Skocpol's "state" as an ontological product (1985), I tackle the state from a more post-structural position that widens the analytical scope of what can be considered, and thus how to approach, the military, the state, and their making.

Rather than being rendered obsolete by transnational finance,[100] the state becomes in a sense "internationalized"[101] to retain a significant role in the country's globalizing political economy. The state does not get steamrolled by private transnational capital, but rather harnesses transnational markets — in this case Chinese capital, processing factories, and consumers — to rearticulate new state-governed spaces, as Aihwa Ong observes in peninsular Southeast Asia.[102] Although transnational finance capital contorts state sovereignty, territory, and power, Saskia Sassen (2008) demonstrates how nation-states do not necessarily weaken or dissipate from globalization trends: "The global can also be constituted inside the national…[and] particular components of the state have actually gained power because they have to do the work of implementing policies necessary for a global corporate economy."[103] But these scholars assume an *a priori* strong state at the moment of fixing transnational finance capital in already fabricated state-regulated spaces. While this may hold true for well-established states operating advanced capitalist economies, Burma's frontier spaces and armed sovereignties offer a very different context for accumulating capital. The territorial template in Burma's borderlands is such that the state is further formed *through* Chinese investment and global economic forces.[104] For these reasons, I center my analysis on *state-making* as an enterprise that iteratively arises within and out of frontier capital accumulation processes.

This dissertation does not approach "the state" as something that is bounded, self-enclosed, or static.[105] I follow Neil Brenner's (1999) approach on de-/re- territorialization of state authority and power as a continual and contested dialectical state-society process, and one that is very much embedded within market logics. "State space" looks more like what could be called "sovereignty in practice," a phenomenon that John Agnew (2005) describes as exercised within and across "scattered pockets connected by flows across space-spanning networks."[106] A nation-state's sovereignty is therefore neither coterminous with its fixed national territory nor fixed in time or place, a fluidity that defines northern Burma's amorphous armed sovereignties.

This dissertation strives to not fall prey to these state structural tendencies when studying state territorialization and military state-building. Studying state-making and forms

[100] See Ohmae (1995); Appadurai (1996).
[101] Glassman, 1999
[102] Ong, 2000
[103] Sassen, 2008:63
[104] For the case of state formation through land grabs in Colombia's narco-territories, see Ballvé (2012).
[105] Lefebvre, 1991; Massey, 2005
[106] Agnew, 2005:441

of statutory governance by tracing the practices of what Thomas Sikor and Christian Lund call the "stateness" of "public authority" (2009) expands on the conceptualization of territorialization by the state offered by Vandergeest and Peluso (1995).[107] My study examines how "state-like" public authority engages in state territorialization measures by engaging in land deals that effectively formalizes statutory property regimes. I define state-like public authority as those authority figures who are backed by the military state (and who emerged out of Cold War counter-insurgency operations), and assert control over territory, resources, and populations, but who do not formally associate with military or government officialdom. I am specifically interested in investigating the state-like effects of public authority *outside* the exclusive realm of government and military institutions. I study state-building through the individual and collective actions of four types of public authorities operating in northern Burma: cronies, strongmen, moneylenders, and village elites (see earlier section). These elites who exhibit "state qualities"[108] have effectively functioned as "inchoate state-builders"[109] through their ability to freely engage in acts of violence and capital accumulation.

State territory, law, and violence

Michel Foucault argues that as European nation-states evolved into more modern forms of government, political economy was increasingly relied upon as the guiding form of knowledge.[110] John Furnivall, the well-known British colonial officer-turned-academic in Burma, likewise examined the rise of the region's political economy during the late colonial period as a device for ruling over Burma's "plural society."[111] But in the case of Burma's borderlands, with their diverse population and armed sovereignties, the role of political economy has been peripheral to the making of governable spaces. Instead, territorialization, racialized rule, and the rule of law enacted through force have been the essential state tools of control and the making of state subjects in the frontier. This is not to say that these three ingredients of state-making have not been affected by the reformed political economy after war and socialism. Privatization measures and the influx of Chinese investment have augmented, and been subservient to, the military state's ability to carry out state territorialization and violent measures against segments of the population.

State laws and political violence — Marx's parliamentary form of robbery — perform a crucial role in making and regulating state territory and nationalized natures. Peluso and Vandergeest remind us that the delineation of state forests in Southeast Asia relied on law to institutionalize state property and power, not unlike how E.P. Thompson describes the process in England.[112] The consolidation of law and the application of the rule of law, as tools exclusive

[107] Larsson (2007), in conversation with Vandergeest and Peluso (1995) depiction of state-led territorialization, brings into focus the "counter-spatialization" strategies among different parties at various scales in the making and undoing of the Thai-Burma nation-state borders in the late nineteenth century.
[108] On "state qualities," refer to Lund (2006).
[109] See Abram and King (2012).
[110] Foucault, 1980
[111] Furnivall, 1960
[112] Peluso and Vandergeest, 2001:762

to the state, have historically bolstered expressions of state sovereignty and authority as an essential aspect of state-building.[113]

In addition to the rule of law backed by force, the other instrumental statecraft available to a sovereign power is, as Foucault explains, control over territory (and in a more narrow, formalized sense, property). Territory, in the words of Foucault, "is no doubt a geographical notion, but it's first of all a juridico-political one: the area controlled by a certain kind of power."[114] E.P Thompson points readers "not [to] land use but who used the available land: that is, power and property-right."[115] State property-making endeavors normalize state-backed political power, authority, and extra-economic force that together support private property regimes.

Producing and regulating state property inscribes state-backed political authority and land use rights as well as claims over the customary. A Kachin community development worker I worked alongside viewed property formalization in stark terms: "After the ceasefire agreement, the Burmese regime created private property; many companies came in, and kicked the Kachin people out."[116] "Property as sovereignty," as framed by Morris Cohen, signifies "property as power" over those subservient to the state.[117]

The making of property regimes (public, private, or some combination thereof) and the regulation of associated rights are crucial elements in the making of state territory and political subjectivities. Territorialization, as defined by Vandergeest and Peluso, is the process through which "all modern states divide their territories into complex and overlapping political and economic zones, rearrange people and resources within these units, and create regulations delineating how and by whom these areas can be used."[118] Neil Brenner and Stuart Elden, who theorize the "production of territory,"[119] conceive state territory as simultaneously the "site, medium, and outcome of statecraft."[120] Peluso and Vandergeest examined the making of political forests in colonial Southeast Asia in this light, as a mechanism of modern state formation.

> *Techniques of power and disciplining include territorial zoning and mapping, the enactment of land and forest laws delimiting legal and illegal forest uses, the constitution of state forestry institutions to implement these laws according to specified procedures, [and] the conservation of forest police…*[121]

Territorialization, as these scholars argue, is squarely in the domain of the process of state-making, and is therefore the entry point for my study on land deals in how they contribute to

[113] Foucault, 1991; see also Tamanaha (2008) and Banner (2005).
[114] Foucault, 1980:68
[115] Thompson, 1975:99
[116] Interview, Myitkyina, June 2003.
[117] Cohen, 1983
[118] Vandergeest and Peluso, 1995:387
[119] The authors are explicitly building off Henri Lefebvre's theory on the "production of space" (1991), which conceptualizes space as a dynamic and active and therefore something that is made, rather than *a priori* existing.
[120] Brenner and Elden 2009:365
[121] Peluso and Vandergeest, 2001:764-5

frontier state formation.

Instead of a focus on territorialization, Sikor and Lund (2009) examine how issues of access and property are joined with power and authority: "people attempt to consolidate their claims to land and other resources in various ways, often in pursuit of turning access to resources into recognized property."[122] My study approaches the making of property and state institutional authority, power, and governance as being mutually constituted, and thereby performing in state formation processes. After the Cold War in Burma, state-like authority figures sought control of state property as a means by which to bolster recognition of their authority and state-backed power.[123]

I turn to Donald Moore's "selected sovereignties" (2006) and Aihwa Ong's "graduated sovereignty" (2000) to address how territorial assemblages get made out of racialized identities of difference. Territorialization does not just transform power into sanctioned authority and regulated state space; it also emerges from nation-state notions of race and belonging in the production of newly governed subjects. State property, which is by definition formalized, thereby gives new meaning to racialized identity, national belonging, and citizenship.

It is this constellation of state power and armed sovereignties that I observe the turning of land into capital. Rather than demonstrating Foucault's well-oiled machine of a "post-territorial" governance apparatus,[124] my project responds to Brenner and Elden's (2009) critique that studies of nation-states' interactions with globalization and finance capital neglect the primary role of territoriality as an effective governing strategy in the neoliberal era. The field cases explore the ways in which state territorialization and the rule of law emerge through state-like actors in the commodification of nature.

Looking Back to See Forward

The war to rule is more than the violence of political economic relations, or the state law that Foucault (initially) identifies as important in governing populations' behavior. The production of "governable spaces"[125] involves varied forms of violence exerted through territorialization, law, and racialized discipline through the workings of political economy. Foucault's articulation of what has become known as "governmentality,"[126] or the techniques and strategies by which a society is rendered governable, must also be rethought in relation to the political ecology of violence (more on this in Chapter 7).

The war to rule is a messy and violent affair defined by a constantly changing toolkit. The implements of state building are an assortment of technologies of political power: diffuse processes of racialized forms of rule prodded along by physical violence, law, and the violent production and control of territories. My project seeks to give greater attention to both the inflicted forms of physical force and more structural violence in the political construction of

[122] Sikor and Lund, 2009:2
[123] Lund, 2016:1205
[124] Rose and Miller, 1992; Watts, 2003
[125] Rose and Miller, 1992; Watts, 2003
[126] Foucault, 1991

state territories, nationalized natures, and subjects of the state. The following dissertation chapters interrogate the violent political past to critically understand the present economic reforms that have carved out the new industrial landscapes of the frontier highlands in northern Burma. But agrarian transformation is much more than the commodification of nature and its associated making of wealth disparity and environmental destruction. This is ultimately a story of how commodifying nature acts as war by other means.

Histories of racial and political violence and the formation of political subjectivities also present new politics of possibilities. Chapter 7 concludes the dissertation with the presentation of ethnographic passages that illuminate how, despite legacies of rule that weigh heavily on the present, new arenas of resistance and hope are simultaneously opened. State-making, just like for "the state," is not absolute or resolute; public authority figures and civil society activist leaders bend and break these legacies and armed sovereignties. The domain of the war to rule is not only for the military government; it is comprised of a repertoire of techniques that a multitude of actors can draw from and influence in a variety of ways. The repertoire of rule thereby leaves open avenues for building bridges across racial identities and geographies, and the hope for peace.

CHAPTER 2

LEGACIES OF COUNTER-INSURGENCY

Introduction: Histories of Political Violence

My first trip to the Sino-Burma borderlands in 2003 where Kachin State meets Yunnan, China allowed me the opportunity to investigate where rebel territory meets the state. The border territory was under the control of the main Kachin rebel group, the Kachin Independence Organization (KIO), and their armed wing the Kachin Independence Army (KIA), who have been fighting for autonomy from the Burmese state since the early 1960s. I have had the fortune to spend a considerable part of the last fifteen years in and around these borderlands, pulled in by the dark secrets yet warmed by the mountain beauty. Repeated visits gave me the chance to witness the inter-relational workings of political violence, armed rebellion, and agrarian transformation.

This chapter (2) and the next one (Chapter 3) do the necessary historical work to better situate the contemporary field case studies. This first history chapter examines the key historical moments in military state-building, the racialization of society and the subsequent rise of ethno-nationalism, and (counter-) insurgency from late colonialism through the Cold War era. The end of Chapter 2 demonstrates how the commodification of nature — in this case poppy and its derivatives opium and heroin — became central to armed political resistance and counter-insurgency at the close of the Cold War. Both Chapter 2 and Chapter 3 give particular emphasis to the opium economy, as a bulwark of (counter-) insurgency (Chapter 2) and as post-war development marked as poppy substitution programs (Chapter 3 for overview). The ways in which the bio-physical environment gave material expression to rebellion and counter-insurgency from the 1960s through 1980s (Chapter 2) would come to define ceasefire capitalism beginning in the 1990s (Chapter 3). The two history chapters thus demonstrate the origins and continuity of the war to rule at different political moments, defined by state-backed political violence, ethno-nationalist insurgencies, and the commodification of nature.

The fight for independence from the British essentially solidified two institutional "Burmas" out of the colonial legacy of racialized geographies of rule. The political "center" of mostly Burman-populated areas (the Delta Region, central plains, and parts of Tennesserim), equipped with a colonial army of (Anglo-) Burmans, Indians, and some Karen, made up what the British called "Ministerial" Burma (the area I refer to as what became the paddy nation after independence). The "Frontier Areas," on the other hand, comprised the non-Burma ethnic minority populated uplands, whose inhabitants were loyal to the British leading up to World War Two and thereafter (the area I refer to as what became the "rebel frontier" after independence).[1]

[1] Callahan, 2003:93. The "Frontier Area" later became divided into two categories: Part I, or "Excluded Areas," and Part II, or "Partially Excluded Areas" (Smith, 1991:43). The Kachin hills were labeled as Part I of the Frontier Area, but the small territory around two large towns, Myitkyina and Bhamo, were placed in Part II with rights to electoral representation in the capital city, Rangoon (Smith, 1991:43).

The history of political violence presented in Chapters 2 and 3 underline the significance of the country's legacy of armed insurgency against the state and waves of counter-insurgency that followed. These forms of political violence have given rise to, and been shaped by, Burma's military state institutions, constructions of racialized identities, and ethno-nationalist sentiments — all the while cultured in the crucible of a resource-rich environment.

These legacies tell us about the ways in which the violent foundations of resource politics have been built, and how contemporary violence is enacted in the control over rebel territory, resources, and populations (presented as field case study material). Showcasing the lineage of counter-insurgency — from military-led offensives to a policy of rewarding para-military strongmen with resource concessions to act as counter-insurgency agents — historically locates the political violence out of which ceasefire capitalism and contemporary military state-building efforts emerged. Overall these two history chapters describe Burma's armed political history in order to understand the current political dynamics over the commodification of nature and state-making in the rebel frontier.

Towards the 1970s and into the 1980s at the close of the Cold War, natural resources (poppy, timber, minerals) fueled both rebellion and counter-insurgency forces alike. Burmese military authorities permitted provincial strongmen in the north to engage in business opportunities in exchange for their counter-insurgency services against remaining rebel groups. A strongman's state-backed power and authority (and state provided arms) became the bedrock for the making of a "strongman state" and their associated economies. Strongmen and their provincial economies got an extra boost by gaining formal access to state infrastructure routes to transport their goods, in this case oftentimes opium caravans. The business opportunities on offer to ex-rebel strongmen forged a type of economic counter-insurgency. Ceasefire capitalism beginning in the mid- to late-1990s after a series of ceasefires with rebel groups grew out of these building blocks. I rewrite the historical narrative of political violence and state-building by foregrounding nature and its commodification in armed conflicts and the making of a nation.

Historical structures — what I will refer to as "legacies" — represent material and subjective structures inherited from the far and near past. In the words of Tania Li, "History is front and centre because every element in a conjuncture has a history that actively shapes the present, while at every conjuncture a new history is produced, sometimes deliberately, more often as an unintended consequence of how various elements combine."[2] While the past weighs heavily upon the present, it is not dead weight from a distant past. The way I use legacies is similar to Marx's "structures of the past" where past traditions are a "nightmare that weighs on the brains of the living." Specifically, I anchor my telling of the "history of the present" from the relationship between armed political legacies and the commodification of nature. The materiality of legacies should not be overlooked; after all, it was the material landscape changes that initially led me to my research inquiry. Secondly, I give more space to the possibility of creative resistances arising from legacies, tempering the weight of the past in the present – an aspect I take up in Chapter 7.

[2] Li, 2014:16

Armed rebellion and counter-insurgency over the decades have left their mark on the people who have been caught between rebels and the state, as well as the physical landscape marked by landmines and war trenches, dirt roads and dams, logged forests and mined hills. Each successive political moment has been buried underneath the next, but not without leaving a trace. Each layer of sedimentation reflects the sentiments of the time, layered on top of the old but taking the shape of the present. While racism, militarism, and cronyism were often hidden from me, the changing material landscape was, at least in small pockets, more approachable. The physical environment provided me a palimpsest upon which to study racism, insurgency, and the building of the military state in the rebel frontier.

The place of legacies in political ecology studies has been somewhat overlooked in recent years by the more diverse approaches and methods available to social science studies of the environment. Historically grounded political ecology accounts were fundamental to the earliest monographs, such as Watts (1983), Hecht and Cockburn (1989), and Peluso (1994). The only political ecology text for Burma, Raymond Bryant's dissertation on forestry (1997), stands to this testament of narrating political histories as sedimented in the physical landscape.[3]

More recent political ecology scholarship on political violence brought history back to the forefront. My approach to studying resource politics from the standpoint of legacies of counter-insurgency builds off recent work by political ecologists studying violence and war, such as Peluso and Vandergeest (2011), Ybarra (2012), and Dwyer (2013), among others. These scholars have shown the ways in which contemporary land politics have manifested out of, and remain situated in, histories of militarism, counterinsurgencies, and securitization. My study demonstrates the value in historically situating forms of political violence and state power in the making of human-environment relations. For example, Cold War (counter-) insurgency and the drug trade produced the provincial strongmen who then went on to become the new landlords of the north during more recent economic reforms. My legacy approach offers a contextualized historical reading of the making of race, rebellion, and counter-insurgency in the war to rule — and how resources and ceasefire capitalism come to define it.

Colonial Constructions of Race and Rule

In order to understand the modern construction of racialized identities in Burma and how it relates to pinning "race" to the optics of rule, one must start at the British colonial era. The post-colonial Burmese government and society heavily borrowed from colonial-era constructions of racialized identities, geographies, and national belonging. These legacy structures still shape state-society relations today; understanding their constitution shed light on the birth of ethno-nationalist rebellions and contemporary notions of belonging in the Union of Burma.

From Indian slaves to moneylenders (or Chettiars)[4], from Burman paddy producers to ethnic minority upland swidden farmers, colonial British rule structured society according to

[3] But since post-structural political ecology found its footing, the importance of historicizing changing socio-natural relations took a more back stage position in political ecology methods and approaches.

[4] On Indian Chettiars (also written as Chettyiars) and the colonial economy in Burma, see Brown (2005) and Adas (2011). See the corn case study in Chapter 5 for more details.

racialized notions, where racial categories were assigned different functions.[5] Unbeknownst to the officers at this early stage of the expanding British Empire, so began the colonial experiment in what J.B. Furnivall had labeled the "plural society."[6]

As the British pushed north into the geographical frontier populated by non-Burmans, they brought their categories of rule with them. The 2nd Anglo-Burmese War in the early 1850s resulted in the British taking control over what was then called "Upper Burma," the political center of pre-colonial Burma that housed the last capital of Mandalay. British intentions for Upper Burma were revealed soon enough: they passed a treaty in 1867 that banned royal monopolies under Burma's last royal family, headed by King Thebaw.[7] These colonial laws were meant to give full legal support to British Empire traders who were trying at the time to gain more prominence in Upper Burma. The mostly Scottish companies, perhaps most prominent among them the Bombay Burmah Trading Corporation,[8] pushed their way into Upper Burma's resource trading networks around Mandalay and up into the Shan plateau.

The push north beyond Rangoon had a purpose beyond merely sacking the Burmese monarchy and its capital. The British were also very keen to find an overland trade route that could ultimately connect the British Empire to China. British officers fantasized about constructing a railroad to connect Burma to southwest China via Bhamo town in southeastern Kachin State, despite serious physical impediments. Investing in infrastructure development to connect Upper Burma's vast natural resources to China's markets was a race against time to counter France's attempts to do just the same. The French were left scrambling to link up French Indochina to Chinese markets via Tonkin's Red River Valley.[9] The Mekong River rapids, high mountain passes, malaria and monsoon floods kept the prospects of a booming overland colonial trade a distant dream. Meanwhile, legacies of familial cross-border trade between and among ethnic clans kept apace.

---

[5] Furnivall (1960:46). Indians quickly became the operators of the British colonial project in Burma. Not only taking administrative positions, but also skilled labor to manage the colonial economy, unskilled labor in the cities and towns, and as moneylenders (chettiars) serving Burmese peasants. At its height, perhaps as much as 80,000 Indians immigrated to Burma every year (Furnivall 1960:89), where by 1931 more than 10% of the country's population was "foreign" (despite Upper Burma being mostly indigenous Burmese), and upwards of two-thirds of the largest towns being foreigners (Furnivall 1960:117). This drastic demographic change had serious consequences for the indigenous population during that time, and continues to the present day. The British found it too expensive and inefficient to train Burmese to take on these new colonial positions, and so brought Indians to Burma instead so that "all that was not European was Indian" (Furnivall 1960:116). Burmese were mostly displaced from jobs they had before, which was one of the drivers of pushing Burmese into the paddy labor pool (Furnivall 1960:90).

[6] Furnivall (1960:306). Furnivall's concept of "plural society," first coined in Java with regard to ethnic Chinese and then applied to Burma, is based on a transformation of organic social communities into individualistic and separate racial sections with incomplete social lives—it can be attributed to economic forces engineered by the colonial regime and experience. In the words of Furnivall, "All living side by side, but separately, within the same political unit...[where] even in the economic sphere, there was a division of labor along racial lines" (1960:304). In other words, different racialized categories of people may mix but do not combine. The colonial idea of a "plural society" has since been rebuked (see, for example, Coppel, 1997).

[7] There were some exemptions, however; notably timber and precious stones were omitted.

[8] Keeton, 1974

[9] Keeton, 1974:164

Colonial capitalism in the region continued to build up and push out into the ethnic minority frontier. While Burman smallholders cleared the Delta wetlands to plant paddy on Chettyiar credit in what would eventually become the world's rice basket, colonial companies laid open teak forests and underground minerals and gems further north into non-Burman territories.[10] As British (and Scottish) business interests grew in Upper Burma, the third and final Anglo-Burmese War broke out — and just as abruptly ended the same year, at the end of the 1885 monsoon. As the Nineteenth Century came to a close, British colonial discourse shifted from laissez-faire capitalism to one defined by welfare. In response, colonial regimes engineered different spatial scales of administrative units to more closely govern Burma's diverse population. The same principles the British applied to managing the colonial economy became increasingly applied to managing populations.

Hereditary Burman chiefs who governed over a collection of villages within a given area became what the British then called "circle headmen," who were to be responsible for the administrative "circle" unit under British rule. At the beginning, the hereditary-turned-administrative headmen largely maintained their agency in ruling practices, responding to variant village conditions. But after the 1886 Village Act to promote greater "effectiveness" in ruling over the "natives," these men were transformed into local village administrative officials. The act marked the official departure from ruling over populations under customary law to that of administrative *territories* under statutory ruling.[11]

But the colonial transition from indirect rule to territorial rule was initially reserved only for the Burman populated valleys. Outside of the vast watery plains of Ministerial Burma stood the hills of the Frontier Areas where ethnic minority populations resided. The British subjected these highland areas to different forms of rule than in Ministerial Burma. Frontier Areas were administered more as vassal states under indirect rule, where indigenous clan leaders (or hereditary "chiefs") remained the traditional rulers.[12] Apart from chiefs paying tributes to British officers— very much like the Burmese kings during the pre-colonial period — these ethnic minority areas remained geographically remote to the colonial center and largely irrelevant to the governance system under the colonial state.[13] The non-Burman uplands existed instead as a site for colonial companies, mostly Scottish, to extract and trade in natural resource. **Figure 8** below illustrates a colonial era map of these geographical divisions of rule.

[10] Bryant, 1997
[11] Furnivall, 1960:74.
[12] Leach, 1964
[13] Taylor, 1982:8

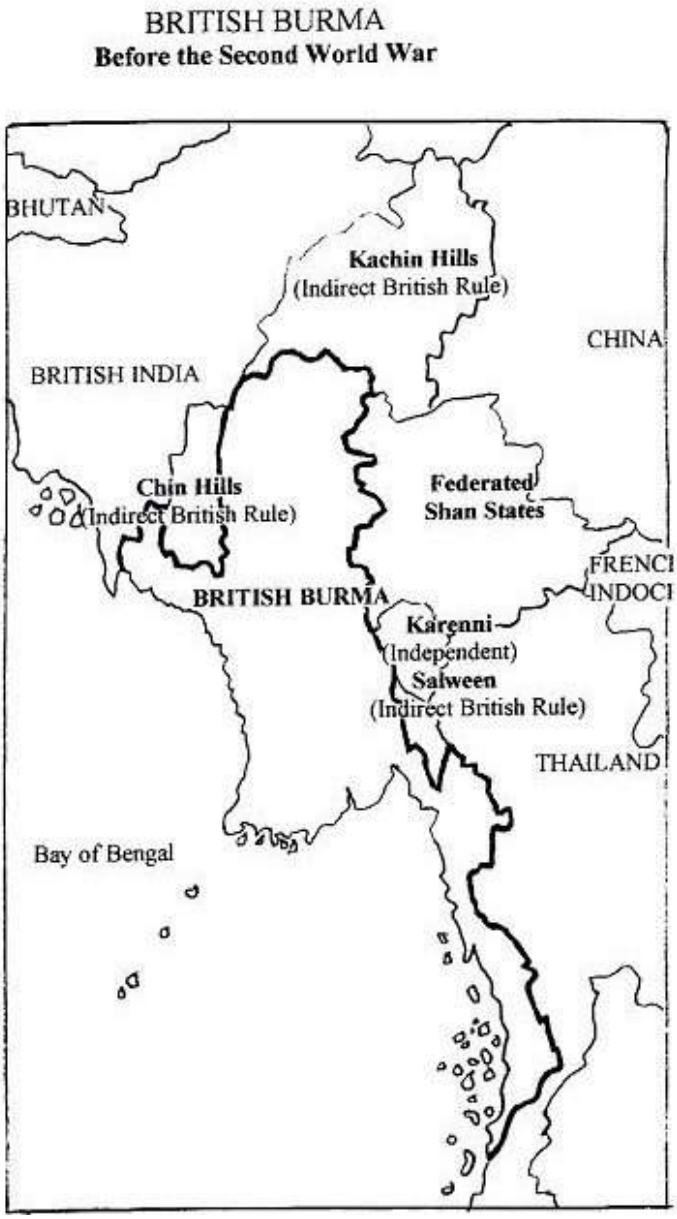

Figure 8. *Colonial map of Burma, divided between British Burma and Frontier Areas under indirect rule. Source: Euro-Burma Office (EBO).*

The colonial British devised a "divide and rule" strategy based on categories defined by notions of race in relation to the Burmans and their lowland agro-ecological practices. Different racialized populations were pinned to different paths of political and economic development according to colonial visions of modernity, and applied only to the "right races."[14] Burman paddy villages in the irrigated valleys and plains were taxed and governed directly by the state vis-à-vis village administrative officials. Colonial capitalism developed these lowland areas into industrial zones of production under smallholder labor schemes for the global

[14] Smith, 1999:43

economy. Frontier highland villages populated by non-Burmans, on the other hand, remained under rule by customary chiefs. The various ethnic minority communities continued to practice traditional agricultural methods, namely upland swidden rice production using native seeds, while colonial corporations used Indian labor (many of whom were convicts) and some hired local labor to extract teak and minerals.

Race and revolution

As the Twentieth Century progressed, and especially as Burma's Delta paddy economy crumbled in part due to the 1930s Great Depression, resistance to the British colonial state grew stronger. This section demonstrates how strengthening ethno-nationalist sentiments in support of independence mobilized around racial categories that echoed colonial-era constructions. By the 1940s, Burman urban residents and Burman rural peasants, especially those paddy farmers who had lost their land from debt in the first few decades of the 1900s, had organized themselves to fight against British occupation. Their Anti-Fascist Organization (AFO) (which later came to be the Anti-Fascist People's Freedom League, or AFPFL), was founded by Burman Buddhist nationalists during World War Two, many of whom became the founding fathers of post-independence Burma. Most famous among them was Major General Aung San, the father of Aung San Suu Kyi. Meanwhile, Burman leftists — championing socialism to free their country from imperialism and a landed gentry — had been gaining ground across the paddy villages. The pro-independence Burman organizers were quick to discover that indebted and landless peasants were easier to mobilize under a socialist banner.

Urban-nationalist and peasant resistance struggles intensified during and after the Second World War as British and French colonial repossession came on the heels of Japanese occupation.[15] During this time, colonial racialized categories were further deepened and deployed. In Burma and also throughout Indochina, ethno-nationalist struggles for independence encouraged ethnic majority groups to claim their freedom as national citizens.[16] Ethnic minority groups similarly joined struggles for freedom in part based on their racial identity. Some ethnic minority groups, such as the Karen, fought on the side of the British. Others, like the Kachin Levies, fought with US troops and the Chinese in the Sino-Burma borderlands. Associating certain ethnic minority groups with foreign powers essentially extended the colonial-era "divide and rule" strategy among ethnic populations and the Burman majority.[17] Meanwhile, the Burman nationalist movement united under the *Dobama Asiayone* ("Burmans' Association") to fight against foreign occupiers. Although they began by aiding the Japanese against the British, they quickly changed sides after realizing that Japanese oppression was even worse. During the many convolutions of WWII, different ethnic groups came to stand at opposing political sides, with many non-Burman groups siding with the colonial British who enjoyed their indirect rule status in the Frontier Areas.

The fight for independence essentially solidified two institutional "Burmas" out of the colonial legacy of racialized geographies of rule. The political "center" of mostly Burman-

[15] Furnivall, 1960
[16] Stuart-Fox, 1996
[17] Smith 1994:23; 1991:62

populated areas (the Delta Region, central plains, and parts of Tennesserim), with a colonial army of (Anglo-) Burmans, Indians, and some Karen, made up Ministerial Burma and what was to become the paddy nation. The Frontier Areas, on the other hand, comprised the non-Burma ethnic minority populated uplands, whose inhabitants were loyal to the British leading up to World War Two and thereafter.[18] The idea of two Burmas is not just a helpful metaphor to explicate the deep divisions over political geography and notions of race and belonging; a British officer penned an internal white paper that proposed this solution as a way to deal with the country's divisive political terrain.[19]

The AFPFL, on the other hand, supported a resolution to establish a national army that would draw from the remnant armed factions across the country. Mary Callahan, in her groundbreaking book on Burma's history of post-colonial state building, writes that "conspicuously absent from these plans about the post-war army were any considerations of the people inhabiting the frontier regions of British Burma."[20] The ethnicity-based structural divisions in different geographic regions of the country during the world war and the fight for independence immediately thereafter thus arguably started to resemble a "race war."[21] General Aung San, who would be known as the martyred father of independence, believed in a "Unity in Diversity" approach to ethnicity and the state, and was therefore a uniting figure for the colonized nation, although clearly not without his enemies.

> *The essential prerequisite is the building of one unified nation. In concrete terms, it means we must now bridge all gulfs now existing through British machinations between the major Burmese race and the hill peoples, the Arakanese, the Shans and unite all these peoples into one nation with equal treatment unlike the present system which divides our people into 'backward' and 'administered' sections. All the natural barriers that make mutual associations and contacts shall be overcome…*[22]

At a 1946 conference organized by Shan *Saopwas*, or hereditary chiefs, in Panglong town in Shan State, heads of state led by General Aung San and some ethnic minority clan leaders discussed political federalism. One Kachin elder in attendance summarized the tensions over race and geography in the making of a future Burma:

> *For the hill peoples the safeguarding of their hereditary rights, customs and religions are the most important factors. [Only] [w]hen the Burmese leaders are ready to see this is done and can prove that they genuinely regard the hill peoples as real brothers equal in every respect to themselves shall we be ready to consider the question of our entry into close relations with Burma as a free dominion.*[23]

[18] Callahan, 2003:93

[19] The proposal was not taken too seriously by most officials, however (Callahan, 2003:94).

[20] Callahan, 2003:94

[21] Selth, 1986

[22] Smith, 1999:76

[23] Smith, 1999:74

As post-war state building gained speed among Burman nationalists, what became known as the *Panglong Agreement* argued for equal rights for all recognized ethnic groups within a proposed federal state with the right to secession. The Agreement did not emerge without many points of contention and misunderstandings, however.[24] The "Unity in Diversity" sentiments represented by General Aung San and committed to text in the Panglong Agreement became encapsulated in the country's 1947 Constitution on the eve of independence. Nonetheless, not everyone in Burma remained convinced. Within months of independence in early 1948, the Communist Party of Burma (CPB) were the first to launch an armed rebellion against the new independent Burmese government. A Karen separatist group (who would later become the Karen National Union, or KNU) began their own armed revolution, which then went on to be one of the world's longest running insurgencies—only signing a ceasefire in 2012 with the new government.

Just one year after independence, perhaps up to 75 percent of towns within the territory of Burma's paddy nation had fallen to the communists or the Karen armed insurgency.[25] Callahan poignantly summarized the 1940s as being knitted together with "networks of armed guerrillas and soldiers fighting against the same enemy but fighting for very different visions of the future."[26] The Second World War had provided military training for many of the country's ethnic minority men, particularly for the Karen and Kachin, who would then soon turn against the newly independent paddy nation.[27]

Insurgency and the Building of the "Strongman State"

The state of insurgency just after independence set the stage for the making of Burma's provincialized "strongman state." This section traces the origin of provincial strongman politics and ethno-nationalist armed rebellions in Burma's state-building era under parliamentary democracy (late 1940 to early 1960s). Concern among ethnic minorities grew over further political marginalization of those not Burman (and Buddhist) in Burma's Union. Ethno-nationalist leaders galvanized these popular sentiments in each of their locales. Armed rebellions soon spread from Karen who lived in the Deltic low-lying waterways, up to Shan (a Tai ethnic group) paddy villages dotting the valleys on the Shan plateau, and then around the mountainous periphery. The making of a post-colonial "insurgent / strongman state" set the country on the course of civil war and counter-insurgency until today.

The making of the strongman state

The armed strongmen (described in greater detail in chapters 4, 5, and 6) granted land concessions since the 2000s arose out of the state-building processes just before and immediately following independence from the colonial British. Armed strongmen bolstering Burma's state-making efforts during the initial stages of independence left a strongman state legacy that continues to shape contemporary resource politics and governance today.

[24] Walton, 2008
[25] Callahan, 2003:115
[26] Callahan, 2003:85.
[27] Smith, 1999:92

Immediately after World War Two, when the British were striving to hold on to their colonial empire, British officers authorized the formation of small militias called "peace guerrillas." Meanwhile, Burman nationalists were busy forming their own militias to help ensure the British did not resume rule over the country after the Japanese departed. The most famous nationalist militia group was the People's Volunteer Organization (PVO), founded by Major General Aung San. The PVO would go on to play an important role in strong-arm negotiations for independence from the British.[28]

After independence in 1948, factions of a polarizing political (communist) left and (anti-communist) right quickly developed within parliamentary state politics. Both sides came to rely on armed strongmen throughout lowland areas of the country to act as state-builders on behalf of the weak state. Several Burman political leaders, for example, formed what were known as *Tat*, which could be considered para-military militia outfits.[29] These "pocket armies" soon proliferated throughout lowland Burman areas as Burman politicians tried to get an upper hand in the struggle for political control over newly independent Burma. Tat units were used as personal security forces as well as for intimidating political foes and engaging in political violence.[30] State officials at various administrative levels also started to establish their own militias, called "levies," to target the growing political power of communists and Karen insurgents.

A few years later the government introduced what were called "village defense forces" to assist the Burma Army in counter-insurgency activities, but these also fell under sway of provincial strongmen.[31] Mutinies within the Tatmadaw were also common, particularly among the Kachin and Karen regiments. This chaotic scene of militias sweeping across the countryside led the country's first prime minister, U Nu, to create the *situndan,* a short-lived special Union police reserve with the aim to defend against communist attacks.[32] The political arena in the 1950s was thus essentially an array of rebels of various political stripes, aptly labeled "multi-colored insurgents" by the government at that time, who were all vying for political power and influence in different geographical regions of the young independent country.

The local strongmen militia units scattered throughout Burma either joined mini-insurrections against the nascent central state, or applied their guerrilla skills to fight against the belligerents on behalf of one or the other of the country's political party factions. Rural counter-insurgency measures — both "scorched earth" tactics and the handing out of commercial licenses to local leaders, guerrillas, and dacoits — became the *de facto* political strategy during the 1950s.[33] In the words of Callahan, "By the time order returned to much of the countryside in the mid-1950s, the state's access to local power holders and rural resources was mediated by leaders of local militia, incipient warlords, and autonomous army field commanders."[34] The agreements between political parties and armed strongmen concerned

[28] Callahan, 2003:36-40
[29] Callahan, 2003:36-40
[30] Callahan, 2003:36-40
[31] Callahan, 2003:143
[32] Callahan, 2003:127-130
[33] Callahan, 2003:137-144
[34] Callahan, 2003:144

"what territory was to be controlled by the Tatmadaw, what territory was to be patrolled and protected by the local politicians' followers, how resources were to be distributed, who could recruit whom, and who had authority over what."[35] Mobilizing armed strongmen to build an independent nation-state from the ashes of colonialism was the beginning of a legacy of conjoining state building with counter-insurgency and armed strongmen, a pattern seen across Southeast Asia.[36]

Fighting the enemy within

By the end of the 1940s, starkly different visions for post-WWI independent Burma came to a crossroads: Burman communists, Buddhist nationalists, and ethnic minority groups who desired greater political freedoms under federalism. The communist party in China won, and consequently the Chinese Kuomintang (KMT) fled from the advancing People's Liberation Army (PLA). KMT remnants moved across an ill-defined international border in south-western Yunnan and settled along the easternmost edges of Shan State.[37] The rise of the Chinese Communist Party (CCP) loomed over Burma's national and regional political affairs just as the young nation was finding its footing against a backdrop of armed rebellion. This culmination of events and revolutionary sentiments would come to define much of Burma's military state-building discourse throughout the Cold War and thereafter.

PLA troops were built up along their common border, with KMT troops with financial and arms support from the United States just on the other side of the border in Shan State. They were worried that their country was becoming the staging ground for a war between the United States and China, especially once the Korean War started. Concerns were mounting that the northern stretches in Burma were being set up as the second front against China.[38] The buildup of US-supported KMT soldiers on the border in eastern Shan State, who ran the territory as a foreign occupying force, provided Burma with a common national enemy— this time, one that was decidedly "ethnic Chinese."

The KMT staking out territory, Karen and Shan armed rebellions mounting, Burmese communists spreading, the CCP and PLA in China pushing up against the border, the United States working with Thai police on the Shan State border: all these amounted to a threat to the nascent Burmese nation-state. But they also presented an opportunity to galvanize support for building a politically and militarily stronger national armed forces to "protect the nation" against these real and imagined threats, both external and internal. The discourse of the "formidable foreign threat" Burmese rulers embraced and projected to the public explains Callahan's description of the efforts to "transform the institution from its post-resistance, decentralized, guerrilla character into one capable of defending the sovereignty of the Union."[39] As the Cold War got underway in the country's backyard, and the nation began to

[35] Callahan, 2003:147

[36] On Southeast Asia "strongmen," see Ockey (1993), Trocki (1998), Sidel (1999), and McVey (2000), among others.

[37] Gibson and Chen, 2011

[38] In hopes to quell any uncertainty in Sino-Burma relations, the Burmese government under U Nu was the first foreign non-communist country to recognize the PRC in 1949.

[39] Callahan, 2003:159

rebuild its military governance system, Burma shifted its attention northward to Shan State (and then Kachin State). The armed politics that quickly took shape in these hills of northern Burma — on the heels of the departed British, who left the country to its own devices — was to leave a lasting legacy of the war to rule over their own society.

The U Nu Burmese government in the early 1950s declared areas of Shan State under martial law, justified at first as being necessary to deal with the KMT incursion. The Shan population and customary saobwa chiefs then nervously watched as Burma Army troops and officials poured into the Shan plateau just northwest of the former capital nestled alongside the expansive Irrawaddy River.[40] What was considered by many Shan people as a Burman intrusion, but justified by the Tatmadaw as being in the name of "national security," sparked a rapid spread of Shan nationalism throughout the paddy valleys of the plateau they populated. A British embassy official noted in 1953 after returning from his trip to Shan State that the saobwas were probably correct to think that the imposition of martial law was more in response to "their resistance to the re-shaping of administrative boundaries…by which they lose ancient feudal rights."[41] After tense negotiations, military generals pressured saobwas from each principality, many of whom themselves did not see eye to eye on political matters, to give up their traditional territorial authority to the Union government. The Shan saopwas were made "princes" in name only, and watched from the sidelines as their principalities and village community members came under rule by Burma Army officers. For the first time, Burman soldiers now acted as military administrators for village affairs.

Kachin leaders in Kachin and northern Shan States led their own ethno-nationalist rebellions. The Tatmadaw gained national strength and confidence as the protector of the Union. But the "Union" in this sense was to be made in the image of a non-communist, Burman, Buddhist lowland paddy society. The Shan and Kachin chiefs, known as *duwas*, who ruled over most areas of northern Burma started to become more distrusting and suspicious of their political slot in the Union. As the 1950s came to a close, several Shan and Kachin leaders staged their armed revolt against the Burmese state out of a "growing sense of frustration, expressed by virtually all the minority peoples in Burma, with the progressively more centralized and Burmanized form of government in Rangoon… [that takes] little account of their opinions or needs," according to the scholar on ethnic Burmese politics, Martin Smith.[42]

Meanwhile, the Tatmadaw consolidated more power through what some labeled as "accommodationist politics" with armed strongmen across the country. Increasingly confident, the Tatmadaw began to shift their more conventional military counter-insurgency strategy to one that was more geared towards winning the "hearts and minds" of the populace. The change in military state tactics was in part due to the growing village presence and political power of the predominately Burman communists under the banner of the Communist Party of Burma (CPB). Within the increasingly powerful Psychological Warfare Branch, more discursive strategies were developed. Chief among these was media outreach, to co-opt Burman villagers potentially sympathetic to the communists and instead inculcate sentiments of national

[40] Smith, 1999:190-191
[41] Callahan, 2003:158
[42] Smith, 1999:192

belonging and a "modern" citizenry.[43] By the end of the 1950s, the Tatmadaw consolidated power over their political competitors; by default, they became the central "unifying" figure of the reborn nation. The Tatmadaw declared they kept its citizenry safe from foreign intruders (the KMT) and against home grown insurgents (the communists and armed ethnic rebels).

In 1958, an initial "military caretaker" government took power led by the charismatic General Ne Win, who would go on to lead a full military coup four years later. The first task was to dole out the country's most lucrative businesses to the Defense Services Institute (DSI); after which it became the most powerful business organization in the country.[44] But the DSI's power was not limited to economic affairs. The military was to govern all facets of the country; civil servants were immediately sacked and replaced by military officers loyal to the Union Armed Forces. At this political moment, the military turned "officers into state builders and military-as-institution into military-as-state itself," notes Callahan.[45] The military's role in economic affairs would continue unabated during the socialist period, the prevailing notion of which was a strong Stalinist state.[46]

General Ne Win abandoned the previous "Unity in Diversity" strategy upheld by General Aung San, and to varying degrees the U Nu democratic government. The military dictator outright rejected the proposed federal structure enshrined in the Panglong Agreement (which had subsequently become the benchmark for the 1947 Constitution). In its place General Ne Win adopted a twofold strategy to govern the country, one that happened to build on the colonial legacies of racialized rule that split hills ("Frontier Areas") from valleys and plains ("Ministerial" Burma). Amnesties were extended to many of the communists who gave up fighting, as well as to other Burman insurgents. But in the mountainous periphery, an entirely different approach was taken. In this hilly terrain, military officials followed a strategy of indirect rule with provincial strongmen and (former) chiefs. These state tactics went hand in hand with a decreased tolerance for anti-state insurgents.

Ethno-nationalist rebellions

A centralized, one-party military state radiated out from Rangoon and the paddy plains up into the ethnic minority populated hilly states.[47] To the surprise of many Westerners, the "General's government" adopted a Lenninst-style state ideology, called the "Burmese Way to Socialism," which in reality meant military authoritarianism that tightly controlled social, political, and economic lives. The Burma Socialist Program Party (BSPP) became the country's one legal political party. Military leaders recognized that the only way to win over the rural population against the Burman communists was to beat them at their own game. The BSPP capitalized on the still potent colonial-era grievances felt by tenant farmers and the urban unemployed. And so, it came to be that the BSPP promulgated new laws and policies meant to support "land to the tiller" and peasant cultivation rights as a result (see Chapter 3). But

[43] Callahan, 203:183, 205
[44] U Thaung, 1990
[45] Callahan, 2003:206
[46] Mya Maung, 1991
[47] Smith, 1994:25

implementation only really extended to the Burman paddy strongholds in the Delta, and to a lesser extent the Central Dry Zone, where communist infiltration had been most successful. Burman communists, on the other hand, were being violently rounded up. After a split in the ranks over different communist ideologies, a faction of the party decided to take up arms against the state and move underground in the late 1960s.[48] From their Pegu hill forest stronghold now less than a day's drive from Rangoon, a faction of surviving Burman communists moved up to the Wa hills on the China border in northeastern Shan State, just a few day's walk from the main KMT stronghold.

Ethnic minorities who felt disenfranchised by colonial rule, or by its departure for some Karen communities, largely remained "off the map" with the BSPP's handouts. The Tatmadaw engaged with the KMT and underground communists on the Yunnan and Thai borders. In response, various ethnic minority groups throughout much of Shan State formed political organizations that then turned to armed revolution. Meanwhile, state administrative structures that were put in place after the forced removal of traditional Shan saobwa rule added salt to open wounds. The Kachin, who previously had fought alongside the British and then with the Burmese military (e.g., Kachin Rifles),[49] similarly lost faith in their place in the Union. In 1960, Kachin clan chiefs (duwas) rose in revolt at the Burmese government's demarcation of the Kachin State-Yunnan border (the markers for which I happened upon in my fieldwork, as noted at the start of this chapter). Among other contentious results, the demarcation handed three Kachin villages over to China.[50] General Ne Win imposed Buddhism as Burma's official state religion the same year, providing the hair that broke the camel's back for the Kachin.

The growing frustration and resentment at the Union government's continued neglect of the Kachin region, the distant imposition of the national border, and feelings of religious persecution gave impetus for the formation of the first armed Kachin rebellion against the state. The well-known and regarded Kachin student fighter Naw Seng formed the Kachin Independence Organization (KIO) in 1961. They demanded the complete secession of Kachin State from the Union.[51] The KIO's armed wing, the Kachin Independence Army (KIA), fought against not only the military government, but also at various times against other armed political opposition groups, notably the Communist Party of Burma (CPB) who most Kachin found hard to tolerate because of Kachin's strong Christian faith. That being the case, the KIO to a significant degree had to rely on the CCP, and by proxy the CPB, for access to funds and arms: the result of which was a short-lived marriage of political convenience.

The CPB sought to win over the diverse "national revolutionary minorities" in the region which, according to Maoist theory, should be enlisted in the communist cause.[52] Their main target in 1967 rested on the KIO, which had already overrun most of the Chinese border region

[48] Lintner, 1990

[49] The first major post-war Kachin political body to emerge included the Kachin Youth League, who closely allied with the AFPFL and who sought to incorporate the Kachin into the Union Burma (Taylor, 1982:15).

[50] General Ne Win and Zhou Enlai met in Beijing to sign the Boundary Agreement, along with a ten-year Treaty of Friendship and Mutual Non-Aggression (Smith, 1999:157).

[51] Smith, 1994:39

[52] Smith, 1991:251

in Kachin State, and some of the areas in the northern Shan State.[53] In the second half of 1967, a KIO delegation went to Beijing to sign an agreement with both the CPB and the CCP officials for full military support, but on the condition that aid would have to pass through the CPB.[54] Until the CPB's collapse in the late 1980s, the CPB had maintained large warehouses filled with Chinese arms and ammunition in base areas dotted along the Yunnan border. In fact these stockpiles were so great that the CPB itself became a major arms broker to other ethnic insurgent forces in north-east Burma well into the 1980s.[55] The alignment of the KIO with the CPB forces did not last long, however, and by mid-1968 the agreement lost favor, with the KIO and the CPB forces fighting against each other again.[56] By the 1970s the KMT started to play an intermediary role for ethnic rebel groups to secure weapons and trade routes.[57] This was especially true for those ethnic rebel groups, mostly Christian, who had a more uneasy political alliance with the CPB, such as the KIO.

Burma's post-independence government championed the expropriation of foreign-owned land and the reduction of landlordism as a way to bring aggrieved villagers into state machinations. But these state efforts were mostly limited to the state-centric Burman lowland areas in the paddy nation, where the communists had a potential allure. The BSPP's geography of rule thus only served to further alienate non-Burmans, especially those living in the hills engaged in customary agro-forestry practices under the rule of traditional authority. National governance was placed on top of existing racialized divisions in a hill-valley society — divisions exacerbated by armed political alliances during British rule, the Second World War, and the first decade of accommodationist alliances with rural strongmen.[58] In the words of Martin Smith, "Once again, as in the 1930s, the 'Burma for the Burmans' call was frequently heard and, though never officially admitted, was an important rallying cry for the BSPP cause."[59]

As the Cold War got underway, non-Burman hill populations perceived the Burmese military state as alien to their beliefs and society, harmful to their welfare, and not having their best interests in mind. The racialized cleavages that mapped onto the country's undulating terrain were described by a Shan saobwa scholar as a "vertical dysfunction between the state and the significant non-Burman segment of the border society."[60] The unaddressed political and economic grievances among upland ethnic minority populations — and for those Burman communists who themselves fled for the hills away from the fomenting military socialist state — were soon fully channeled into coordinated anti-state armed revolutions. Civil war quickly ensued in earnest, bringing together a mix of armed groups in shifting alliances. These included ethnic minority rebel groups; the underground CPB fueled by the CCP's ideologies, arms, and funds; and the KMT, backed by the United States' CIA and Thai police authorities. All these

[53] Smith, 1991:251
[54] Smith, 1991:251
[55] Smith, 1991:302
[56] Smith, 1991:252
[57] Smith, 1991:251-2
[58] Land reforms after 2012 has carried out this pattern of governance yet again, as I argue in Chapter 4.
[59] Smith, 1999:225
[60] Yawnghwe, 2001:7

armed coalitions and factions hid out in the Burma-China borderlands, which is precisely where the Burmese military then turned its full attention.

The People's War

The ways that counter-insurgency played out in Burma during the Cold War as detailed in this section went on to shape how ceasefire capitalism functioned after the end of war and the socialist period. The following section presents an overview of the history of state-backed political violence against insurgents during the Cold War. Remnants of rural organized violence from the independence struggle, as led by the PVO and tats described earlier, morphed into armed strongman politics, as this section will demonstrate. Some of the armed strongmen that came out of the military-government's counter-insurgency program are the same warlords who have capitalized on cross-border Chinese investments since the 2000s to become the north's landlords.

A foreign Chinese occupying force, a domestic Chinese-funded communist insurgency, and ethnic minority rebel organizations scattered around the geographical periphery of the country prompted the Union Burma Army to devise a series of counter-insurgency campaigns. The Burma government relied on the political support of armed strongmen in the countryside to bolster their political acumen among their Burman countrymen vis-a-vis the communists, the KMT, and Karen insurgents. But by the late 1950s and into the 1960s, the Union government and its Tatmadaw forces consolidated much more political power in Burman areas, posing a direct political threat to the communists. After a successful *Operation Mekong River* in 1961 led by the Tatmadaw and supportive militia units against the KMT in Shan State, the KMT ceased to be much of a threat to the stability of the Union.

Starting in the 1960s when ethno-nationalist armed organizations formed across the ethnic frontier, a total "people's war" took shape under the direction of the "General's government" that would set the tone for state building for the rest of the century. After General Ne Win took over the country's government in the 1962 military coup, the reliance on armed strongmen in consolidating state power became even more paramount. By the time that the Cold War got fully underway, the Burmese state already had a two-decade head start in experimenting with accommodationist politics with armed strongmen. The various types of strongmen militia leaders could be called upon by the Tatmadaw to politically and militarily target existing rebel groups. This method was not unlike strategies used during the 1940s to help champion independence, and then in the 1950s to assist post-independence nascent political leaders and drain support away from the communists in the hinterlands. New life was breathed into the legacy of strongmen in state-building throughout the Cold War period. Starting in the late 1950s, strongmen operated even more as counter-insurgency agents, this time targeting communists, the KMT, and ethnic minority rebel groups.

Beginning in the 1960s, a crucial change took place in how strongmen were enticed and managed by the centralized military state: political violence started to become intertwined with natural resources. As a reward for their political patronage to the military, Union generals granted strongmen economic concessions of various sorts. They particularly favored granting permission for opium production and trade. This was especially the case for the drug economy,

which started to pick up at around that time. The sanctioned clearance to tax and trade in opium (and later other natural resources) starting in the 1960s set a precedent for how counter-insurgency and resource politics would come to define each other in the 2000s.

The state of counter-insurgency

As General Ne Win sought to drain rural support for the leftist communists by establishing a single authoritarian socialist political party, the Tatmadaw were establishing new para-military militias to counter the spread of ethno-nationalist rebellions. To accomplish this monumental task, however, the Tatmadaw would need to once again enlist hundreds of elite ethnic strongmen who could rally a loose cadre of armed villagers to fight ethnic insurgents on behalf of the Union's Armed Forces. This was the moment when armed strongmen were emboldened by the political machinations of a more powerful military state—a stepping stone to how some of these same strongmen would go on to become landlords in armed conflict territories described in the empirical chapters to follow.

Three main components emerged from the Tatmadaw's newly developed anti-insurgent strategy, known as the "Doctrine of People's War."[61] Village "pocket armies" (or tat) from the decade prior laid the groundwork for the first officially sanctioned (if even in secret) counter-insurgency component introduced in the 1960s, known as "people's militias" (*pyithusit* in Burmese). The introduction of pyithusit essentially institutionalized tat units into the nation's military, and as we will see, military-state building apparatus. The people's militias were at first deployed only in lowland Burman areas susceptible to communist takeover. The Tatmadaw's intent on forming a people's militia strategy is in part explained by a placard at the Defense Services Museum in the nation's new capital, part of which reads:

> *The 'military operation force' of a country means waging combat against the enemy not only utilizing the armed forces organized by irregular means but also with the support of organizations made up of all members of public. If the conventional military operations by regular armed forces fail, the members of public as part of the country's military operation forces are to continue in guerrilla tactics. If the whole country falls in the enemy's hand, the regular armed forces together with mass organizations must organize people's militia groups made up of all public members to wage counter-attack with utmost effort aiming for absolute defeat of the enemy.*[62]

But in 1973 the people's militia (pyithusit) program expanded to include — and predominately target — ethnic minority populated upland areas overseen by respective

[61] Maung Aung Myo (2009); Nakanishi (2013). The Tatmadaw borrowed from the concept of "total war" but with "emphasis on the participation of the population in countering external and internal threats" (Buchanan, 2016:10). While during the 1960s this was the more secretive (yet hallmark) doctrine of the Tatmadaw, in 1972 the BSPP — as the nation's political party — formally adopted the doctrine of people's war as a national formal policy (Maung Aung Myo, 2009:131-5).

[62] Unofficial English translation in Buchanan, 2016:58

regional military commanders.[63] The expanded power and geographical reach of militia-led counter-insurgency units, authorized by a newly created *Directorate of People's Militias and Public Relations*,[64] was largely in response to a faction of the CPB going underground and arming themselves in northeastern Shan State in the late 1960s. The strongmen militia leaders in northern Burma in the 1970s were thus to provide support against both ethnic insurgents and CPB units, who were attracting more foot soldiers among ethnic villagers. By the mid-1980s, an estimated 35,000 rural villagers belonged to various people's militias.[65]

Before militia units were expanded into ethnic minority upland areas based on their initial success in fighting off the communists, the military adopted a "scorched earth" policy in upland rebel areas. Burmese soldiers burnt whole villages to the ground if suspected of supporting ethnic rebels, and destroyed infrastructure that rebels relied on. The second element, known as the "Four Cuts" policy (*pya leh pya* in Burmese), was deployed in areas under threat from ethno-nationalist rebel groups. Its implementation cut off food, funds, intelligence, and recruits to armed resistance groups. Martin Smith summarized what the Four Cuts counter-insurgency policy meant in practice to villagers living within the vicinity of insurgent activity:

> *Any villager who remained, they were warned, would be treated as an insurgent and ran the risk of being shot on sight. After the first visit, troops returned periodically to confiscate food, destroy crops and paddy and, villagers often alleged, shoot anyone suspected of supporting the insurgents. It was, they claim, a calculated policy of terror to force them to move.*[66]

The policy was operationalized by coding the country's political geography in three different colors based on territorial authority: "white" (or "free") for government, "black" for insurgent, and "brown" for mixed authority (between government and insurgents).[67] The idea was for the military to target the black and brown areas and wipe them clean until the whole map turned white. The Tatmadaw regional commanders devised slightly different anti-insurgent tactics for the black and brown coded areas. "Scorched earth" methods were exclusively used in so-called black areas, which amounted to raiding and burning down ethnic minority villages on the assumption that all ethnic minority villagers — by mere fact of living in an insurgent controlled "black" area — supported the rebels that belonged to the villagers' same ethnic identity group. Burmese soldiers were under shoot to kill orders, as anyone in the "off limits" black zone was considered an enemy of the state. According to Martin Smith, "ethnic nationalists claim[ed] there was an undeniably racial element in planning and carrying

[63] After the expansion, people's militia units covered, according to the military's own admission, 212 townships and 1,831 villages, with 67,736 members, and equipped with 15,227 firearms (Buchanan, 2016:11).
[64] In 1990 this was later to be reformed and called the *Directorate of People's Militias and Territorial Forces*. The addition of the territorial component in the name speaks to how population governance increasingly took on a more territorial nature.
[65] Selth, 2002:78
[66] Smith, 1999:259
[67] Rebel groups, however, would refer to the territories they govern as "liberated" to signify their political position on who is the oppressor and who the liberator for freedom.

out these attacks," whereby "such operations usually did little more than push insurgent forces deeper into Burma's great mountains and forests."[68]

Instead of perhaps swaying ethnic minority populations away from siding with rebel groups, Burma's version of the "people's war" forced hundreds of thousands of villagers to flee to more remote forests higher in the hills. This was, of course, exactly the terrain of the rebel groups. Traumatized villagers who were on the run from Tatmadaw forces were, not surprisingly, thus further persuaded to side with rebel groups, if nothing else for the protection they afforded against Tatmadaw offensives.

Instead of following their Southeast Asian neighbors in placating their domestic communist uprisings, Burma's military adopted regional counter-insurgency strategies to fit their own political context and state-building aims. In Malaysia, the British under the direction of Sir Robert Thompson devised "new village" tactics to defeat the Communist Party of Malaysia (CPM).[69] The tactics were largely appropriated (at Thompson's urging) from the US's "strategic hamlet" program deployed against the Viet Cong.[70] The "hearts and minds" approach used in Malaysia and Vietnam largely dropped out of Burma's Four Cuts policy, however. If ethnic minority villagers were not killed in armed raids, they were ordered to move to new "strategic villages" under military surveillance alongside valley roads. Male villagers of working age who were put into these strategic villages were often conscripted for forced labor by nearby Tatmadaw units, and some were conscripted by para-military units or even the Tatmadaw to fight the very rebel groups from whom they had been kept from assisting.[71]

While certainly not winning the "hearts and minds" of ethnic minority communities living between the rebels and the state, the policy did significantly alter the spatial distribution of ethnic minority villagers and their village settlements. Counter-insurgency tactics that resulted in forcibly moving segments of the population suspected of being sympathetic to rebellion into military-regulated spaces along dirt roads in valleys set a standard practice in state-building that would continue through the 1990s ceasefire period. A populations' ethnic identity and political subjectivities vis-à-vis the state thereby came to define the geography of population settlements. The political terrain of population (re-) settlement marked a fundamental step in the process of state territorialization. The military ruled over the Burmese-named strategic villages using statutory (not customary) laws, appointed village leaders (not hereditary chiefs), and roadside fences to monitor their movements.

The Burmese military first deployed the Four Cuts policy in the southern Delta in the 1950s. The army specifically targeted Karen civilians, as a means of punishing the KNU for taking up arms against the post-independence state. Relatively concentrated Karen populations lived along the banks of rivers, mostly devoid of forests after much of the habitat had been aggressively deforested under the colonial experiment in making Asia's rice bowl. The marshy habitat allowed soldiers to target Karen villagers and isolate them from KNU units, who were then left without the necessary civilian support (not least for food provisions).

---

[68] Smith, 1999:258

[69] Stubbs, 1989; Dennis and Grey, 1996; Leary, 1995

[70] Refer to Thompson (1966).

[71] Smith, 1999:260

But when the Four Cuts policy was applied a decade later against the KIO after the Kachin took up arms against the state, the tactics failed spectacularly. The tactics of the Tatmadaw soldiers from Burma's deltaic swamps were not as effective in the unfamiliar mountain forests along the Chinese border. Among other strategic benefits that worked against the soldiers, the hill forests provided guerrillas and villagers cover to launch attacks against both Tatmadaw and para-military units. Ultimately, the soldiers separated many highland villagers from the insurgents, even though the latter used the international border to their advantage: it served as a kind of "back door" through which they could slip when pressured. Rebel troops were also replenished from the China side.[72]

The north's challenging physical landscape in which to conduct counter-insurgency meant that the military needed help in carrying out the Four Cuts policy against the rebels. A third counter-insurgency component was thus created: the *Ka Kwe Ye* home guard force. Unlike its forerunner (pyithusit), which was initially designed to target communist Burman lowland areas, the Ka Kwe Ye home guard force was exclusively carried out in insurgent "black" territories. One scholar on the country's legacy of armed conflict explained the home-guard program as "local leaders [who] built up small armed units on their own for purposes of self-defense" where "the status as a Ka Kwe Ye militia offered the benefits of official recognition by the state and *economic opportunities*."[73]

Unlike the Four Cuts Policy implemented by Tatmadaw troops, local strongmen were selected to lead home-guard units. When the KIO was formed in 1961, the KIO abolished traditional Kachin duwas. This political move made KIO leaders the sole political authority over Kachin affairs. Some of the deposed duwas turned around and instead accepted the status of militia leaders.[74] Some former Shan insurgent leaders (from the Shan State Army, or SSA) also accepted the Tatmadaw's political and economic handouts to become militia leaders in the territories they held influence over.[75]

Closer to the China border, the military would select ethnic Chinese strongmen, such as "Kokang Chinese," from families who had settled in eastern Shan State for several generations.[76] Most famous and well known of the Kokang Chinese was Lo Hsing Han from northern Shan State, who after being arrested on drug trafficking charges in 1963 conveniently then formed a militia unit in his Kokang region along the Yunnan border (see later this chapter for more on the Kokang). This political arrangement ultimately helped the Tatmadaw to gain degrees of territorial control over this far-flung region whose peoples spoke a dialect of Chinese and looked more towards China than Burma.[77]

Since becoming a newly independent nation, insurgencies subsequently took over many areas of Burma to fight for different political visions for the country and for ethnic

[72] Smith, 1999:261

[73] Buchanan (2016:9), my emphasis.

[74] Interview with former Kachin duwa, Myitkyina, 2014. In a few cases where duwas refused to relinquish their power, they were reportedly killed. Interview with former KIO leader, Myitkyina, 2014; Interview with Kachin KIO liaison, Myitkyina, 2014.

[75] Yawnghwe, 2010:167

[76] Ethnic Chinese also included immigrants who fled China's communist state or defected as soldiers from the PLA.

[77] See the empirical chapters for more details on Lo Hsing Han and his company, Asia World.

minority groups. The military borrowed counter-insurgency strategies from colonial Empires and applied to other parts of Southeast Asia (for example, British in Malaysia and US in Vietnam) in order to defeat Burma's own home-grown rebellion. Tactics gradually changed over the decades, however. The military enticed strongmen first through the drug trade, and then as socialism came to an end through the further commodification of the environment. The coming together of militarization, counter-insurgency strategies, and valuable natural resources is the origin story of ceasefire capitalism that we see today.

The Commercialization of Counter-Insurgency

As the Cold War waned, the mountain environment rich in poppy, trees, and gems bestowed renewed meaning to the country's armed politics. The rest of the chapter weaves the material environment into the narrative of armed political resistance and counter-insurgency. The ways in which the bio-physical environment and agro-ecologies gave material expression to rebellion and counter-insurgency in the 1970s and 1980s would come to define ceasefire capitalism beginning in the 1990s (detailed in Chapter 3).

Given that funds from China had been drying up since the late 1970s, rebels fighting the government needed to find new revenue streams. By the 1970s and into the 1980s, natural resources fueled political aspirations, with only lingering hints of anti-imperialism. Resources that offered financial rewards to rebel groups similarly fueled counter-insurgency forces. The military's reliance on strongmen as counter-insurgency agents fostered "strongmen economies" (see Chapter 1 for an introduction of the term). In recognition of their service to the military, the military did not interfere in a strongman's economic engagements—in this case mostly the tax and trade of drugs. Rebel leaders, strongmen, and military and government officials cashed in on nature's bounty that was in high demand across the border, in particular gems.

Ne Win's BSPP forced all goods to go through state trading networks. One of the largest economic impacts of its socialist economy was a thriving black market, estimated to be significantly greater than the national, regulated one. On the border with a military socialist state on one side, and the world's largest communist country on the other, Burmese communist revolutionaries embraced capitalist markets to fund their leftist revolution. But the tax and trade of exported agricultural products and imported manufactured goods across the border paled in comparison to opium crisscrossing the hills and borders of Shan State. The trade in drugs (at that time much less so for timber, gems, and minerals) by rebel groups all along the country's porous borderlands provided a much needed financial buttress to armed political resistance…and to militia strongmen. The political opportunity to freely engage in resource rent-seeking was a carrot offered by the Tatmadaw to strongmen to be called upon as counter-insurgency agents on behalf of the military. As the CPB and other ethno-nationalist groups who relied on them for arms were forced to be more "self-reliant" as China gradually withdrew support,[78] natural resources took on a renewed value — especially poppy

After the Burmese communists (as the CPB) went underground and moved up to the Wa Hills in northeast Shan State, their financial survival was mostly based on a mixture of cross-

[78] Lintner, 1999:359

border taxation of trade and aid from the Chinese communists (the CCP). Trade amounted to perhaps two-thirds of the total revenue base, while direct aid reached an estimated one-fourth.[79] With the cutback in Chinese aid (including, notably, arms), the CPB sought to diversify.[80] Although cross-border trade in natural resources, including narcotics, started as early as the Kachin and Shan rebellions of the 1960s, it was not until the late 1970s that resource rent-seeking became a bedrock of rebel activity. Few estimates are available of the prevalence of the black market during the height of the socialist period in Burma. One report estimated that half of the CPB's budget by the late 1970s was derived from taxing traded goods.[81] An unpublished report commissioned by the World Bank estimated that by early 1988 about 40 percent of Burma's annual GNP was accounted for by trade on the black market.[82] The insurgent armies in these remote minority areas allocated revenue from transport and border trade to administration and arming and feeding their soldiers. But the CPB soon found that taxes generated from importing Chinese consumer goods and exporting agricultural products and natural resources (timber and gems) were not sufficient. The CBP's financial insecurity became more dire after the Chinese government opened more border trade posts under Burma government control starting in the early 1980s to bypass CPB choke points.

The CPB's political and financial circumstances at the close of the 1970s, together with political and economic reforms gaining momentum across the region, caused the armed communists and ethno-nationalist rebels to revalue the surrounding natural resources towards the close of the Cold War period. Kachin State's expansive forests and mineral rich valleys provided the KIO a bounty of resources to extract, tax and trade (see below). But CPB units tucked away in the mountainous northern corner of Shan State were more interested in poppies. Poppy production and the tax and trade in opium across the Thai and Chinese borders offered the CPB a financial lifeline to their political armed resistance. In a matter of a decade, communist revolutionary ideology took a back seat to their rapidly expanding narcotics business.

Up until the 1970s the CPB actually had an anti-poppy policy in place. They tried to implement poppy substitution crop projects in the early 1970s with Chinese assistance (who were increasingly concerned about drugs production on their border), but which then fizzled out after repeated failures in the Wa Hills (see next chapter for more details).[83] After Chinese aid was reduced in the late 1970s, the CPB dropped the poppy substitution efforts in lieu of embracing its lucrative trade. CPB leaders only had to look over at their battlefield and ideological enemy the KMT. After the United States government gave up hope in a successful KMT-led invasion into Communist China, KMT remnant posts busied themselves instead as drug runners.[84] The CPB under the leadership of Taik Aung, who had no qualms about trading

[79] Lintner (1999:359). Only an estimated 4 percent of revenue was generated from taxing the population (Lintner, 1999:359).
[80] Smith, 1991:313
[81] Lintner, 1999:359
[82] Smith, 1994:97
[83] Lintner, 1999:360
[84] Gibson and Chen, 2011

in narcotics, then led the CPB to become the new big player in the emerging "Golden Triangle."[85]

CPB units accompanied opium mule caravans from northeastern Shan State to the Thai border in southern Shan State, where an economic alliance between ex-CPB Wa rebel leaders and a KMT outpost made the crossing feasible.[86] For a time, Khun Sa and his Shan nationalist ex-CPB militia, the Mong Tai Army, were the main drug running outfit on the Thai border.[87] He had tenuous alliances with ex-CPB Wa rebel leaders, (ex-) KMT soldiers, and active CPB leaders, who were channeling enough opium and refined heroin across the Thai border to meet rising demand in Asia.[88] These different rebel leaders were either progressively strengthened or torn apart over the burgeoning opium economy.[89]

By the early 1980s, the drugs trade shifted more to territories under the control of the CPB along the China border in response to changing geopolitics. The United States' "war on drugs" during the Reagan years was putting pressure on Thai (and to a lesser extent Burmese) authorities to suppress the out-of-control drugs issue along the Thai border. After Thai authorities partially cracked down on the drugs trade along their border with Shan State, with support from the USA, the cross-border drugs trade shifted to the border with China.[90] The new geopolitics of drugs refashioned the CPB into a functioning narco-army, and the Sino borderlands from which they operated effectively turned into narco-territories.[91]

In Kachin State the Christian-based KIO professed a disdain for communism as well as drugs. The KIO's temporary alliance to the CPB in the 1960s was therefore said to be a tactical choice; they relied on the Burmese communists for accessing arms from their Chinese comrades across the border. Due to ideological differences with the communists, many Christian Kachin rebels hesitated to receive financial support and arms from the Chinese. Resource-rich Kachin State offered rebel group leaders timber, gems and minerals, and agricultural products to tax and trade within their territories. The KIO turned first to their Thailand border post at Ta Ngop to tax and trade jade (extracted from western Kachin State

[85] Chin and Zhang, 2007. The making of the "golden triangle" was set in relation to President Nixon's trip to China and warming diplomatic relations. The term coined by the US's Vice-Secretary of State, Marshall Green, at a press conference in 1971 excluded southwest China's commercial opium growing areas and heroin markets from the Burma-Thailand-Laos drug triangle. Three days after the press conference, Nixon announced his official visit to China in February the next year (Chouvy, 2010). Some scholars argue for redrawing the geographical imaginary of the drugs landscape to be a "golden quadrangle" instead that this time includes southwest China (Renard, 1996; Walker, 1999)

[86] Smith, 1991:351; Lintner and Black, 2009:68. The KMT were already at that time orchestrating the cross-border drugs trade from northern Shan State through to Thailand, with cooperation of Thai police agents on the other side of the border.

[87] Kramer, 2007:40; Lintner and Black, 2009:68-9

[88] Lintner (1999:360). By the early 1990s this network provided half the heroin consumed in the United States.

[89] McCoy, 1973

[90] The drugs trade was at first largely orchestrated by the most well-known Kokang communist party member, Peng Jiasheng, who led the CPB forces into Kokang territory for the first time in 1968 (Lintner, 1999:361).

[91] By the mid-1980s, an estimated 40 heroin refineries were located in territories under CPB's control in northeastern Shan State by the mid 1980s. More than half of the refineries were located in Kokang territory (Lintner, 1999:367).

around Hpakant township) across the Thai border in return for arms.[92] Only after the Thai trade route was mostly closed off to the KIO in 1986 did they rely more exclusively on the China border to export resources, particularly jade, to Chinese markets.[93]

Resources that offered financial rewards to rebel groups similarly fueled counter-insurgency forces. Military state authorities permitted ex-rebel strongmen to engage in business opportunities in exchange for their counter-insurgency services. Strongmen and their provincial "strongmen economies" got an extra boost from gaining formal access to state infrastructure routes to transport their goods. The reasoning to allow strongmen economies to develop was apparently for the counter-insurgency units to be more financially self-sufficient for the cash strapped military regime at the time.

Economic counter-insurgency has since taken hold over the borderlands, whereby the commodification of nature and its extraction, tax, and trade enticed rebels to make money and not war. The economic opportunities on offer in Shan State led to taxing opium caravans, which included using government-controlled roads and towns for trafficking purposes. The convergence of para-military militia strongmen and the drugs economy has been researched in depth by Bertil Lintner, a veteran journalist on Burma's armed conflict and drugs economy. He and his Shan wife have reported since the 1980s on how "the old KKY [Ka Kwe Ye] programme of the 1960s and 1970s had also been based on semi-institutionalised drug-trafficking agreements."[94] Armed organizations also often had gentlemen agreements with state agents on the other side of the borders with Thailand and China, where purchased opium was then often exchanged for more arms.[95]

One of the most prominent strongman underwritten by these counter-insurgency programs was a *Kokang* Chinese[96] named Lo Hsing Han (see below on the Kokang),[97] also known as the "kingpin of opium" in Asia.[98] After his release from prison in a 1980 government amnesty, Lo Hsing Han set up a military camp just outside of Lashio in northern Shan State with the blessings of the regional Tatmadaw commander located in the same city. Lo Hsing Han's new militia outfit fought some of the remaining rebels (that he even used to associate with). In return, he gained access to government-controlled roads and a "jail free" card to transport his goods.[99]

All of this changed, however, when the CPB fell apart in 1989. The CPB army split up into four different ethnic armed forces along ethnic identity lines and racialized territories. The four units were as follows: a sub-group of Kachin in the "101 war zone" around Pangwa and Kambaiti along the border in Kachin State under ex-KIO leader Ting Ying's New Democratic Army-Kachin (NDA-K); the Kokang under the Myanmar National Democratic Alliance Army

[92] Lintner and Black (2009:123); Interview with Kachin politician, Myitkyina, Kachin State, March 2015.
[93] Smith, 1991:360-361
[94] Lintner, 1999:391
[95] Chin and Zhang, 2007
[96] The Kokang, an officially recognized "ethnic nationality" in Burma, is discussed further in Chapter 4 in relation to rubber deals.
[97] Lo Hsing Han's name in Chinese pinyin is Luo Xinghan.
[98] McCoy, 1973
[99] Lintner, 1999:365

(MNDAA) in Kokang Region; the Wa under the United Wa State Army (UWSA) along the Thai border; and ethnic Chinese, who previously belonged to China's PLA, joined Lin Mingxian's National Democratic Alliance Army Military and Local Administration Committee north of Kengtung in southern Shan State near the China and Thailand borders. Very soon afterwards, each of the ethno-nationalist rebel groups signed their own ceasefire with Burma's military, the first of their kind since the war began. At this time ceasefire capitalism began.

The political formation of Kokang took a new turn after the Kokang rebel group (the Myanmar National Democratic Alliance Army, or MNDAA), split off from the CPB and subsequently signed a ceasefire agreement.[100] From that point on the "Kokang Chinese" became a recognized ethnic nationality, and their Kokang Self-Administration Zone in the northeastern corner of Shan State an official political territory. Kokang Chinese are predominately descendants of the Han Chinese Yang clan from China, and still speak a Chinese dialect rather than Burmese. They maintain cultural and familial trade ties to Yunnan rather than central Burma. Despite living in northern Shan State for a few generations, Kokang Chinese are known for their patronage relations — through cross-border trade efforts — with Chinese and Burmese government officials, national military and local militia personnel, and businessmen on both sides of the border.

Burma's military state certainly recognized how Kokang's linkages to China could serve them well at a time when China engaged with the Burmese military while most of the rest of the world turned away. Economically and politically, the Kokang Chinese have played an important intermediary role for Burma's military state in navigating through the restive Sino borderlands. But for the Kokang MNDAA rebel group under their ceasefire agreement, this meant they could continue to ply their drugs trade in territories under their control, but this time with state protection.

The newly fashioned ex-CPB ceasefire militias became the most heavily armed drug trafficking network in Southeast Asia, making narcotics Burma's most valuable and well-known export.[101] The Tatmadaw's economic counter-insurgency strategy relied on since the 1960s, whereby the military granted ex-rebels the informal right to tax and trade resources using state infrastructure, worked better than the Tatmadaw could ever have hoped for — but not exactly as designed. Ex-rebel strongmen and their henchmen got incredibly rich in wheeling and dealing in drugs, enticing other rebel leaders to join on the side of the state.

Opium, and its derivative heroin, fueled economic counter-insurgency during the Cold War and in its aftermath. Cashing in on drugs drove many (ex-) rebel groups together, and in association with Burma's military who enabled easier, cheaper, and safer transport and export – but for the price of ending any armed political resistance against the state. Nature, in the commodified form of the poppy plant, enabled Burma's military to rather successfully steer economic counter-insurgency in the remote highlands. After the end to the Cold War and socialism, other commodified resources would soon play a similar role.

[100] The MNDAA under the Kokang leader Pheung Kya-shin (also Peng Jiasheng) and operating with their ceasefire status ruled the Kokang region with the blessings from Burma's state until 2009 when a rival Kokang faction toppled the MNDAA (see Transnational Institute, 2015).

[101] Lintner, 1999; Lintner and Black, 2009

Concluding Remarks: Continuities in Counter-insurgency

From British colonialism to the end of the Cold War with post-socialist economic reforms, legacies of war and counter-insurgency haunt the present. Today's military government has its origins in these past times. The British ruled its Burma colony based on racialized territories: direct rule over the lowland Buddhist Burmans who populated "Ministerial" Burma, and indirect rule via traditional chiefs in the hilly "Frontier Area" inhabited by ethnic minorities. The "hill peoples" were largely left to their "backward" subsistence traditions in swidden farming, while the Delta Region was made into Asia's rice bowl relying mostly on Burman labor and Indian moneylending.

On the eve of independence, however, Burma was becoming unhinged. Tens of thousands of Burman paddy farmers found themselves landless from indebtedness. Communism suddenly seemed very appealing to landless peasants as an alternative political future. Meanwhile, ethno-nationalist rebellions in the distant hills broke out, partly in response to the development of Burman Buddhist nationalist politicking. After General Aung San's assassination, Burma's "other" — non-Burmans, non-Buddhists, non-paddy cultivators — grew more distant from the center of Burma's Union. Within a decade of independence, Burma was less a nation-state of citizens ruled by a democratic government and more a scattered collection of armed leaders declaring insurgency against the state.

The country's nascent armed strongmen assisted in consolidating state political power over its far-flung diverse citizenry. Beginning in the 1960s, armed strongmen worked as counter-insurgency agents in the hinterland, first in the lowland paddy villages under spreading communist influence, and then applied into hilly regions where ethno-nationalist rebellions were spreading. Over time as opium dominated the informal economy, narco-militias became more wealthy and powerful. Their growing hold over violence and territory was both an asset and a liability to Burma's military.

Strongmen underwent another transformation as the Cold War waned. The fracturing of Burma's underground communist party in 1989 into different ethno-nationalist rebel groups led to each of them signing ceasefire agreements with the Tatmadaw, enabling the ex-rebel groups to control drug-infested territories with troops and arms with state protection. During the same time, and as the wider region underwent industrialization, the wealthier Asian countries (Thailand, Hong Kong, Taiwan, China, Japan, Korea) became interested Burma's plentiful natural resources. The commodification of poppy changed the conduits of counter-insurgency. The ceasefires and cross-border investments that resulted from the end of the armed communist movement in Burma brought a new dimension to counter-insurgency and military state-building in the borderlands. In the aftermath of war and socialism, ceasefire capitalism blossomed.

CHAPTER 3

CEASEFIRE CAPITALISM: AFTER WAR AND SOCIALISM

Introduction: After War and Socialism

"Supreme excellence consists in breaking the enemy's resistance without fighting," Sun Tzu famously wrote in *The Art of War*.[1] The adage could easily be applied to the situation after the Cold War in the Sino-Burma borderlands, where markets and business deals replaced armed political revolution. This chapter examines Burma's political and economic reforms that took place in the wake of the state's ceasefire agreements with rebel leaders. The events discussed here unfolded during the 1990s and the first decade of the new millennium, after the end of the Cold War and the socialist government. The market-based reforms brought about new modes of counter-insurgency that built upon those during the Cold War era (detailed in Chapter 2).

This second history chapter illustrates the persistence of the legacy structures established since the 1940s (as described in Chapter 2) in shaping contemporary state-making during what the development industry calls the "post-conflict" period. The chapter demonstrates how elite capture of the drug and natural resource trade became the cornerstone of counter-insurgency after the Cold War ended. The shift in regional geo-politics and economic reforms underway since the 1990s offered the Burmese military new and more expansive opportunities to engage in a type of economic counter-insurgency that enticed strongmen to side with the state and punish those that rebelled. Overall this chapter places resource politics — meaning the commodification of nature and its directed uses — firmly into Burma's violent political history of contemporary state-making.

Ceasefire capitalism, as a theoretical term, describes the processes of and outcomes from militarization and state-making through capital accumulation endeavors in resource-rich territories. I apply this term to Burma's ceasefire period and legacy of resource-related violence in the northern borderlands. I examine the resource-specific ways that the commodification of nature and ceasefire capitalism defined each other after armed battles in the Sino-Burma borderlands ended. As discussed above, opium and natural resources have prominently featured in the enactment of political violence in northern Burma since the 1960s. But the relationship between natural resources and forms of violence is not determined by any inherent character in the resource itself. The history presented here examines both how structures embed different resources in varied conditions of capital accumulation, and the ways violence has come to define these social relations.

My findings discussed here demonstrate how the end of the Cold War and the shift towards battlefields to marketplaces brought the military state, provincial strongmen, and natural resources together in old and new ways. Post-colonial legacies of militarism, ethno-nationalism, and political violence structured the making of ceasefire capitalism, but under the

[1] Tzu, 2016 (reprint).

political and economic particularities operating at regional and provincial scales at that conjunctural moment. The specific conditions under which ceasefire capitalism operated also affected the political meaning and outcomes of these forms, such that Chinese business deals with strongmen in effect functioned as counter-insurgency against rebels under ceasefire agreements.

I demonstrate here how post-war Chinese investment has produced counter-insurgency effects. Chinese cross-border investments have largely been captured by provincial strongmen, whose territorial power and authority arose out of Burma's Cold War counter-insurgency policies and practices, as shown in the previous chapter. The territorial nature of resource concessions, the strongmen who received the concessions, and the political territories where the land deals were located (government, rebel, or mixed) carried considerable influence over military state-building measures and effects, as the case studies will show. In this sense, China's opium substitution program as it was implemented in northern Burma became an apparatus through which violent accumulation and state formation became mutually compatible.[2]

Chinese investors doing business with Burmese military officials, cronies, and strongmen have produced effects akin to counter-insurgency in two related ways. First, the military government awarded Chinese-backed land and resource concessions to strongmen, glossing the concession as rewards for their state service as counter-insurgency agents. These same resources were thus diverted from rebels who could then no longer tax or trade those resources. The state allocating concessions to strongmen – who were competing with rebels in terms of controlling territory and resources – created a stronger politico-business alliance between the state and strongmen. The way resources forged political relations was a carry-over from drugs and counter-insurgency during the Cold War (Chapter 2). Second, land deals forced out ethnic minority populations who were sympathetic to rebel governance, while those (Burmans) more favorable to the state replaced them as migrate wage laborers employed by the strongmen. The mapping, policing, and regulation of the concessions, along with infrastructure development associated with the making of the concession, provided additional counter-insurgency mechanisms and effects. These two conduits of counter-insurgency taken together have facilitated the military state and its patrons to gain greater territorial control over the upland rebel frontier.

The chapter first lays out what China called the "Beijing Consensus" as it formed in the Sino-Burma borderlands beginning in the 1980s, which had a similar effect as Thailand's "battlefields to marketplaces" on the Thai-Burma border. As an affront to Washington's neoliberal camp, China pushed bilateral trade deals and infrastructure development into the region beginning in earnest in the early 1990s. This diplomatic and economic policy shift in the region garnered favor with national governments, and subsequently pushed aside the same ethnic minority populations and insurgent groups that China had previously supported. These multiple convergent conditions were ripe for fostering ceasefire capitalism and gave particular

[2] On an example of how grassroots development operated much in the same way in Colombia's narco-territories, see Ballvé, (2013).

political effects in a neither war-nor-peace scenario. Counter-insurgency strategies correspondingly evolved to relying more heavily on natural resources during this period.

The chapter then turns to what the government calls "development for peace" projects, which have performed in such a way as to placate ethnic minority grievances through market rule. Under the rubric of modernity and pro-poor development, military and state officials — oftentimes with the assistance of NGOs — resettled highland ethnic minority populations reliant on the poppy economy and who inhabited territories under rebel activity into villages along roads in valleys under state administration and surveillance. The chapter closes with a review of poppy crop substitution programs led by various agencies over the last two decades to show how legacies of the state's war to rule ethnic minority highland populations reflect these livelihood development outcomes. The empirical case studies in the chapters that follow (rubber, corn) flesh out these details.

The "Beijing Consensus": Borderland Geopolitics at the Edge of War

As the Cold War waned, regional state governments (China, Burma, Thailand in particular) put aside their political differences for the sake of greater economic integration. Karen rebel groups (e.g., KNU) along the Thai-Burma border were initially seen by the governments in Thailand and the United States as a buffer against possible incursions from the Burmese communists or the Burmese military.[3] Along the Sino-Burma border, the Yunnan government in China saw the Wa and Kokang rebel groups as useful borderland agents to advance China's business and security interests in the region.[4] But as business relations among the national governments warmed, China and Thailand's diplomacy found the rebel groups that lined Burma's borderlands, from the far southeast in Tanintharyi Region all the way to Kachin State, less useful to their interests as in decades past.

After Deng Xiaoping succeeded Mao, however, China edged towards market-led development reform and sought greater inclusion in the global economic community. Beijing incrementally cut its support to armed revolutionary communist organizations operating on their shared border.[5] The breakdown of the communist parties in both Burma and Thailand in the 1980s significantly altered regional geopolitics. Instead of relying on rebel groups as buffer zones between states, China and Thailand's central states in their own ways turned instead directly to Burma's military state. The new diplomatic relations among central states favored making natural resource deals. State-sponsored resource grabs, backed this time by market-based reforms, attempted to turn what I see as an "uplands problem" — previously a strategic buffer zone between central states — into a state-building operation to stamp out those ethnic armed groups still fighting insurgencies (like the KIO and KNU).

As one measure of Beijing's new geo-political positioning, China's national government initiated a new multilateral security policy to mitigate "non-traditional security"

[3] For an account of how the US's CIA positioned themselves vis-à-vis ethnic minorities along the borders with Thailand (namely, Burma and Laos), see Warner (1996).

[4] Lintner, 1999; Chin and Zhang, 2007; Gibson and Chen, 2011

[5] The Beijing government's support of the CPB was keeping Beijing from achieving their new policy objective of opening bilateral trade ties with the Burmese national government. The shift in China's diplomatic and economic reforms owed much to the eventual fall of the CPB as the decade came to a close.

threats shared in the region.[6] In the case of Burma, this amounted to clamping down on the cross-border drug trade and the associated spread of HIV/AIDS into China. In what Chinese leaders called the "Beijing Consensus" — as a clear challenge to the neoliberal "Washington Consensus" during the Reagan years — China's aid and trade shifted to embracing state-centered multilateralism with "Asian characteristics."[7] Starting in the mid-1980s, China changed their political philosophy to be anchored on the principles of peaceful coexistence, non-interference, and non-traditional security.[8] Beijing's change to multilateral diplomacy led to the direct support of Burma's military government. Even as early as 1985, Beijing drew up a Sino-Burma bilateral border trade strategy to work through central states (rather than border-based revolutionaries as before) to capitalize on northern Burma's natural resources.[9] This came at the Burmese military regime's moment of greatest need, especially so after Western governments cut ties in 1989 (see below). China's political lifeline to Burma soon translated into much needed bilateral investment and aid. Central and regional Burmese military officials, Rangoon-based crony companies, and provincial ethnic strongmen positioned themselves to cash in on the windfall of China's expected investments.

The timing for these investment deals and many more to come (see below) was striking. Burmese youth in urban centers, supported by rural Burman paddy villagers, repeatedly came out in the streets during the 1988 monsoon season to champion democracy and economic relief from military socialist hardships. The mass grassroots mobilizations eventually led to the August 1988 crackdown in Rangoon.[10] Many Burman democracy activist leaders from Rangoon were able to escape the bloodshed with help from friends and strangers alike. Some Burmans actually joined ethnic minority rebel groups in the mountains, but most eventually crossed the border into Thailand, where they spoke to eager reporters about escaping from the regime's brutality. The international community was horrified; clearly diplomacy and engagement had not worked, diplomats and activists argued. The Burmese activists had spoken loud and clear: the socialist military economy was in shambles, with no promising political future in sight.[11]

---

[6] Dittmer and Yo (2010:3). Non-traditional security means addressing non-military security threats. In China's case, this would mean criminal and health threats from the drug trade and the associated HIV/AIDS crisis along their shared border with Burma.

[7] This would come to mean putting stress on economic growth but not interfering in each other's domestic affairs.

[8] Dittmer and Yo (2010). Respect for sovereignty, mutual trust, and other principles of peaceful coexistence were the hallmarks of China's new diplomacy. It had its origins from a 1954 pact with India and Burma on the Five Principles of Peaceful Coexistence, that is, "Mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in internal affairs, equality, and peaceful coexistence (Dittmer and Yo, 2010:205).

[9] Song et al. (1993). In the same year the Beijing Review published an article which discussed finding an outlet to the sea through Burma.

[10] Fink, 2009:46-51; see also Aung San Suu Kyi (2010). The mass uprising against the military dictatorship that was then met with a firm and largely successful crackdown by Burma's military and police forces in part produced Suu Kyi's rise in stature as the domestic and global "democracy icon." She was awarded the Nobel Peace Prize just a few years later in 1991.

[11] Some debate ensued on the cause and timing of the 1988 mass uprising. While there is no doubt that the desire of the student-led protesters was to push their country towards democracy, what may have actually motivated the masses to join were mounting economic grievances Just before the protests the prices of daily food necessities were systematically increased by the regime, making the economic conditions for people even more unbearable.

Western governments slapped aggressive economic sanctions on the country.[12] After two decades of the Burmese Way to Socialism, the isolation of Burma from the Western economic community left the country even more financially vulnerable. The Burmese state was left in desperate need of replenishing their foreign currency reserves and a quick, large injection of cash into the economy to keep the military government afloat.

At the time when student-led political organization in Rangoon was gaining momentum in early 1988, the Thai Prime Minister Chatichai Choonhaven conceptualized what he called turning battlefields into marketplaces along the Thai-Burma border (see Chapter 1). The change in diplomatic relations between Beijing and Rangoon were put on full display when, just two days before Burma's assault on pro-democracy street protesters on August 8, 1988, the Vice Governor of China's Yunnan Province signed an agreement for cross-border trade between the military's Burma Export Import Corporation and the Yunnan Provincial Export Corporation.[13] Beijing officials designed their bilateral cross-border investment strategy to bypass rebel groups — the very organizations they had supported for decades — and instead be directed to and through Burma's central military state. The problem was that the Sino-Burma borderlands were still awash in armed groups, even after the fall of the CPB in 1989, with only one cross-border trade point controlled by the Burmese government at the town of Muse (across from Ruili on the China side) in northern Shan State.

Perhaps marking the official end to Cold War relations between China and Burma, in 1988 the Beijing and Yunnan provincial governments signed a series of trade treaties with the Burmese military government. Quick on the heels of these accords, and just months after the August 1988 pro-democracy crackdown in Burma, the Commander in Chief of the Thai Armed Forces became the first foreign dignitary to visit Burma since the military gunned down hundreds of student activists. The commander arrived with a huge entourage of military officers, businessmen, and journalists looking to make business deals to showcase their battlefields to marketplaces diplomacy and to feed their industrial drive. The meeting resulted in 35 Thai companies receiving 47 logging concessions in border areas claimed by Karen villagers and the KNU.[14] Major landslides and floods struck southern Thailand just months after the country signed the logging deals; civil society and media quickly attributed the disaster to rampant logging.

In response to the flooding, the Thai government passed a domestic logging ban. Practically overnight the demand for logs from Karen areas in KNU controlled territory across the Thai border exploded.[15] Less than six months later in May 1989, the commander of Burma's Union Army, Lieutenant-General Than Shwe,[16] visited Thailand. While there he told Thailand's Deputy Prime Minister that Burma's military wanted to clear the border area of rebel groups as soon as possible for "security reasons and for the mutual benefit of bilateral trade."[17] Soon

[12] Aung Myo Maung, 2011
[13] Song et. al., 1993
[14] Global Witness, 2003:60
[15] Global Witness, 2003:60
[16] Senior General Than Shwe would go on to become another infamous dictator in Burma when he took control of the military state as part of the country's political economic reforms after the 1988 unrests.
[17] Global Witness, 2003:60

thereafter, Burmese troops crossed into Thailand to launch a surprise attack on the KNU from behind.[18] These military attacks against KNU units (and their armed wing, the Karen National Liberation Army, or KNLA), often along roads built by Thai logging companies, represented the beginning of a new type of counter-insurgency that would then become the centerpiece of ceasefire capitalism in the north a decade later.

After Beijing sent a clear message to Yunnan provincial and border prefecture governments to look at their national borderlands as a business opportunity, they proposed various Chinese fiscal incentives and border infrastructure developments. Only after the CPB fell apart in 1989 could China implement its cross-border economic packages signed several years prior. In 1991, the provincial Kunming government designated Pianma Township — a provincial-level small border checkpoint town in Lushui County, Nujiang Prefecture — as one of twelve Special Economic Zones. Pianma quickly became a provincial level trade hub for natural resources from Burma.[19] The next year in 1992 the border cities of Ruili and Wandang, located further south along Yunnan's border with Burma's northern Shan State, became designated as two of the thirteen Chinese "border cities" that offered special privileges to Chinese investors looking to do business in Burma.[20] Other international border crossings were opened along the Sino-Burma border in the 1990s (and into the 2000s) to connect roads on both sides leading to newly opened cross-border check points. According to numerous testimonies, during the dry season roads became clogged with thousands of trucks transporting logs so big that only one or two could fit on each truck bed.[21]

In 1998, almost a decade after Thailand's catastrophic flash flood and logging, a similar event took place in Central China with epic flooding of the Yangtze and Yellow Rivers, blamed similarly on extensive over-logging in upstream watersheds. Two years later, the Chinese government announced their own national forest protection program that included a partial logging ban in natural forests upstream of crucial watersheds, and in some state-owned natural forests.[22] In the beginning of the 2000s, Chinese private logging companies with links to high-ranking Yunnan provincial officers lined up on the Kachin State border to take advantage of the ceasefires with rebel groups.[23]

As China's economic reforms accelerated, the national Chinese government and Yunnan provincial authorities further promoted cross-border economic opportunities for Chinese companies and government officials. China's grandest national campaign, the "Great

[18] Global Witness (2003:60). Thailand's Tak Province where these attacks occurred on the Thai-Burma border was controlled on the Thai side by Thai Army's new Task Force 34, which had been set up by General Chavalit who, along with the Thai Prime Minister, helped formulate the battlefields to marketplaces strategy.

[19] By the 2000s it was China's busiest cross-border trade check point. Across the border from China's Pianma lies Burma's Datainba in Kachin Special Region 1, which came under the control of the Zakung Ting Ying and his ceasefire armed group the New Democratic Army-Kachin (NDA-K). He was a former KIO commander of the 101-border post in this area but turned towards the communists instead in the 1960s. He developed and maintained very close political and business connections with Chinese officials and businessmen across the border. Zakung Ting Ying was able to then cash in on logging (Chapter 6) and agribusiness (Chapter 4) deals.

[20] Lintner, 1994:23

[21] Global Witness, 2003:85

[22] Forest Trends, 2016:2

[23] Global Witness, 2003; author's personal accounts from the border during the early 2000s.

Opening of the West," or Great Western Development Program (GWDP), strove to "not only equalize living standards between the interior and coastal regions of the country, but also to integrate more tightly with the rest of the country's politically troublesome regions."[24] Other similar national Chinese campaigns that encouraged Chinese companies to do business abroad, such as "Go out and Global" and "Go West" declared in the early 2000s,[25] put northern Burma's ceasefire border territories — and with it minerals, forests, and rivers — even more within the remit of Chinese businessmen, as the field case study chapters demonstrate.

China and Thailand cast the Burmese state financial lifelines by signing bilateral trade deals with the failing regime. In addition to natural resource extraction and trade deals, the Beijing government provided multi-million dollar loans and arms to Burma's military as part of their pivot to central state bilateral diplomacy. In response to these dramatic geopolitical shifts and mass protests, Burma's military government switched their name from the Orwellian-sounding acronym SLORC (State Law and Order Council), with its association to past atrocities, to the State Peace and Development Council, or SPDC. The change in name was followed by incremental and carefully orchestrated partial economic liberalization measures starting in the early 1990s, representing the first of their kind since the early 1900s under the colonial British regime.

The "rebel problem" was also being addressed by the Tatmadaw. One by one, starting with the Kokang and then the Wa, each of the ethnic armed groups that split from the CPB in 1989 soon signed ceasefires with the Tatmadaw. By the mid-1990s, northern Burma was no longer in armed revolt against Burma's Union Government for the first time since the mid-1900s. The ceasefire agreements, negotiated by the military's affable Khin Nyunt, included the promise — at least to the more politically motivated rebel groups — of future political dialogue on ethnic minority self-determination and political federalism. But the rebranded ceasefire groups remained armed, and notably retained their soldiers and territories of influence, resulting in a neither-war-nor-peace scenario.

Instead of the earlier "buffer approach" to deal with ethnic rebel groups in the borderlands, regional states sought to territorialize their upland areas. The military state's extended reach into the uplands after war and socialism was both a mixture of rhetoric addressing the historical exclusion of upland minority populations, and a desire to incorporate rebel territories and ethnic minority populations into state administrative structures. Land governance reform in the uplands was for the purpose of national development and social inclusion of minority populations — as a sort of new development ethos. In this spirit, internally displaced populations (IDPs) from war were resettled along valley roads under state surveillance, joined by those forcibly displaced by land concessions. Turning battlefields to marketplaces attempted to turn the "ethnic minority problem" into a more inclusive post-war

[24] Economy (2004). While this was a policy internal to China's borders, it did specifically include Yunnan Province, whose economic rise was in part hinged on processing and selling Burma's natural resources from across their border.

[25] The "Go Out" campaign mimicked the much earlier Japanese model of providing development aid to promote its own domestic export-led economic growth (Rotberg, 2008:225-6). China thus shifted from an earlier "panda diplomacy" to a soft power approach with "resource diplomacy" as one of its hallmarks. This was to be achieved through foreign direct investment (FDI), rather than politically charged aid as was applied in the 1960s and 1970s.

state-building operation. [26] "Turning land into capital" after war and socialism created the conditions for and outcomes of ceasefire capitalism. The material changes to the landscape and the forced movements of its inhabitants were stark, and spoke to the deeper political, economic, and militarization changes underway.

The War of Attrition

A new era in economic counter-insurgency in the northern borderlands rose out of the receding shadows of the ceasefires with ex-CPB insurgents. The ceasefires enabled the Burmese military state for the first time in the nation's history to gain some control and authority over land, resources, and populations located in the mountainous periphery. Burma's military government adapted their Cold War counter-insurgency strategies to respond to the geopolitical changes. This section will demonstrate how the ceasefires, market-led reforms, and growing regional demands for natural resources created new conditions and incentives for political violence.

The Tatmadaw applied the same strategy to the rebel groups who had broken off from the communists starting in 1989 as it had to the "people's militias" (Pyithusit and Ka Kwe Ye) decades past. The rebels who signed ceasefires stopped fighting against the Burmese military state in exchange for the ability to engage in a range of economic pursuits under state protection. Ex-rebels also retained their armed troops and territories of influence. These conditions created a similar violent environment as during the Cold War, but one in which geopolitics oriented more towards the military state. The Tatmadaw coaxed insurgent leaders with more expansive protected access to resource rents in order to refashion ex-rebel as businessmen to further ensure their political loyalty to the military state.[27] Like their former brothers-in-arms before them (armed ethnic strongmen), these new ex-rebel business leaders capitalized on their positions as ex-insurgents with control over territory and militia troops. Bertil Lintner, a veteran journalist who has written extensively on Burma's ethnic politics and the drug trade, asserts that the ceasefires were paramount in their influence on shaping the drug trade. "Economic reforms were also aimed at diverting the attention of the population at large from politics to making money — and in SLORC's Burma, many businessmen flourished, especially the drug traffickers."[28] Ex-rebel border businessmen could throw themselves even more into extracting and taxing valuable resources, especially opium and heroin, as they were no longer involved in revolutionary politics.[29]

The fall of communism and the resulting ceasefire agreements with ethnic-based rebel groups created the conditions for turning battlefields into marketplaces. But my research demonstrates how the marketplace also became a key part of the war of attrition against remaining anti-state rebels. Rather than only being the carrot of strongmen allegiance to the state, natural resources also directly (or indirectly via strongmen) carried in the Burmese and Chinese states into these ceasefire territories for the first time. In order for the military

[26] On regional trends, see Hirsch (2001).
[27] Egreteau, 2012:92, 95
[28] Lintner, 1999:387
[29] Meehan, 2011

government and its economic allies (strongmen and ex-rebels) to tax and trade resources, the Burmese government needed to control (at least indirectly) the territory and cross-border check points for resource transport. Investment and resource rents that pass through military state officials and strongman posts bypass active insurgent groups and even ex-rebel groups who the military still remained suspicious of their state loyalty (the KIO, at times). And without continually accumulating funds, anti-state rebel groups had trouble to support their troops or effectively govern their territories of influence. Moreover, territory under the influence of para-military leaders and ceasefire groups did not usually tolerate rebel activity within their territories of influence. In addition to these forms of counter-insurgency, para-military leaders and ex-CPB ceasefire groups were "on call" to conduct military-led counter-insurgency exercises against still-active armed opposition groups, including the KIO (until their ceasefire in 1994) and the KNU in the southeastern region of the country as a holdover from the Cold War.

The interplay of military and economic counter-insurgency led by ceasefire groups against remaining insurgent groups in the early 1990s is well demonstrated by the United Wa State Party (UWSP) and Army (UWSA). As the second rebel group to sign a ceasefire with the military government after the disintegration of the CPB, the UWSA was quickly put to political use as a Tatmadaw proxy armed group. The Burmese military state had in their sights Khun Sa and his Shan nationalist Mong Tai Army (MTA) who were pushed up against the Thai border at Ban Hin Taek.[30] Khun Sa had become one of the Golden Triangle's masterminds, mixing the drugs economy within an ethno-nationalist Tai armed struggle.[31] Khun Sa's MTA, who had not yet signed a ceasefire, was also UWSA's main rival in the drugs trade. With the blessings of Burma's military state, UWSA troops were sent down to the Thai border from their Wa special region and subsequently overran the MTA outpost. In return for their military services, the UWSA was allowed to hold MTA's former border territory. The Wa's strategic cross-border position with Thailand offered them (and their economic allies) a crucial drug trade conduit through Thailand.[32] At the same time, UWSP Wa leaders overcame past differences with a non-communist Wa rebel faction who had already been located on the Thai border to work with Khun Sa and his drug empire. The bridging of Wa factions and territories formed a formidable Wa political-territorial strategic alliance.[33] The ethnic Chinese rebel-turned-drug lord Wei Hseuh Kang soon joined forces with the UWSP as their new head of financial affairs, who brought his extensive cross-border illicit business contacts, particularly with the Chinese and Thais.[34] By 1990, just one year after the USWA ceasefire, it was reported that the Wa Hills in northeastern Shan State had at least six functioning heroin refineries.[35]

Apart from drugs, the first lucrative natural resources used as a currency of exchange with ex-CPB rebels was jadeite, the world's highest quality jade. Deposits were located almost exclusively in Hpakant township in western Kachin State. The problem was that the military

[30] On Khun Sa's MTA, stikorn (2011); Lintner and Black (2009).
[31] Kramer, 2007:40; Lintner and Black, 2009:61-63
[32] Kramer, 2007:40; Lintner and Black, 2009:69
[33] Smith, 1991:352
[34] Kramer, 2007:40
[35] Lintner, 1999:367

government had to strong-arm the territory away from KIO control first.[36] The KIO had not yet signed a ceasefire agreement, despite watching rebel groups based in the northern borderlands quickly sign individual ceasefires. By the early 1990s the KIO were increasingly politically, economically, and militarily weak. Several factors contributed to the decline: (1) lost territorial access to the Thai border, due to the UWSA taking over border trade posts; (2) ceasefires with rebel groups freed up Tatmadaw troops to fight the KIO's armed wing, the KIA; and (3) fewer contacts through which to access arms. The KIO's weakened position, all the more severe due to pressure from China to sign a ceasefire,[37] made the Burmese state's takeover of the territory around the large commercial jade mines that much easier.

After the Burmese state was able to wrestle control over the jade-rich territory away from the KIO, the UWSP were also able to diversify their economic portfolio beyond supplying the global market with what was commonly known on US streets as "Chinese white." The Tatmadaw had a very uneasy relationship with the UWSP because of their ethnic Chinese advisors. Ethnic Chinese businessmen associated with the UWSP, such as Wei Hseuh Kang, were well known to be orchestrating the drug trade and maintained close relations with different powerful Chinese interests across the border.[38] This made the Burmese military state very uneasy with their new ceasefire partner. Jade concessions were an enticement: stay loyal to the Burmese state, and we will take care of you.

The most well-known UWSP-linked company is Hong Pang Group. The company reportedly has direct links to the top UWSP leadership, including their financial architect Wei Hsueh Kang,[39] along with other UWSP leaders and Thai and Taiwanese shareholders.[40] Subsidiaries of UWSP's Hong Pang Group, such as Hong Pang Gems and Jewelry Company and Good Health Fine Jewelry Company, were established after the military granted UWSP access to jade mines that were formerly under KIO control.[41] After UWSP leaders started to amass huge sums of cash from taxing and trading jade, ex-rebel groups, such as Khun Sa's MTA and the KMT, as well as mainland Chinese businessmen, started to loosely affiliate themselves to the UWSP to gain access to the jade business by proxy. UWSP's territory on both the Thailand and China borders also provided them with crucial cross-border trade access. Generous commission payments were paid to UWSP for their facilitation services.[42]

The UWSP's jade revenue also presented an opportunity to "clean" drug money. It has been reported that UWSP-linked traders would bid on their own gems at the national gems emporiums for more than the actual value as a money-laundering strategy.[43] The jade concessions did not just offer a reward for the UWSP leaders' political patronage to the Burmese military government. The ethnic Chinese drug lord advisors to the Wa leaders offered

[36] The KIO had taxed the small-time trade with Yunnanese merchants since they took up arms as a significant part of their revenue generation for their armed struggle.
[37] Lintner, 1999:405
[38] Lintner and Black, 2009:118-123
[39] He is believed to be a major shareholder and member of the Board of Directors.
[40] Kramer, 2007:62
[41] Lintner and Black, 2009:118
[42] Kramer, 2007:63; Interview, KIO's Technical Assistance Team (TAT) office staff, Myitkyina, March 2015.
[43] Lintner and Black, 2009:119

the Burmese state valuable cross-border business networks to Thailand, China, and beyond. Emerging from decades of economic isolation only to be hit with Western economic sanctions, the military regime desperately needed such business networks. Moreover, the UWSP, through their involvement in the lucrative black market economy, had tens of millions of US dollars in cash waiting to be invested and laundered. As with new trade networks, Burma's government was hungry for such capital to jumpstart their national economic reforms after the Cold War.[44]

After UWSP's ceasefire, they were able to bolster their political and economic positions vis-à-vis the Burmese state to cash in even more on the resource wealth of northern Burma. But the cooperative plunder that went hand-in-hand with the military state did more than just further enrich ex-CPB rebels. Those groups who remained as "enemies of the state" were systematically prevented from capturing those revenue streams. For example, UWSA's military offensive against the MTA on the Thai border — on behalf of the state — pushed the MTA out of the territorial position to tax cross-border trade.[45] Without the MTA manning the Thai border, the KIO also lost their cross-border trade access by MTA proxy.[46] Insurgent organizations were being squeezed out of the resource economy, losing rent-seeking opportunities they relied on to continue to fund their ethno-nationalist political aspirations. One of the leading scholars of ethnic politics in Burma, Martin Smith, recognized very early on in the ceasefire landscape the grave importance of such a change in tactics for the development of military state governance in ceasefire zones:

> *The very existence of such co-operative schemes involving former battlefield foes decisively changed the military and political balance in much of the country; by vigorously entering the economic field, the Tatmadaw was to have far more success in seizing the local initiative from armed opposition groups than it had ever had.*[47]

Former US Secretary of State Madeline Albright understood the recapitulation of counter-insurgency and its relation to resources and drugs when she addressed the Association of Southeast Asian Nations (ASEAN) in Kuala Lumpur in 1997, just as Burma was being admitted into the regional bloc: "Drug traffickers who once spent their days guiding mule caravans down jungle tracks are now leading figures in its new political order; drug money has become so perverse in Burma that it taints legitimate investment and threatens the region as a whole."[48] The formalization of the jade trade through the Tatmadaw's multi-faceted counter-insurgency strategies had resounding implications for the KIO. Being left with what seemed like few other political options, the KIO eventually signed a ceasefire agreement with Burma's military government in February 1994.[49] Much like other rebel groups who signed ceasefires,

[44] Interviews with Kachin civil society leaders and KIO officials, Myitkyina, March 2015.
[45] Lintner, 1999:412
[46] Lintner and Black, 2009:123; interview with KIO's TAT staff, Myitkyina, Kachin State, March 2015.
[47] Smith, 1991:441
[48] Lintner, 1999:413
[49] The loss of territorial control over the jade mines and its corresponding revenue was a significant factor in signing the ceasefire, along with the wider geopolitical shift. Interview with ex-KIO Kachin politician, Myitkyina,

the KIO were still able to retain their standing army and oversee governance and administrative functions in their territories. Even after their ceasefire, the KIO still required substantial funds in order to run their proto-government, however. As the KIO lost substantial — although certainly not complete — control over the jade mines and associated trade, the group was forced to look for alternative funding sources.[50] They instead turned to the only other resource they had territorial control over: high-value forests. The KIO's dramatic decrease in control of jade, mixed with exceptional and growing wood demand from China (especially so after the country's own logging ban) created the conditions for a fomenting deforestation crisis in Kachin State.[51] While some timber was directed towards Rangoon for export through military channels, most went overland to China as unprocessed logs, heavily taxed by the KIO at multiple points along its route (see Chapter 6 for a detailed account).[52] By the close of the 1990s and into the 2000s, northern Burma's borderlands turned into a business bonanza.

Ceasefire Capitalism

The ceasefires with rebel groups in northern Burma enabled Burma's military state to gain territorial control over valleys and infrastructure routes in the north, as per their written or oral agreements.[53] Over time, Burma's military and government agencies gained greater authority and power over these strategic territories and transport nodes.[54] Only after the ceasefires and the military government gaining some control over these territories were the Chinese government's cross-border bilateral trade promotion policies and infrastructure development packages able to be acted upon. Resource extraction and cross-border trade with Yunnan, China, became a highly lucrative industry by the 2000s.[55] The millions of dollars that changed hands at border checkpoints in the late 1990s quickly became billions, as military commanders and ceasefire groups also started to cash in on the resource economy. Cheap natural resources with no added value streamed across the border into Yunnan; cheap Chinese manufactured goods spilled over into northern Burma. Annual border trade leaped from around $15 million before the CPB's fall in the mid-1980s to around $800 million just after the KIO's ceasefire in 1994.[56] Unreported foreign financial earnings started appearing in Burmese

Kachin State, March, 2015; Interview with KIO's Technical Advisory Team (TAT) staff, Myitkyina, Kachin State, March 2015.

[50] Interview with ex-KIO Kachin politician, Myitkyina, Kachin State, March 2015.

[51] Woods, 2011(b)

[52] Woods, 2011(b)

[53] Interview, ex-KIO top official, Myitkyina, Kachin State, March 2015.

[54] The military state's territorial authority in these new ceasefire areas was further developed through repopulation efforts. A few years after ceasefires were put in place, highland ethnic minorities who might otherwise have cultivated poppy and supported rebel groups were resettled into roadside villages under state surveillance (see later section in this chapter for more details).

[55] In addition to jade and timber, during the early 2000s Chinese state-backed corporations from Yunnan also introduced billion-dollar mega-hydropower schemes in territories under the control of Burma's military state and ceasefire groups in Kachin and Shan States (Kachin Development Network Group, 2007b). See Earthrights International (2008) for a list of all the known Chinese resource extraction projects operating in Burma during the 2000s.

[56] Lintner, 1994:22

generals' Singapore bank accounts.[57] While some of these earnings no doubt originated from drug sales, natural resource exports also started to significantly contribute to unreported revenue generation.[58]

The combination of the ceasefires and cross-border Chinese development initiatives facilitated bringing both states to their respective border. As the Burmese state moved into the ceasefire territories in the 1990s, both the region's resources and their transport conduits became revenue streams by which to leverage political and economic power over state-like patrons. The Burmese scholar Mya Maung notes that "Burma's road to capitalism" meant "all foreign trade and investment transactions are conducted through personal contact and connection with the ruling military elite and their families, cabinet ministers, and directors of various government ministries and departments."[59] At first, ethnic rebel leaders who signed ceasefires aligned themselves with local businessmen on both sides of the border.

As ceasefire capitalism matured and the Burmese military state concomitantly gained greater territorial and administrative control in the borderlands, the ex-rebels under ceasefire terms were more commonly and easily circumnavigated. A Chinese academic who studied Burma's border timber trade with China at that time remarked, "As the Burmese government encroaches further into northern Burma [due to the ceasefire agreements], the Chinese companies will have to cooperate with them."[60] Global Witness researchers studying the timber trade dynamics in the early 2000s also found these centralizing trends over resource extraction and trade: "The Northern Command and front-line Tatmadaw perform essential organising or facilitating roles, and scant commercial resource extraction occurs in Kachin State without the SPDC [the name of the military government at that time], at different levels, being paid off."[61]

During the Cold War, some rebel leaders were transformed into para-military militia outfits, as detailed in Chapters 1 and 2 on strongmen. But after war and socialism, strongmen were positioned within a different set of conditions. Strongmen, whose ragtag teams of armed soldiers and allegiance to the Burmese state offered them a certain level of protection, started to also cut business deals with Burmese military state officials and Rangoon-based crony companies. Much like how the military state was further brought into the upland frontier, strongmen were likewise further brought into the country's state machinations. Some of the country's most well-known and powerful crony companies today actually started as ethnic strongmen in Shan State. The ceasefires and subsequent military state-building outcomes positioned strongmen as some of the country's newest national cronies with exceptional wealth and influence. The Kokang Chinese narco-strongman Lo Hsing Han of Asia World is the best known example (see Chapter 2).[62]

---

[57] *Far East Economic Review* reported Burma had US $79 million in unexplained foreign financial inflows in 1994, but just one year later after the KIO ceasefire this figure went up to US $400 million (Lintner, 1997).

[58] See Brunner et al. (1998).

[59] Mya Maung, 1998:209

[60] Interview with a Chinese social science professor at a university in Kunming, Yunnan, China, 2004.

[61] Global Witness, 2003:56

[62] When the country came under a parliamentary democratic system in 2011, many of the strongmen who had gotten rich off the resource and drugs economies in Kachin and Shan States in prior decades even became members of parliament (MPs) under the military's political party (the USDP). In fact, a handful of MPs under USDP

While ethnic strongmen started to become national business figures during the ceasefire period in both the northern borderlands as well as in urban centers like Mandalay and Rangoon, national crony companies based in Rangoon also started to contend for the spotlight. Starting in the early 1990s at the onset of limited economic reforms, the Burmese military began to court their very own nascent "indigenous capitalists" in Rangoon to assist them in their new business endeavors.[63] Burmese crony companies possessed business leadership, capital, machinery, and regional trade networks that military commanders lacked. Burmese cronies, many of whom are Sino-Burmese, have often had to count on transnational finance networks from mainland China as well as ethnic Chinese diaspora in Southeast Asia (particularly Singapore and Hong Kong) to help finance their high-investment projects in Burma. But over time as crony capitalism became more pronounced in the urban centers of the country, so did cronies' role in the national economy. The phenomenon was on full display in the country's banking sector, where four of the five top private banks in the 2000s were run by well-known Sino-Burmese cronies. Three of the latter have been directly tied to the illegal drug trade in Shan State where they first made their riches.[64] No doubt these business opportunities also presented a way to launder large sums of capital accumulated through drugs.[65] Many of these same top-level cronies have their own commercial airlines that fly the Burmese elite (and NGO workers) all over the country.

By the early to mid-2000s, crony companies became an additional conduit through which the military could operate in the north. Military officials contracted out the country's most well financed cronies to build, for example, physical infrastructure in inaccessible forested areas previously marked as insurgent "black" territory. In return for their service to the state, cronies received lucrative resource concessions, in addition to the right to log along the infrastructure corridors they constructed. Top military state officials, through various webs of familial and business relations, were often company shareholders. One well-known example of crony capitalism in these ceasefire territories is when Htay Myint's Yuzana Company was awarded the country's largest agribusiness concession, located in western Kachin State in an area where the KIO partially controlled.[66]

Meanwhile the KIO while under ceasefire terms continued to fund their proto-government (and its leaders). They allocated land concessions in territories still under their control, as well as taxed resources that were transported through KIO areas *en route* across the border to Yunnan. KIO and KIA leaders fashioning themselves as businessmen rather than revolutionaries carried significant social and political repercussions for the borderlands. Ceasefire capitalism impacted KIO internal politics and the group's relations with their Kachin civilian constituency.[67] Kachin civilians witnessed a handful of KIO top officials amass great

---

from Shan State were heads of para-military militias (mostly ethnic Chinese) right up until they were reportedly elected to office (SHAN, 2011).

[63] See Turnell (2009) for more on the making of cronies and crony capitalism in Burma during the 1990s and 2000s.

[64] Lintner and Black (2009); Turnell (2009). The fourth bank is suspected by many to have informal links to illicit activities at an early stage, but no such concrete proof has yet materialized.

[65] Lintner and Black, 2009

[66] This case study is presented in Woods (2011(a)).

[67] See Sadan (2016).

personal wealth by selling agricultural land (see Chapter 4) and forests (see Chapter 6) to Chinese companies. For example, the 2001 coup against the former chairman of the KIO, General Zau Mai, was reportedly triggered by discontent among ordinary Kachins, as well as some less corrupt KIO officers, who felt that his business dealings with Burmese generals and Yunnan companies led only to privately accumulated profit and not the greater good of "Kachinland."[68] One Baptist Kachin leader confided to me shortly after the coup: "It is difficult to consider the KIO as good leaders for us because they made an agreement with the SPDC, but no benefits from the agreement have come to our community."[69]

Kachin society's diminishing respect and loyalty to the KIO were quickly waning in the 2000s as Kachin people realized that decades of fighting for a "Kachinland" had been sold out from under them. While Kachin farmers thankfully did not have to flee from war anymore, many were forced to flee the bulldozers that came for their land and forests. While some Kachin leaders built mansions in towns now under firm military state control, ordinary Kachins were left to contend with logged-out village forests, rampant forced land grabs, landless Burman villagers migrating into their communities, and a buildup of Tatmadaw bases.

Development for Peace

One of the Kachin architects of the KIO ceasefire, Reverend Saboi Jum, laid out to me in his mansion home in Myitkyina how the military's discourse of development was a smart intervention for his Kachin people: "Before the KIO ceasefire agreement, there was no development. The only development was through the Four Cuts Policy, ironically. We had no other development. Nobody else was interested."[70] While Burma's military government ruled with an iron fist, they recognized, to some degree, that the explosion of armed rebel groups was in part fueled by rural economic grievances.[71] The generals sought to placate those grievances after decades of war and rural neglect. Starting in the 1990s after most insurgent groups came under ceasefires, Burma's military presented what they called their "development for peace" model to ethnic minority populations and ceasefire groups to showcase the fruits of siding with the Union.

The development programs advertised to bring "modernity" to ethnic minority highland populations included: (1) the resettlement of remote villagers (in particular, the Kachin) into state-controlled lowland roadside villages; (2) physical infrastructure projects, hospitals, and schools located in the vicinity of the resettlements; and (3) opium crop substitution projects. These programs were carried out under the direction of the country's top military generals, and hand-in-hand with either ceasefire groups or para-military units, depending on the territory. The spatial reordering of populations deemed potentially sympathetic to ex-rebel armed groups — as outcomes of these "development" projects — mirrored, I argue, previous military and economic counter-insurgency methods. The development goals seemed more aligned with creating "state subjects" subservient to the

[68] Aung Zaw, 2000

[69] Interview, Myitkyina, August 2003.

[70] Interview, Myitkyina, August 2003.

[71] It is less clear, however, if the generals understood the political grievances that also fueled the rebellions.

state and its surveillance than alleviating economic grievances from decades of neglect during war. These projects reproduced the legacy of a racialized geography that were part "anti-politics machine"[72] and part symbolic displays of state-society patronage politics.

Just after the CPB crumbled, Burma's military initiated the "Master Plan for the Development of Border Areas and National Races." It was an explicit recognition of the power of bestowing development on some of Asia's poorest farmers, people who at best had been neglected by the CPB, and at worst had been used as their throw-away foot soldiers. The first projects were carried out in Kokang and Wa territory since these were the first insurgent groups to break away from the CPB and sign ceasefires with the Tatmadaw.[73] The projects were to build physical infrastructure, schools, and hospitals in previously off-limits rebel territories. The military government also implemented a handful of poppy substitution agricultural projects in this remote part of eastern Shan State; ironically the military partnered with Asia's most notorious drug lords (see below).

The "master plan" was then upgraded to the *Ministry of the Development of Border Areas and National Races* (called the *Na Ta La* in Burmese) in 1994 — immediately following the KIO ceasefire. But the particular way these projects proceeded in Kachin areas reflected trends in population displacement from war: since the KIO took up arms in 1961, one third of the Kachin population (some 100,000 villagers) had been internally displaced.[74] A few years after the ceasefire, about 20,000 mostly Kachin refugees from China and an additional 60,000 internally displaced peoples (IDPs) either returned to their original villages or were resettled.[75] *Na Ta La* projects in Kachin areas during the late 1990s forced (or coerced) movements of people from highland areas under KIO control into valleys now under the control of the government.

During the decades of war since the KIO took up arms in the early 1960s, Kachin villagers would periodically flee Tatmadaw forces into remote forests, or temporarily across the border into China. Some would return home when armed forces retreated, only to be forced to flee again the next time soldiers reappeared.[76] After the end to war in 1994, displaced Kachin villagers effectively on the run for decades gained confidence in a safe return. However, instead of returning to highland villages still under the control of the KIO, the Na Ta La offered "development for peace." Many Kachin villagers accepted these gifts of modernity, perhaps with some hesitation and suspicion, especially those ordered to move to resettlement villages.

The material outcomes of what could be called "ceasefire development" were very visible when I rode along the bumpy roads that stretched parallel to the north-south running mountains in Kachin State. In the mid to late 2000s when my Kachin friends and I would go for an excursion, every ten minutes or so we would drive by a village of bamboo and wooden houses in various states of decay, one after another along the potholed road. Go off road into rebel held mountains, however, and the muddy roads were eerily absent of human settlements, save for the occasional cluster of bamboo huts high in the mountains surrounded

[72] See Ferguson (1994).

[73] The government implemented these projects with the very Kokang and Wa leaders the Tatmadaw had been at war with a few years prior.

[74] South and Katsabanis, 2007

[75] Kramer, 2009:21

[76] This was during a time before humanitarian relief and IDP camps offered organized relief to victims of war.

by forest. The resettlements, called *sut see ywa* in Burmese, were designed to offer state services to aggrieved impoverished villagers, while at the same time — and this is crucial — created populated state territory. The sut see ywa settlements constitute the majority of villages in much of northern Burma today. They are nearly always located along state-policed roads, often with Tatmadaw battalions nearby. After the ceasefires, Burma's military desired to populate the valleys that came under their control; and who better to settle here than Kachin villagers who might support the KIO in a future conflict if left in the mountains?

The Na Ta La officials were not the only ones creating fortified human settlements to shore up their territorial claims. The KIO, in certain strategic areas, created their own "special development zones," as one Kachin humanitarian worker described them to me. The KIO's own resettlement villages, called *buga go sharawt* in Jinghpaw Kachin language, were located along valley roads nearer to the China border — KIO stronghold areas that remained after the ceasefire. Both types of these resettlements have since been normalized within their various landscapes; these are the villages that truck drivers pass by to deliver goods between China and Burma, and where researchers — oftentimes unknowingly — conduct their studies. In a study that I conducted in late 2015, the vast majority of Kachin IDPs came from villages that were classified as sut see ywa resettlements in state-controlled valleys.[77] Far fewer were from buga go sharawt settlements under KIO control, in part because these places were still protected against Tatmadaw attacks and so villagers had not as readily fled to IDP camps. Fewer still reported being from the remote, roadless highlands very close to the China border. The engineering of population settlement patterns to reflect the neither-war-nor-peace politics has become so normalized that not a single informant — be it NGO member, activist, KIO official, foreign researcher, or UN humanitarian aid worker — has ever made mention to me of the history of displacement and resettlement as a political effect of war and ceasefires. Nonetheless, the human settlements, just like the physical landscapes that surround them, are a product of this violence.

The Na Ta La published annual books with color photos of generals overseeing the progress of development projects in the frontier areas, with quantitative tables demonstrating the military's care and benevolence towards ethnic minorities.[78] Page after page depicted generals and regional commanders standing next to newly made roads, a hospital with modern equipment, or a tractor on an agricultural plantation using Chinese hybrid rice seeds. Pretty women in "ethnic" clothes were invariably staged nearby, alongside bureaucrats with clipboards measuring success.

What was not illustrated in these books, but which villagers would attest to, is how the development projects also played a more nefarious role in post-war nation-state building. Schools, while certainly welcomed, taught in Burmese using textbooks that put the Burman Buddhist military state at the center of the Union, always on guard against the enemy — understood to be the country's ethnic minorities and the rebel groups they supported. Not illustrated was the emptiness of the hospitals, most of which lacked any equipment, medicines, staff, and electricity. A fact not lost by the villages was how the roads were used to

[77] Woods (2016(b)); see also RANIR (2015).

[78] Many of these books from the mid to late 1990s are on file with the author.

transport natural resources out and Tatmadaw soldiers and Burman migrants in; all villagers but the headman usually had no motorbike with which to use the roads. KIO's late ex-president, Brang Seng, who died the same year as their ceasefire was signed, was able to see what took another decade for most Kachin to realize in hindsight: "We fear all such projects will be simply to exploit local resources and bring little benefit to the people."[79] One American scholar who critically examined the purpose of the "development for peace" projects found a similar effect:

> *Na Ta La projects are ordained by regime elites, imposed by the army, and implemented not to improve the lives of all individuals but to bolster the power of a few. The border development program serves primarily to secure the regime's hold on power and to enrich its supporters. Na Ta La projects are only participatory inasmuch as they are financed predominately through forced labor and the taxation of the rural populace.*[80]

These settlements in effect operated as a post-war tactic geared towards bringing the highland Kachin population more in reach of governing agencies, be it the Burmese government or the KIO. The township military unit appointed a village tract headman, called *Ok Chok Yay Hmu* in Burmese, in state administered resettlement villages.[81] These headmen were village elites; they had to be in good favor with the lead officer in the area in order to be selected.[82] Over time state power to rule over the village administrative unit was further decentralized within the legal orbit of the headman.[83] These administrative governance changes, I have found, placed the headman as a more influential agent in facilitating land and resource grabs in and around villages. For example, the headman chairs the influential Ward / Village Tract Land Management Committee (under the agriculture ministry) to manage land-related affairs at that administrative level following the 2012 land laws (see Chapter 4). The ceasefire period enabled the making of state territory and populating state administered settlements. The administrative features of state resettlement villages meant that military-

[79] Smith, 1994:41

[80] Lambrecht, 2004:172

[81] In areas administered by the KIO, the village leader is nominated (not elected) by the KIO to administer KIO village affairs—in other words, a KIO version of the Burmese Ok Chok Yay Hmu, called *Salang Kaba* in Jinghpaw Kachin. The Salang Kaba, much like their Burmese equivalent, also has authority over decision making on land and resource management, which also translates to having the political clout to facilitate land and resource grabs. In jointly administered villages under the authority of both the KIO and government, then both the Ok Chok Yay Hmu and Salang Kaba would jointly hold authority. In addition to these political administrative leaders, Kachin communities have more often tended to retain their customary or traditional leader (basically the village "elder," which in some cases is the village pastor). For Kachin communities, this would be what is called in Jinghpaw Kachin the *Htun Hkying Salang*. The Htun Hkying Salang doesn't hold any formal political power, although he would still retain substantial moral authority among villagers, unlike for the administrators.

[82] Before more recent trends of the headman being elected by villagers, he was nominated by the local Tatmadaw unit, and was always thereby affiliated with the military's political party (the USDP).

[83] On how the state was institutionally further brought into the village over time, see Kyi Pya Chit Saw and Arnold (2014) and Kemple and Aung Tun (2016). The 2012 Ward and Village Tract Administration Law further strengthened the authority of the ward / village tract administrator as part of the central government's move towards more decentralized political power.

backed village elites were granted state-backed authority to facilitate land and resource grabs in and around villages. And that is exactly what happened.

State rule and resource patronage spatially converged in state resettlement areas. The headmen were the lynchpins to securing private economic concessions; they facilitated resource and land business deals with strongmen and Chinese companies during the ceasefire period. Kachin villagers reported how their settlements became hotspots for land and resource grabs because of their accessible locations along valley roads, as well as the larger presence of military authorities in these areas.[84] Yet Kachin IDPs from highland villages who had not previously resettled into sut see ywa villages did not report any land and resource grabs because of the area's remoteness from state power and physical infrastructure.[85]

During the ceasefire period, counter-insurgency evolved away from the military's "scorched earth" tactics towards a rearrangement of human settlements so that ethnic minority populations who have supported rebel groups are sealed off from possible future rebel activity and fall under state administrative rule.[86] "Development" projects offered the lure of modernity (electricity, schools, health clinics) that many displaced villagers willingly gravitated towards in the 1990s. The manner in which development manifested in and around these villages in the 2000s, however — resource extraction deals to Chinese companies, military bases set up nearby, forced labor — revealed the other side of the coin of state rule.

Resettlement under surveillance: Poppy eradication and crop substitution

The history of counter-insurgency conjoined to forms of state- and market-led development has been best exemplified in northern Burma's borderlands by poppy crop substitution projects. Cold War economic counter-insurgency tactics in Shan State provided the right conditions to incubate para-militaries and the world's poppy fields and heroin factories.[87] A booming drug market in the 1970s and 1980s and an end to Cold War hostilities led state and UN agencies to implement poppy crop substitution projects in northern Burma. Overall, projects resulted in poppy farmers located in highland rebel territory and who were often sympathetic to rebel groups being resettled along roadsides in valleys under closer military and government surveillance. As we will see at the end of this section and then in the following two empirical chapters, after war and socialism poppy substitution projects underwent a facelift to reflect the dramatically changed geography of state power and market-based diplomacy.

The territory under the control of the CPB in the 1970s and into the 1980s in Shan State

[84] This was especially the case after the village administrator gained greater political control from political decentralization trends since this decade.

[85] I was not able to interview Kachin villagers located in these resettlements on this topic before the war resumed this decade. But I was able to conduct extensive interviews with Kachin IDPs displaced by the return of war since 2011 that were from these villages (see Woods, 2016(b)). See also RANIR (2015).

[86] This pattern of resettlement (whether forced or voluntary under coercive conditions) from the uplands into the state regulated lowlands represents a common theme of rural development in the region. For one such excellent case study in northern Laos, see Baird and Shoemaker (2007).

[87] This is not to discount or underplay other significant factors of course, such as ramifications of the Opium War, agro-ecology, poverty, etc.

included an estimated 80 percent of all the poppy fields in Burma, at the time the world's main source of opium and heroin.[88] The CPB at that time forbid their units from taxing and trading opium for party revenue, but this is not to say that officers did not enrich themselves or the party's coffers through drug business dealings. With support from the Chinese communist party, the CPB implemented a few limited opium substitution projects, beginning with the introduction of wheat for the Chinese cross-border market. But a rat infestation in 1976 in the southern Wa Hills—an area home to many of the communist parties' soldiers—wiped out the wheat crop. With few other options, farmers *en masse* returned to cultivating poppies.[89] A few years later Chinese aid to the CPB started to dry up, and with it, China's pressure to curtail drug production and trade. In subsequent years, the CPB unofficially allowed poppy to be planted and opium traded across the border. Poor farmers, traders, and CPB officials dutifully responded to the lapse in enforcement; poppies and trade in narcotics rapidly spread, as did the points of taxation.

In the 1960s and 1970s para-military leaders (under the Ka Kwe Ye and then the Pyithusit program) were already busy enriching themselves in the burgeoning drug trade. The proliferation of the drug economy under the Tatmadaw's economic counter-insurgency strategy alarmed US authorities, who were seeing Vietnam vets return addicted to heroin that originated from Burma's northern hills.[90] In the mid-1970s, the UN agency that dealt with drug control (UNFDAC, later renamed several times) responded with a poppy substitution program in Burma. Despite the lack of research data available, it is safe to say that these limited projects had little if any measurable impact on eradicating either poppy production or farmers' endemic poverty. The drug economy continued to explode into the 1980s.

As President Reagan's war on drugs got underway in the 1980s, the US began to support aerial spraying in areas of northern Burma suspected of being planted in poppy fields. The primary targets were territories controlled by insurgents. Areas under the rule of narco-militia strongmen, who had gentlemen agreements with Burma's military, were spared, however. A high-level agricultural development officer based in Lashio, northern Shan State at the time of the spraying efforts explained to me with much laughter how he would load the chemicals on planes for each US-financed eradication mission.[91] He was bemused by these efforts because he, like many other drug experts, believed that instead of curtailing poppy cultivation, the program actually increased production. Farmers afraid of being targeted would often plant even more fields in the hope of compensation by the US government. Some also planted back up fields in case some were lost to spraying.[92]

After the 1988 pro-democracy crackdown, the West slapped sanctions on Burma, leading to the US to briefly curtail its aerial spraying program. But with the fall of the CPB the following year, the return of many young, poor, and unemployed foot soldiers to the Wa and Kokang hills provided a huge new supply of poor (potential) poppy laborers. What's more, the

[88] Lintner, 1999:358
[89] Lintner, 1999:358
[90] McCoy, 1973
[91] Interview, Lashio, March 2014.
[92] Lintner, 1999:392

Kokang and Wa mutineers against the flailing CPB were then able to more fully engage in the drug trade after their ceasefires with the Tatmadaw. This is what "battlefields to marketplaces" looked like in practice within the context of Shan State's poppy fields. Their cultivated connections to Chinese officials on the other side of the border led to a new regional geography in the drug trade. Heroin increasingly went across the border to China, rather than Thailand as before under Khun Sa and his MTA. By 1990 China became the major hub for Golden Triangle heroin destined for the West.[93]

In response to the alarming increase in opium and heroin volumes in Shan State by the late 1980s and early 1990s, the United Nation's Development Program (UNDP) started to support the military's "development for peace" program. The opium substitution projects focused on Kokang region under the control of Peng Jiasheng's Kokang ex-CPB splinter group, the Myanmar National Democratic Alliance Army (MNDAA), who signed a ceasefire with the Tatmadaw right after the Wa's UWSA. Ironically, Peng operated the first heroin processing factory in the Kokang hills in the mid-1970s,[94] and went on to become one of the main drug lords of the Golden Triangle. Despite being a known drug king pin, Peng orchestrated the opium substitution program in Kokang areas with UN agents. The ceasefire that Peng's MNDAA enjoyed after splitting off from the communists made him eligible to receive Na Ta La border development outreach and funds as an ally of the military state. Fields of paddy and rubber were reportedly planted in one of the few fertile valleys in the Kokang area under this program, in effect marking the strategic valley the fortified territory of the MNDAA with backing from the Tatmadaw.

A similar drug substitution project was initiated by the UNDP in the hills north of Kengtung in southern Shan State. The territory was controlled by two of the world's most notorious drug lords, former Chinese Red Guard volunteers Lin Mingxian and Zhang Zhiming. UNDP officials and these drug lords selected the Hsaleu Valley for the crop substitution pilot project. It was one of the only such valleys in the area and therefore of prime military state importance. The UN agents who flew in to check on the project were apparently oblivious to the poppy fields that littered the surrounding hills.[95] At the same time, the Na Ta La started yet another such program in the Wa Hills under the control of the UWSP,[96] the leaders of whom were just as deep in the drugs trade at that time as their Kokang counterparts.

As part of their shift from the war against communism to that of drugs, the United States supported aerial spraying of poppy fields planted by Asia's poorest ex-communist foot soldiers. Meanwhile, UN agencies were financing opium substitution projects with known armed drug lords. During the same period, opium and heroin production in Shan State exploded. By one account, the 1997 poppy harvest season yielded at least 2,500 tons of raw opium, more than double the 1,100 tons recorded in 1986.[97]

Great fanfare was made out of the Burmese national government's announcement of a

[93] Lintner, 1999:400
[94] Lintner, 1999:390
[95] Lintner, 1999:393
[96] Lintner, 1999:405
[97] Lintner, 1999:416

national opium ban in 2005, met by the same commitment by the USWP a year later. The US Drug Enforcement Administration (USDEA) and the UN Office on Drugs and Crime (UNODC), together with UWSP officials, the Na Ta La, and Burma's Drug enforcement agency, capitalized on these anti-drug declarations with a new poppy eradication and crop substitution program in the Wa Region.[98] The UN's World Food Program (WFP) and the Japan International Cooperation Agency (JICA) also initiated poppy crop substitution programs in the Wa Hills in the 2000s, which included providing food aid to ex-poppy farmers, building roads as food-for-work programs, and growing alternative crops at high altitudes. These programs, increasingly tied to pro-poor "alternative development" livelihood initiatives, spread into the networks of political patronage and territory that just started to be tied to the state. Burma military and government agencies had severely curtailed access to the Wa Special Region, and the Tatmadaw were barred from entering the territory without prior permission from the UWSA. For this very reason, the military state made it imperative that all projects go through state agencies, with military officials always present for implementation. It may not have always been clear to villagers who was bestowing the aid—the UN, Burma's military, or the Wa armed group.[99] At times the handouts could have pinned patronage to the Union state.

But the various projects brought one failure after another: unsuitable crops introduced given the agro-ecological conditions, the lack of market demand, and the inability to get the crop to market, among others.[100] Marginalized upland farmers in Shan State, with one of the worst food insecurity indices in the country, suffered most. In addition to some authorities abruptly eradicating poppy as one of a poor farmers' best livelihood options, authorities were also involved in confiscating ex-poppy farmers' fields to make way for Chinese rubber concessions, as introduced below.

China's opium substitution program

Legacies of counter-insurgency and state-building measures entered a new phase when China's drug suppression efforts dramatically changed in the mid-2000s at the height of ceasefire capitalism. After the immediate end to the Cold War in the Sino-Burma borderlands, China's opium substitution program was one of Burma's only — if paltry — cross-border investments in the north. But the program, implemented by military agencies from both countries, was very limited in both geographical extent and measurable impacts. Government officials in Beijing, and to a lesser extent Kunming, were increasingly concerned about "non-traditional security" threats along their shared border. The drug trade, heroin addiction and related crime, and HIV/AIDS were rampant.[101] China, much like other governments and UN agencies, had not obtained much success in alleviating these security concerns through previous outreach. Meanwhile, China's role in the out-of-control logging industry in northern

[98] The UNODC, then named UNDCP, with funding mainly from the US and Japan, initiated the WADP (Wa Alternative Development Project) starting in 1997, which then became the UNODC/Wa Project. The project was terminated almost a decade later in 2008.

[99] Interview with WFP official, Taunggyi, Shan State, 2013.

[100] The best case that demonstrated these failures was JICA's buckwheat project in the early 2000s. Interview with JICA official, Lashio, northern Shan State, 2010.

[101] Su, 2015

Burma was getting more international attention and pressure, resulting in a bilateral timber trade clampdown in 2006 (see Chapter 6). Perhaps anticipating the curtailment of the timber trade and associated business opportunities as a result of the logging ban, the central Chinese government called for a new approach to developing their shared border region.

The Beijing and Kunming governments reformed their national opium substitution program for northern Burma (and Laos) starting in the mid-2000s for the stated purposes of efficiency and efficacy in enhancing non-traditional security.[102] The new program was also designed to help industrialize agricultural production in northern Burma in order to help feed China's growing demand for food and animal feed crops as well as rubber latex for automobile tires. China's revised cross-border development program effectively brought together the virtues of market-led approaches to development and tackling non-traditional security threats.

The Beijing government first formed the "122 Working Group" on opium substitution in 2004. Various Chinese state agencies provided administrative support to Chinese companies to invest in opium replacement projects in northern Burma (and Laos). The revamped program was integrated into China's national economic development strategy and agendas at the top level. Then in 2006 China's State Council created the Opium Replacement Special Fund, with its placement under Yunnan's provincial government's Ministry of Commerce very telling of the program's new market-led approach. The liberalized program provided financial incentives to Chinese businesses who met the qualifications to engage in the cross-border development program.[103] This included favorable bank loans, lowered bureaucratic hurdles for investment, and most importantly, state quotas on tax-free agricultural crop imports.[104] Chinese companies needed to secure official signatures and associated paperwork in order to qualify the deal with the Chinese government. In most cases it was "local authorities"—meaning the militia strongmen and ex-rebel businessmen—who granted permission and official stamps to Chinese companies in order for them to proceed with the land deal and qualify for Chinese subsidies. This was a big departure from previous bilateral state projects exclusively handled by military-state agencies and officials. Initial success with agribusiness deals and import quotas in the 2000s, along with Burma's promising reforms at the beginning of this decade, led China's government to push up annual funding for the program to 250 million yuan (roughly USD 39 million) for their twelfth five-year plan for 2011–2015, five times more funds than the previous period.[105]

Measurable impacts were immediate and substantial. With financing from China, militia strongmen, and to a lesser degree crony companies in Rangoon and ex-rebel leaders under ceasefire agreements, claimed large private landholdings along roads in the borderlands of northern Shan State and southeastern Kachin State. Agribusiness estates started to proliferate along dirt and paved roads alike; barbed wire and brick walls fenced in villagers' former swidden fields (the case study for Chapter 4). These roadside areas in the valleys and plateaus

[102] Su, 2015
[103] Shi, 2008; Su, 2016:17-18
[104] Guo, 2007
[105] Su, 2016:17

surrounded many sut see ywa settlements — the very same villages created along roadsides as part of the military's earlier development for peace state surveillance strategy.

Meanwhile, Asia's largest agro-feed/food corporation, the Sino-Thai Charoen Pokphand (CP) Group headquartered in Bangkok, arranged an opium substitution program with the Burmese military (the case study for Chapter 5). Instead of agribusiness concessions for strongmen and cronies financed by the Chinese, the CP Group employed a contract farming scheme where the impoverished smallholders had to rely on high-interest loans from local moneylenders. In northern Shan State corn farmers often fell into debt with their predominately ethnic Chinese brokers, sometimes resulting in roadside households to forfeit their land. The two opium substitution programs involved two different crops and production schemes. Despite operating under very different modes of production, they produced similar outcomes: state-backed elites dispossessed poor ethnic minority farmers of their land.

The same authorities who became government proxy militia leaders during the Cold War, and who in many cases ran drug operations, became the vanguard of the state once again, this time facilitating Chinese agricultural investments. Militia strongmen and ethnic Chinese brokers, who held varying associations to the Burmese military state and from which their power and authority emanated, further bolstered their political power and wealth under China's opium substitution program. To conclude, China and Thailand's opium substitution measures and Burma's commercialization of agriculture led to a surge in agribusiness land grabs by narco-militia leaders and ethnic Chinese moneylenders from debt-induced land sales. And yet poppy and opium production in the mid-2000s rose for the first time in a decade.[106] This is how battlefields have been turned into marketplaces; how ceasefires and markets have done battle on behalf of the military state.

Concluding Remarks: The Weight of History

Burma's armed political movements and the military's counter-insurgency strategies have weighed heavily on the country's contemporary political and economic trajectories. The new ideology that emerged after the Cold War brought central governments in the region together through bilateral diplomacy and investments. Ethnic rebel group leaders who split off from the communists were quick to sign ceasefire agreements with the Burmese military from 1989 to 1994. In place of political revolution, ceasefire zones became a hotbed of economic activities financed by Chinese investors. Drugs and natural resources fueled rent seeking on all sides.

Meanwhile, in the early 1990s, the Burmese state began to experiment with a gradual opening of the socialist economy in response to fiscal atrophy and a near toppling of the regime by pro-democracy protests and Western-led sanctions. The Chinese and Thai national governments, since turning away from the assortment of Burmese rebel organizations, stepped in to provide a political and economic lifeline to the languishing Burmese military regime who nearly decimated their national economy. At the same time, Burmese military leaders turned to their own nascent "indigenous capitalists" both in Rangoon and in northern Burma's drug infested borderlands to bolster the capital-starved state. China and ethnic

[106] Kramer and Woods, 2012

Chinese investors have since been an integral force in the making, maintenance, and merging of ceasefire capitalism in northern Burma.

China's Cold War engagements in northern Burma, as in much of the region, supported wider communist and anti-imperialist revolution. Some of the same leaders who rose to prominence from China's Cold War involvement in northern Burma are now responsible for facilitating private Chinese investments with the cooperation of the Burmese military. Ethnic Chinese strongmen, some as leaders of standing armies and who are involved in the drug trade, and still others as members of parliament (and some even as both), have acted as "fixers" for Chinese investment in northern Burma. And as the borderlands become defined more by the presence of state administrators and military commanders, strongmen are also doing business deals with top Burmese military state officials and crony companies from Rangoon.

The commodification of nature, the uses to which it was put, and who benefited carried significant political and material effects on the period after the Cold War. Elites captured the drug and natural resource trade in such a way as to commercialize counter-insurgency, with old and new effects on rebel groups and ethnic minority populations. Overall the chapter demonstrated how resource politics became firmly embedded into Burma's violent politics of contemporary state-making.

The counter to the Cold War has been pitched as liberal investment under democratic rule; but forms of violence and dispossession towards the same population segments continue unabated, or even accelerated, under the military government's development for peace. In this sense, state-building and state-like builders bleed out from war into the post-conflict economic development period. This chapter explored the linkages and relations among elites and capital accumulating processes in moving from one period of violence to yet another. If landscapes and rural livelihoods are any indication, however, who has been on which side of the violence — enacted or targeted — has remained astonishingly consistent.

CHAPTER 4

WARLORDS TO LANDLORDS: RUBBER OUT OF THE ASHES

Introduction: State Territorialization, Race, and Rubber

My Kachin friend, with whom I grew quite close over the years, worked on community development projects for a local organization in southeast Kachin State. As soon as I arrived in Kachin State's provincial capital, Myitkyina, he would insist on showing me picture after picture he had taken of land enclosures. What were once mountains blanketed in open forests and swidden fields in various stages of fallow and cultivation became boxed in by barbed wire fences like that pictured in **Figure 9**, or by imposing brick walls that stretched along roads, as shown in **Figure 10**. These manufactured materials had never before been used or seen in these areas, where communities have always relied on the tried and true materials of "backyard" bamboo to make fences. The permanent, costly structures, erected to demarcate private property, started to pop up outside towns and along roads that led to the border with China less than a day's slow drive away. The enclosures threatened villagers' customary land rights and management practices, in which land uses — and corresponding rights holders — "move" across a landscape over the years. My friend's photo scrapbook and stories were in part, I was to learn, a strategy to entice his wandering researcher friend to study this new phenomenon. In hindsight, the fundamental inquiry of this dissertation — not just this chapter — began with those pictures in one of the town's many tin-roofed roadside teashops, as we took refuge from yet another monsoon downpour. This chapter reveals what I found lurking behind all those brick walls and barbed wire, what the barriers represented, and more crucially, what the private enclosures enabled.

The brick walls and barbed wire served to mark the newly made private property now belonging to local strongmen, and sometimes national cronies. The barriers, constructed of expensive materials unavailable to poor farmers, and the official green government signboards listing the company who "owned" the field signified the political and economic power of the military and state and those associated with commanders and officials. The private enclosures also materialized the country's new land and investment laws designed to industrialize and privatize the land and agricultural sectors through foreign investment. To farmers forcibly evicted from their customary swidden fields after suffering through decades of war, the enclosures meant a transition in strongmen status from warlords to landlords. Following the money, so to speak, led far beyond these warlords and walls. The barbed wire fences were also woven into the opium economy in northern Burma, and related to Chinese cross-border agribusiness investment.[1]

[1] During my time in Burma I would hang out in Rangoon with my Dutch friend and colleague, Tom Kramer, whose more than two decades of work with the Amsterdam-based Transnational Institute (TNI) have elevated and deepened data and analysis of the drug economy and armed conflict in Burma. Tom Kramer was the first and foremost colleague of mine who truly showed me the tenacity of Burma's legacies of armed politics and its crucial importance in contemporary affairs in the country. I'm fully indebted to his patience in teaching me to

Figure 9. *Barbed wire fence marking a private rubber concession in a former swidden field, near Nam San Yang, Kachin State.* Source: author.

Figure 10. A brick wall in "Chinese style" greets outsiders to a private rubber concession, details posted on the official government sign, near Nam San Yang, Kachin State. *Source: author.*

climb the many ropes over the years. Our conversations and co-authored publications dovetailed into the iterative relationship between rubber estates and narco-militias (see, for example, Kramer and Woods, 2012).

Chinese companies implemented China's poppy crop substitution program by making land deals with local authorities to procure industrialized agricultural commodities, in this case rubber. In visual terms, the chapter will contextualize and give contemporary relevance to the picture of the lineup of some of the major ethnic minority militia leaders in Shan State (see Figure 7, Chapter 1)**.** Who were these men, and why and how have they and their relatives influenced the nature of "turning land to capital" in northern Burma? This is a story that takes place after war and socialism; one that tells of turning land into capital and warlords into landlords.

This chapter is based on fieldwork on the rise of Chinese financed rubber concessions in northern Burma. I use these data to examine the politics of "turning land into capital."[2] I analyze "agro-capitalism," or the commercialization and industrialization of agriculture, as arising out of, and re-articulating, the fractured state-society relations and armed sovereignties that have been defined by legacies of political violence and racialized geographies as discussed in Chapters 2 and 3. Examining violence in rubber production led me to studying the making of property and territorial authority out of the ashes of war. Sikor and Lund (2009) point to the anchoring of property and access to state and state-like power and authority:

> *To investigate how competition for society's vital resources is organized and structured is to investigate not only how wealth is distributed and how classes of 'haves' and 'have-nots' are made; it is equally to investigate how polities emerge, consolidate and recede through processes of legitimization, inclusion, exclusion and violence.*[3]

Here, I consider the territorial and wider political implications of military and government agencies granting militia strongmen and crony companies large-scale agribusiness concessions. What difference has it made to locate economic concessions in ceasefire territories defined by mosaics of armed political authority that collectively rely on violent force in the making and maintenance of territorial assemblages (see Chapter 1 on armed sovereignties)? What have been the political implications of land and labor crudely governed by the logic of markets and the "rule of law" rather than mediated only by guns and fear?

This is the first of three empirical field case study chapters examining the craft of state building tied to land use changes. This walk through the making of agro-capitalism, in this case private rubber estates, lays the groundwork for understanding the workings of ceasefire capitalism and the war to rule. The empirical field data and analysis presented in this chapter engages in how the territorializing effects from large-scale agricultural production schemes have become entangled in, and Chinese investors muddled through, these armed sovereignties. This chapter demonstrates how strongmen and crony companies tied to the military state who have been awarded private economic concessions in both government controlled and rebel territories have produced more legible *state* territories. As shown in

[2] This phrase was popularized by Hernando de Soto (2003), which has since received ample critical attention by human geographers, among other critical social scientists. See Chapter 1 for background information.
[3] Sikor and Lund, 2009:2

Chapters 2 and 3, these state-like strongmen who wield considerable local political power over land, territories, and populations arose out of Burma's armed political histories and legacies of state-backed violence and capital accumulation. National crony companies also have been granted agribusiness concessions in northern Burma, which speaks to the measure of state building already achieved. Tracing the materiality and politics of rubber concessions brings to light how market-led land governance reforms and Chinese cross-border investments have facilitated military state building and securitization. What the state had not achieved through war, Burma's military state achieved through land privatization and foreign investment.

The spread of rubber in the uplands of northern Burma must be situated within debates on how land grabs, or "large-scale land acquisitions" (LSLAs), rearticulate new governance norms with associated political and extra-territorial effects.[4] Breidenbach and Nyiri (2010) argue that China's current land acquisitions in Southeast Asia represent a historical lineage from colonial resource extraction concessions which established forms of extra-territoriality. But a global study revealed that LSLAs are often by *national elites* who partner up with foreign investors,[5] a situation I demonstrate for this case in northern Burma. This chapter engages in these debates by showcasing the role of domestic armed actors, under various political arrangements with Burma's military state, in facilitating land grabs. Burma's legacy of having strongmen as state-like rulers is brought into the present by revealing how strongmen, through "fixing" Chinese capital as rubber estates, have brought the Burmese military state further into these contested territories. Rather than any sort of "foreignization of space,"[6] Chinese cross-border capital has enabled the state to gain more power and control over land, resources, territory, and populations through state-backed strongmen being awarded concessions. Chinese capital changed the configuration of armed sovereignties in Burma's northern borderlands, such that state agencies and officials wield more power — and thereby statutory law and regulations more legitimacy — in spatial proximity to agribusiness concessions.

My findings reveal a starkly different terrain than one simply being "consumed" by China. Burma's government created a more supportive political and legal framework for its own "turning land into capital," and thereby found a way to extend its sovereign power closer to its territorial limits. With the aid of Chinese capital, the military state and state-like agencies and authority figures are able to push "uphill," but this time lugging briefcases and state law books. State officials awarding rubber concessions to strongmen, yet financed by the Chinese private sector, have produced more legible state-regulated landscapes and populations out of the ashes of war. In effect, they have played the role of the state in state building.

I examine the allocation of rubber concessions to strongmen and their regulation and management to study the spatialized processes that produce territorialized state power. The demarcation of agribusiness concessions in northern Burma is analyzed from the standpoint of territorialization[7] and the cementing of political authority.[8] The ability to grant a land

[4] White, et al., 2012; Cotula, 2013
[5] Cotula and Vermeulen, 2009
[6] See Zoomers (2011); Pineiro (2012)
[7] Vandergeest and Peluso, 1995
[8] Lund, 2016

concession within a specified political territory is itself indicative of the degree of territorial authority the state and state-like authorizers have already achieved. The allocation of concessions has served to authorize a strongman's political and territorial authority, or in the words of Sikor and Lund (2009) "authorize the authorizers," in that particular locale. This in turn has further buttressed strongmen — and by way of strongmen's association to the state and applying statutory land laws, the state's — control over land, resources, and populations.

This theoretical approach to territory, sovereignty, and authority helps explain how state-like authority figures — warlords — function as state makers.[9] The resulting territories may thus come to resemble what Michael Watts (2003) has defined as "governable spaces," or those which Christian Lund (2006) has conceptualized as having a kind of "unstately stateliness." In this sense "mafia-like" strongmen and their authority over land, resources, and population bleed out from war and into a post-conflict development period of state building.[10] The state territorial, political, and securitization measures that agribusiness concessions undertake illustrate well the workings of ceasefire capitalism. Once again, counter-insurgency was commercialized in such a way to achieve military state-building ends, this time by turning land into capital and warlords into landlords.

Beginning in the mid-2000s, strongmen in northern Burma partnered with Chinese agricultural investors who were politically and financially supported by China's poppy crop substitution program. But the resulting private agricultural estates have been less about legal revenue generation than consolidation of territorial power and authority by those strongmen. Legally obtaining strategically located estates offers such actors a chance to transition from warlords to landlords, thus securing longer-term political and economic power. The political gravity of these state formation processes and outcomes lies in the contrast with its historical stance: during the Cold War China supported armed revolution against the Burma government, but contemporary Chinese cross-border investments have strengthened the territorial sovereignty of the Burman Buddhist state in the Christian uplands populated by ethnic minorities.

The amalgam of forces that define the relationships among Burma's military and state with various types of armed groups is complex and constantly shifting. The spatial mosaic of contested political armed authority has implications, then, for how the state fills out into the frontier's armed sovereignty spaces.[11] Strongmen operating as state builders — but under varying degrees of military state allegiances — necessitate compromises with the state. Several field case studies show how state-making outcomes – Tatmadaw bases established, statutory law applied, Burman migrant workers replaced minority populations, rebel groups fled – have resulted under a range of political geographies and strongmen allegiances to Burma's state. The constant push-pull between the center and periphery with military state officials, militia leaders, and ceasefire groups does not directly lead to conventional forms of state-making in any straight-forward manner, but incremental steps are made nonetheless.

[9] Abram and King, 2012

[10] On mafia as state-builders, see Tilly (1985).

[11] On state, sovereignty, and space, see Jessop, Brenner and Jones (2008).

The case studies presented in this chapter showcase rubber concessions allocated in different types of political territories. In areas where militia leaders' claims to territorial authority overlap with rebel groups under ceasefires, concessions have had the effect of reinforcing state-like strongmen at the expense of rebels who hold the state at a greater political distance. In other cases, state officials allocated land concessions to local strongmen and national crony companies in rebel-held forests, who then built roads and clear-cut forests. The forest conversion led guerrilla hideouts to be replaced with Burma Army battalions. Resource rents from forests and agriculture have also been diverted away from rebel checkpoints and towards military state manned ones. Ethnic minority populations who inhabit these rebel areas and practice traditional upland cultivation practices have been forcibly evicted from land concessions, only to be replaced by ethnic majority Burman plantation wage laborers who hold greater state allegiances.

Finally, the chapter also offers insight on the reworking of political economies in the places "China" and Chinese investment "go out"[12] — to use the Chinese government's promotional phrase for Chinese firms to do business abroad. In this case specifically back to a place where the Beijing government previously meddled in foreign revolutionary affairs.[13] China's Cold War engagements in northern Burma, much like the rest of the region, were meant to support a wider communist and anti-imperialist revolution.[14] Some of the same leadership and their extended families who rose to prominence from China's Cold War involvement in northern Burma are now backed by Burma's military state. They are now responsible for facilitating private Chinese investments that brings Burma's military and government into the rebel frontier.

This chapter uses rubber to tell the story of how Chinese investment reanimates a political economy long strong-armed by political elites. Rubber is a commodity that pulls these threads together to demonstrate the political effects of foreign capital that manifests through and further ignites legacies of state-backed violence and war.

State Land Reclaiming as Counter-insurgency

Burma's post-socialist land governance reforms echo colonial and socialist era state-society relations and the war to rule. Since the British introduced land governance reforms in their colony, paddy has been sites of state taxation while the state reclaimed upland swidden sites and forests to turn them into productive rent-seeking ventures. Burma's military state appropriated colonial land governance regimes to fit their counter-insurgent behavior. The latest rendition has been the arrival of foreign investment in agriculture and forestry, allowing for the military state to extend its reach and amplify the effects of land and forest governance reform in the rebel frontier, as the cases in the next three chapters demonstrate.

Crucial today as much as then, the British fixed land ownership to land use when calculating land taxes. Certain land uses, mainly in this instance paddy, conferred private ownership to those farmers cultivating that land. For these land uses, British officers generally

[12] Rotberg, 2008:225-6

[13] For the case of Laos, see Dwyer (2014).

[14] Smith, 1999; Lintner, 1990, 1999

respected the rights of *Damma-ucha* (in Burmese), or "the first to cut with the broad-bladed knife," which thereby conferred private ownership over a cleared paddy field. This land ownership system and rights tied to this land use category was for the purposes of levying taxes for the colonial state. Other land uses deemed unproductive and impervious to state tax collection, in this case upland swidden cultivation, remained outside state management and revenue capture, however. For these upland agro-forestry practices by ethnic minorities, the British did not honor damma-ucha. The different approaches to manage land uses and taxation by the British in Ministerial Burma versus the Frontier Hill Tracts can be seen in the *Land Acquisition Act* (1894). This act labeled swidden cultivation and other agro-forestry hill practices as "unproductive" and "inefficient," lumped together as "wastelands." These wastelands subsequently qualified as state property, rendering them suitable for state appropriation, in particular for rubber and teak production.[15] For the case of forest lands, loosely defined at the convenience of the state by a certain extent of tree cover, the British turned them into state forests, where the Forest Department rejected customary rights and uses.[16]

The state as owner of wastelands and forests has been a highly resilient idea. During the post-colonial socialist government era, wastelands retained its state property, but took on new political meaning during the Cold War and later, the fervor of counter-insurgency in rebel frontier areas. The *Land Nationalization Act* (1953), in the spirit of reclaiming land from "foreigners," made all non-family owned farms (or at least non-Burmese citizens) as state-owned agricultural land, [17] and regulated all smallholder farms to be used "productively."[18] A decade later, the *Land Tenancy Law* (1963) further emboldened the state to declare which crops famers needed to grow, the failure of which resulted in state confiscation of their land.[19] During the same period of state-led land reclamation during Burma's socialist period, the Tatmadaw started to implement their policies for people's militias (KKY and pyithusit) and Four-Cuts counter-insurgency (see Chapter 2). As part of these policies since the 1960s, Tatmadaw and para-military soldiers targeted underpopulated agricultural land where villagers were suspected of growing food that could then be used to feed rebel soldiers. Burning down villages and forcibly relocating villagers to strategic hamlets (see Chapter 2 and Chapter 3), the Four-Cuts policy carried out in so-called "black" insurgent areas cut off food (in addition to funds, recruits, and intelligence) by specifically targeting these upland villages that were engaged in agro-forestry practices. State and para-military soldiers burned down the fields or harvested available crops to feed themselves. Cutting off potential food to rebels (and civilians who gave rebels food) marked a prominent counter-insurgency strategy. As one rebel group leader remarked, "The best way to destroy these rebel groups is to destroy the ability of the civilians to support them."[20]

[15] Bryant, 1997; Ferguson, 2014
[16] Peluso and Vandergeest, 2001
[17] Leckie and Siperingham, 2009:514
[18] South and Katsabanis, 2007:47
[19] South and Katsabins, 2007:48
[20] Callahan, 2005:210

Another way in which state counter-insurgency activities articulated with state land reclamation is the need for soldiers to be self-sufficient in food production. Burma's government and military at this time was very underfunded. Consequently, the military generals allocated paltry funds to the nation's counter-insurgency program; the lack of financial support led in part to the military devising the people's militia strategy since it effectively off-loaded counter-insurgency costs to provincial militia leaders. Armed strongmen involvement in the opium economy, now without state interference with their para-military status, effectively subsidized their counter-insurgency duties (Chapter 3). Tatmadaw soldiers were not politically positioned, however, to cash in on the drug trade like the militia leaders, who had the power and the trade connections to function as narco-armies. As a result, Tatmadaw soldiers were known to appropriate these farmlands not only to flush out insurgents and those populations who supported them, but also to subsidize their meager and intermittent salary payments.[21] The ethnic minority villages and their farmlands caught between the rebel and the state turned into material support for underfunded Tatmadaw soldiers.

A third and final way state confiscation of upland farm fields in insurgent areas have historically acted as counter-insurgency is through the process of state territorialization. Similar territorialization process and outcomes that I show in this chapter took place in these instances during the 1960s to 1980s. Tatmadaw soldiers changed the village land area from "black" (insurgent) into "brown" (mixed administration) and "white" (government) territory. Soldiers, when and where possible, farmed the land to produce food for their families and any nearby soldiers stationed at military battalions established since the takeover.[22] Moreover, removing villagers and placing them in policed strategic villages in white territory produced new state-inscribed territory, this time through control over populations (rather than land).

This is the origin story of land deals serving as counter-insurgency. Historically, wastelands got categorized as such by the post-colonial military state so to garner state control over territory, land, and populations during its infancy stages in post-colonial state building. During the Cold War and the rise of militarism in Burma, the state function of wastelands merged with that of the military and its counter-insurgency war. The variant land laws during the past century legalized these operations, much like we see today.

Commercializing wastelands

The ways in which the military state folded the appropriation of wastelands with counter-insurgency operations and the making of state territory took on a new dimension after the end of the Cold War and Burma's socialist government. Turning battlefields into marketplaces since the 1990s is not just another story of commodification and run-of-the-mill capital accumulation. The ceasefire conditions and post-Cold War geopolitical shift turned bullets into bulldozers and barbed wire through legal maneuvers. Burmese military leaders,

[21] Ferguson, 2014: 303-304

[22] Soldiers occupying an emptied-out village to grow food and engage in other rent seeking activities have also been demonstrated during the current war against Kachin, as documented in Woods (2016(b)).

company executives, and ex-drug lord parliamentarians quickly passed land and investment laws that privatized property in the shadows of six decades of civil war.

In the early 1990s, in response to the late 1980s political unrest and changed regional geopolitics (see Chapter 3), the Burmese military government took the first step on the country's slow road to post-socialist industrialization and subsequent liberal market reform. The promotion of the commercialization of agriculture meant that state control over agricultural production and trade was to be slowly withdrawn and replaced by Burmese crony companies. The military government passed the *Wastelands Law* in 1991 in order to legally support a step-wise approach to the commercialization of agriculture, and, I argue, counter-insurgency. The 1991 Wastelands Law uncannily resembled colonial-era laws in how companies obtained wastelands for rent seeking ventures, plus Cold War counter-insurgency legacies of violence and state territorialization.

With crony companies and strongmen providing the technical know-how and finance capital, the country was to become more nationally sufficient in key strategic crops (rubber, oil palm, *Jatropha*, sugarcane) while earning much-needed foreign currency from the export of industrial crops.[23] Indicative of the state-backed push for the commercialization of agriculture at that time, the Ministry of Agriculture and Irrigation (MOAI) established a 30-year master plan for 2000-2030 for the agricultural sector with the aim of converting 10 million acres of "wastelands" to industrial agricultural production.[24]

In the lead up to the military's handoff to a democratically-elected government, another notable conjuncture with privatizing wastelands and spearheading agro-capitalism took place. A week before citizens were to go to the polls to vote on the new constitution, Cyclone Nargis swept through the Bay of Bengal in May 2008 and slammed the coastal region. While the alarming death toll and how the foreign development aid industry took hold in Burma following the national disaster is better known,[25] its conjuncture with the next stage in agribusiness has not yet been documented. The Cyclone hit just when paddy farmers normally busy themselves to plant the essential monsoon rice paddy crop.[26] Many farming households lost significant, if not all, of their family members in the disaster; those families who survived often lost their buffalo to plow their fields, or their seeds and seedlings to plant the prepared muddy rows. And so, the military government granted the country's first paddy concessions to military-favored national companies where "dead land" lay in the wake of the storm. A short list of the most famous crony companies was drawn up by the military generals for the cronies to administer disaster relief to vulnerable populations in lieu of most foreign government aid.[27]

---

[23] Western economic sanctions in 1989 left the country's dilapidated socialist economy in near bankruptcy. Foreign currency was in very short supply; the military was desperate to beef up their foreign reserves in order to keep the country dragging along. Sanctions also heightened the military's concern about meeting national self-sufficiency targets for major industrial crops.

[24] MOAI, 2002

[25] See, for example, Larkin (2011).

[26] Rice paddy harvested from the Delta Region provides food security to the whole of the country, and even some Asian countries rely upon to supplement their own rice production.

[27] On file with author.

Select Burmese companies were also requested to develop paddy agribusiness concessions to help produce the Delta's monsoon paddy crop that year. Being pushed into the paddy agribusiness sector in 2008 at the start of the monsoon rains laid the foundation for the role of military-backed elites in the privatization of land and agriculture. For example, before the following growing season after Cyclone Nargis, the military-government at that time established the Myanmar Rice Industry Association (MRIA), now called the Myanmar Rice Federation (MRF), along with 31 hand-selected special agricultural development companies (SACs) (part of the "crony company" network) to help produce and procure industrial agricultural production quotas for the military-state. The MRF, with its acknowledged "crony" chairman, then came to be at the center of private-public investment in the country's paddy sector, the most important agricultural crop (culturally and financially) in Burma.

Since Cyclone Nargis, Burma has been at the center of political and economic reforms in the region. The most recent revolution in Burma is not being fought in the streets of Rangoon or in the vaults of Burma's new crony-owned banks, however. The veins of economic reforms may be felt pulsing through the throngs of Rangoon streets, but the heart of these reforms is in fact located in the countryside where millions of farmers cultivate their agricultural fields. The new government reforms coincided with the 2007-08 food and oil crisis, and in turn a new spike in global land grabs and foreign investment in industrial agricultural production.[28] Foreign investors (China, Japan, Korea, Thailand, Vietnam, and now European and North American countries) also began to eye Burma as the world's newest land frontier. High capital investors anticipated Burma's famed colonial rice bowl as the potential future site and country leader in industrial rice production for global export. On the heels of decades of military-led economic mismanagement, resource pillaging, and population displacements from war and land grabs, rural land has become Burma's must trumped-up commodity. While the world's wealthiest investors are shopping for land, the Burmese government proudly advertised Burma as Asia's "final land frontier," wedged between the world's two most populous countries with consumer economies to match.

When Burma's military allowed liberal democratic reforms to start at the beginning of 2011, the first priority of the World Bank, other newly arrived international finance institutes (IFIs), and Western development agencies was to overhaul the financial and legal tenure systems to better support agro-capitalism.[29] The World Bank provided a USD $100 million loan to the agriculture ministry, despite already being charged with misuse of development aid funds to support "modern farming practices," "farm mechanization," and the "production of foundation seed" in targeted lowland Burman areas.[30] Despite attempts at partial liberalization of the agricultural sector since the mid-1990s, only since 2012 has agro-capitalism gained prominence due to market-based and legal reforms (see below on 2012 land laws), and subsequent greater regional and global investment interest. Several global agribusiness

[28] Borras et al., 2012

[29] The World Bank, the Asian Development Bank (ADB), and the UN's Food and Agriculture Organization (FAO) have all pledged to varying degrees to throw their political and financial weight behind large-scale industrial agriculture development in the country (MSU and MDRI/CESD, 2013; Woods 2013(b)).

[30] World Bank, 2014(a)

investment summits in Rangoon and Naypyidaw in recent years, as well as the World Economic Forum East Asia in 2013 in Burma's capital city, indicate agro-capitalism's high priority for the government of Burma soon after reforms got underway.

The mounting agribusiness boom in Burma was not being created on a clean slate; it is being grafted onto the country's legacy of appropriating wastelands in rebel areas and simultaneously conducting counter-insurgency. Warlords, backed by different capital flows and business networks, have in part written Burma's bloody history of land control and access. Foreign investment and the conversion of land into capital provided the means for the state and strongmen to deepen both their monopolies on violence and their power over territory, resources, and populations.

Contemporary Chinese Cross-border Agro-Investment

While the military state reclaimed wastelands and forcibly relocated rebel populations in the course of war and counter-insurgency, similar outcomes resulted from state-backed "development" programs, such as China's cross-border opium substitution profiled here. The making of agro-capitalism is best understood within this legacy of counter-insurgency and political violence buoyed by Chinese capital.

Northern Burma became the world's hotspot for drug production in the 1970s, which led to a series of failed opium crop substitution programs, as reviewed in Chapter 3. The nature of drug suppression dramatically changed in the mid-2000s, however, at the height of ceasefire capitalism, when Chinese logging and cross-border timber trading were being shut down (see Chapter 6). As previously mentioned, rubber plantations in China could not keep up with soaring demand for tires for the country's booming automobile industry.[31] Beijing government demands for China's private sector to "go out" (beyond national borders), Chinese consumer demands for industrial agricultural products, international outcry over China's environmental plunder in Burma, and the borderland's drug problem were packaged by both China's and Burma's central governments as drug substitution development program. The same year that the Burmese and Chinese governments placed a moratorium on Chinese cross-border timber trade in northern Burma, Chinese large-scale agribusiness estates started to proliferate along roads in the same area. How then did Chinese opium substitution measures lead to agribusiness land grabs by narco-militia leaders?

China's agricultural investment model is notable for its model of production in terms of how it compliments well forms of historical political violence and counter-insurgency. Chinese companies have invested exclusively in large-scale agricultural estates in northern Burma that have relied on a combination of on-farm wage labor and mechanized farming.[32] Despite the rhetoric as a pro-poor development intervention to offer (ex-) poppy farmers a legal economic alternative, no known smallholder production schemes arose from this program. Field research revealed how Chinese investors worked with local strongmen, who forcibly evicted ex-poppy farming households from their non-poppy farmlands to develop consolidated

[31] Su, 2016:17

[32] Woods, 2013; MSU and MDRI/CESD, 2013

private rubber estates.[33] In some cases, villagers who may have been sympathetic to the affiliated rebel group in the area were resettled into new villages under state surveillance, usually nearby a Tatmadaw unit. Rubber concessions marked with fences and signs soon dotted the roadsides, rather than village huts and swidden fields. Kachin State and North Shan State had received the highest rate of increase in agribusiness concessions in the whole country over the past many years; Kachin State had the second highest overall acreage of agribusiness concessions in the country (one-fourth of the country's total). The geographical concentration of large-scale agribusiness concessions in northern Burma is a direct measure of the mode employed, and spatial extent of, China's opium substitution program. Rural people in the vicinity of agricultural concessions — or even directly displaced by them — repeatedly complained to me that they received no economic benefits from the ventures. Little to no benefits have come to those households most susceptible to cultivating poppy, as the cases in this chapter and the next will demonstrate, putting this model at odds with the program's stated goals.[34]

The provincial and national Chinese governments and businessmen, and Burma's military government, are interested in large-scale land deals along their shared border for very different reasons. Beijing's stated goals are to decrease drug production and trade and enhance political and social stability overall along their shared border ("non-traditional security"), import cheap agricultural commodities, and provide a growing revenue base for the Yunnan government and Yunnanese companies.[35] Burma's government's objectives, I argue, are to strengthen the state's presence and quell armed ethnic political unrest, all the while profiting from the fertile environment. The two countries' very different goals have coalesced around the same means: allocation of large private agricultural estates to armed strongmen in territories wrestling with simmering ethnic armed political conflict and a resilient drug economy.

The patron-client ties China's program created are visually demonstrated by official green government signposts inscribed with the militia insignias that introduce, and mark the boundaries of, the private agribusiness estates. One particular well-known para-military militia group is Mang Ban, which split off from the infamous drug lord Khun Sa (Chinese name Zhang Qifu) and his Mong Tai Army (MTA) after he was arrested by Tatmadaw authorities.[36] Mang Ban militia leaders are ethnic Chinese, and prefer doing business with mainland Chinese companies because of linguistic and socio-cultural affinities. A Mang Ban militia company, Nyein Aye Myae ('Peaceful Land' in Burmese), signed agribusiness contracts with mainland Chinese businesses in the past decade. For example, they operate at least three rubber plantations totaling several thousand acres — witnessed by this author and one of which is pictured in **Figure 11** — located around a village under their territory of influence just north of Lashio, the commercial hub of northern Shan State. Their militia insignia in the left-hand corner of the government sign

[33] In contrast, the same Chinese-backed agricultural outreach program in northern Laos was spearheaded by smallholder production schemes (Shi, 2008), giving further evidence of how the political terrain shapes production modes and outcomes.

[34] Kramer and Woods, 2012

[35] Su, 2015

[36] Lintner, 1999

advertising the rubber concession is glued on top of the outline of what would have been another state coordinating agency. Despite Mang Ban's agribusiness ventures in this area, poppy cultivation increased in territories under their influence. The cultivation and taxation of poppy was reportedly under the protection of the then Burma's Northeastern military commander based in Lashio, the person and institution that supports the militias in the region.

The Kutkai militia is another para-military outfit whose leaders act as state-like strongmen and are involved in agribusiness land grabs. The leader Ti Khun Myat split off from the KIO in the early 1990s just before the latter's ceasefire with the national military. The Kutkai militia's territory of influence radiates out from Kutkai town, the Kachin cultural and political stronghold, a few hours' drive north of Lashio. The Kutkai militia leader's company, Shwe Gonmyin ("Golden Hill" in Burmese), has been the recipient of numerous rubber concessions in the area. Ti Khun Myat stepped down in 2012 after he became an elected member of Burma's parliament for the Union military's political party. Since the KIO has gone back to war in 2011, the Kutkai militia has occasionally been summoned by the Tatmadaw to fight against the KIO. The Kutkai militia's claimed territory overlaps with that of the KIO, and includes Kachin communities who express allegiances to the KIO as their preferred political authority. Chinese concessions awarded in these areas to the Kutkai militia are thus very politically loaded. The rubber concessions awarded to Ti Khun Myat's militia made their warlord leader and their militia into state-sanctioned landed elites. Official recognition of the militia as owning private property protected by the state only added to the militia's influence over territory and populations in the area. The state awarding the concession to the Kutkai militia in effect pushed the KIO out of claiming this as their own territory.

***Figure 11**. Mang Ban militia signpost for rubber concession, outside Lashio, northern Shan State. Source: author.*

The same year that the Chinese government started their market-led approach to opium substitution in 2006, opium cultivation in Kachin State and Shan State increased for the first time in over a decade. Poppy cultivation acreage and tons of opium collected have since increased every year since 2006, as shown in **Figure 12**.[37] An assortment of factors explains this correlational trend between China's commercialized drug substitution program and a spike in illicit drug production and trade.[38] For one, the program provides new capital accumulation opportunities to state-like strongmen, many of whom are suspected to be directly involved in the narcotics trade. Their dividends can further finance their semi-autonomous territories and troops — ingredients needed to continue to orchestrate a narco-economy. Secondly, some smallholder farming households who cultivated small-scale legal agricultural crops, especially upland rice for household consumption, have been forcibly evicted from their farming and village plots to make way for agribusiness estates. Their customary farmlands with no official land use title have been subsequently marked 'wastelands' on government land use maps, a state land category that enables the legal transfer of land to private entities. In some cases,

[37] UNODC, 2015

[38] In addition to dispossessed farmers coping with extreme forms of poverty, the political backdrop during the ceasefire period has also influenced rising poppy acreage. Closer relations among some narco-militias and obliging regional Burmese military officials have also encouraged lenience in poppy cultivation and associated tax and trade (SHAN, 2011; Meehan, 2011)

these now landless farmers, or others negatively affected by the agricultural estates, fall back on one of the few profitable livelihood mechanisms available: cultivating a household plot of poppy plants, or taking seasonal employment as a laborer on one of the many new commercial poppy estates.[39] The political backdrop during the ceasefire period has also influenced rising poppy acreage in addition to dispossessed farmers coping with extreme forms of poverty.

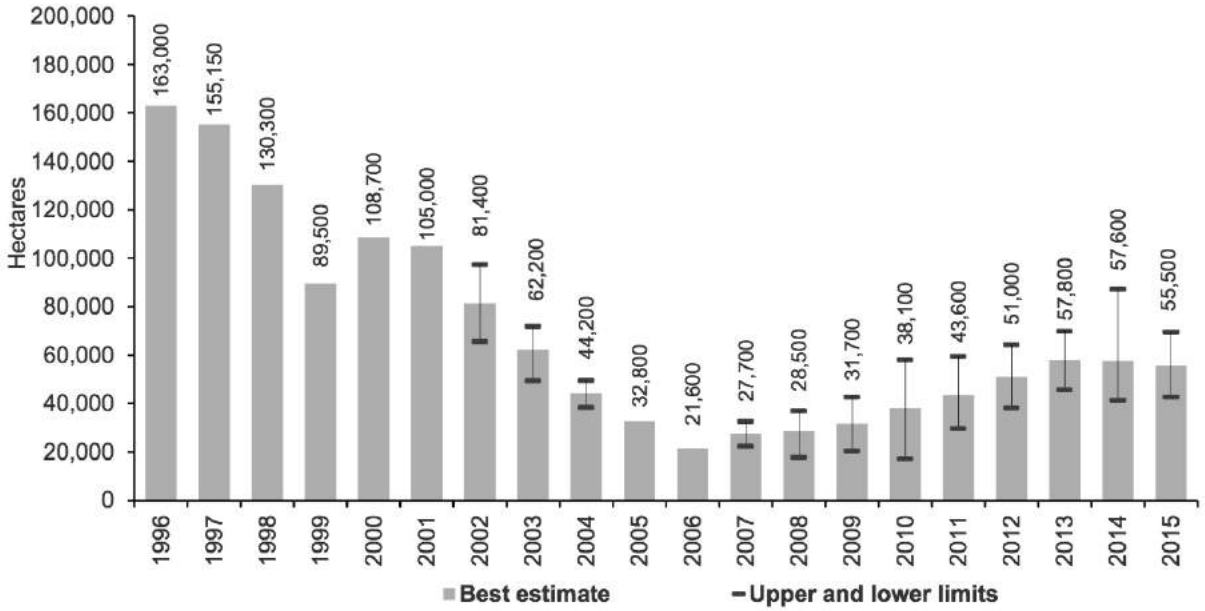

Figure 12. *Opium poppy cultivation in Burma by hectare, 1996-2015. Source: UNODC, 2015, pg. 35.*

While Chinese agribusiness investments in northern Burma have provided new capital accumulation opportunities for local strongmen, the latter do not appear to have weened themselves from their illicit staple of poppy. In fact, the potential income from rubber latex, especially since the commodity's price crashed a few years ago, would presumably pale in comparison to the drug trade — meaning other goals must be at play to explain interest in obtaining rubber concessions and the associated income. Rubber estates offer money laundering opportunities. But a more likely and common explanation is the desire to cement elite power and wealth in a more durable and fungible commodity: land. The future mode of governance in these borderlands is uncertain, as is the illegal drug economy. Strongmen have thereby turned to real estate to further entrench their political and economic power. In anticipation of potential threats to both their armed rule and their illicit businesses and dubious nature of armed rule, para-military leaders have positioned themselves as more legitimated warlords — this time as landlords situated along strategic infrastructure routes to China.

Land Governance Reform and Racialized Rule

[39] This information has come from many households living scattered villages in northern and southern Shan State from various research projects. See also Su (2016).

Racialized landscapes

In this section I will introduce how land grabs that set into motion the making of more state-regulated territory have also facilitated the spatial reordering of an already historically differentiated population according to racial categories and in the image of the state. The making of state territory by carving out private land concessions has led not only to the demarcation and policing of property, but also to de- and re-populating of the wider landscape. These outcomes — carving out new regulated and policed state territory with resulting redistribution of segments of the population that "belong" within regulated state territorial pockets — mirror the goals of military-led counter-insurgency. These outcomes are similar as to the counter-insurgency strategies deployed by governments in Southeast Asia during the Cold War where smallholders became the spearhead of the state in frontiers under threat of communist infiltration.[40] In Burma, such goals as the military state gaining more complete territorial control through conventional war strategies, largely failed, however.

The military forcibly removed ethnic minority populations sympathetic to insurgent groups from forested landscapes when and where possible, sometimes forcing them into state-regulated settlements.[41] Oftentimes ethnic minority villagers, many of whom are Christian, are then replaced by Burman Buddhist agricultural migrant laborers living and working in fenced-in company estates. This chapter stresses these population dynamics as an outcome in state territorial processes, one that meets the objectives of military-state control and conquest of the indigenous rebel frontier. I situate agribusiness concessions' effects on population dynamics within the decades of counter-insurgency in general, and development for peace in particular.

Building on the history of racialized rule since late colonialism, this chapter situates the commercialization of land and agriculture as of Burma's racialized geographies.[42] Political ecology scholarship in Southeast Asia has demonstrated that the production of racialized categories are tied to the making of state territories.[43] I argue that the act of de- and re-populating segments of society — the remaking of a "racialized landscape" — occurs *before* diffuse forms of power discipline state subjects. Those deemed unfit for the state are figuratively or literately thrown out of potential state-made spaces and off the state map further into unregulated (rebel) landscapes. This chapter builds the case for how territorializing state power in the rebel frontier leads the way to building what Watts (2003) calls "governable spaces"[44] and what Donald Moore (2006) described as "territorializing governmentality"[45] (see Chapter 7).

Space in Southeast Asia had a tendency to be reified among scholars according to ethnic identity and elevation (e.g., upland versus lowland). British colonial notions of static

[40] De Koninck, 1996

[41] Woods (2016(b)). For the case of Laos, see Baird and Shoemaker (2007).

[42] On the material and discursive politics of race and territory from a political ecology perspective, refer to, for example, Peluso and Vandergeest (2001), Kosek (2006), and Moore (2006), among many others.

[43] See, for example, Peluso and Vandergeest (2001), Li (2000), and Vandergeest (2003), among a handful of others on Southeast Asia.

[44] Watts, 2003

[45] Moore, 2006

racialized populations within contained political territories — that they themselves had created — have proven a tenacious legacy for post-independence Burma,[46] though not of course without exceptions.[47] Ethnic majority lowland paddy areas were the seats of kings, the center of the world's irrigated rice basket, sites of experiments in collectivization and market-based rule, and places targeted for private household land titling.

Ethnic minority upland agro-forestry societies, by contrast, acted as peripheral sites vis-a-vis the political center, Burma being a case in point. The upland frontier was made by those seeking refuge from kings and colonial powers, cultivating non-irrigated swidden fields, following customary laws and authorities, and escaping land collectivization.[48] "Race" was essentially spatialized: "ethnic nationalities" (a term equivalent to recognized ethnic minorities) populate administrative "ethnic states" located in the geographical "periphery," largely composed of hills and mountains. Ethnic majority Burman populations, on the other hand, inhabit administrative "regions" predominately in the plains and valleys in the country's geographical "center" or "heartland" where the nation-state was born. Racialized categories are also generally attributed to certain land use practices, such as irrigated paddy production for Burmans and Buddhist non-Burmans, and swidden dry rice cultivation for non-Buddhist ethnic minorities.[49]

Since the Cold War, racialized populations and their associated territories and land use practices have undergone dramatic ruptures, challenging these understandings of race and space. The demarcation of agricultural estates (or other land categorizations, such as state forest reserves and community forests) builds on Cold War legacies of state-regulated landscapes and subjects. These legacies simultaneously reinforce and challenge essentialized ethnic identities fixed to certain geographies, racializing those spaces and associated resource use practices. The state-impelled flow of people from the uplands to the lowlands was reversing, in effect, the historical flight of James Scott's "anarchist" peasants (2009) from the lowland state to the upland frontiers.[50]

The paddy nation into the upland frontier

This section will analyze land governance reform and the making of agro-capitalism as evolving out of long-standing and racialized notions of territory, land use practices, and dispossession. My analysis contextualizes what it means, politically and otherwise, for land reform to be carried out in ethnic minority upland areas, especially those territories under armed political conflict. In the context of Burma's legacies of civil war and the military's vision for "Unity in Diversity," the commercialization of land and agriculture has meant different

[46] For an excellent critical account of "becoming" Kachin, with particular reference to colonial and more contemporary ethnic identity formations, see Sadan (2013).

[47] See Edmund Leach's (1964) classic 1950s study in northern Burma that examines how Shan and Kachin would oscillate between ethnic identities depending on their geographical locations and communities of practice to make a case for structural functionalism.

[48] Scott, 2009

[49] Vandergeest, 2003

[50] Scott, 2009

things to different populations in various regions of the country. The point I stress here is the relationships among governance systems, ethnic identities, and agro-ecological conditions.

When first studying how land grabs and land governance reform were taking shape, I spent most of my time working with NGOs in Rangoon. NGO members, foreign consultants, and farmers' advocates all came together from different perspectives, politics and expertise to push against the new land laws introduced in 2012 (see below). NGO-led resistance to aspects of state land tenure formalization and commercialization of agriculture eventually coalesced around running legal empowerment workshops for farmers on the ins and outs of the 2012 land laws. Rangoon-based NGOs, funded by Western development agencies, sent officers around the countryside teaching farmers about state-sanctioned rights provisions enshrined in the country's new land laws and policies. The first Burmese NGO to spearhead land rights training created a cartoon training manual to use in their workshops. One page illustrated in **Figure 13** gives an indication of how the transformation of land into capital was represented to the country's diverse farmers from the perspective of a national NGO based in Rangoon promoting land formalization.

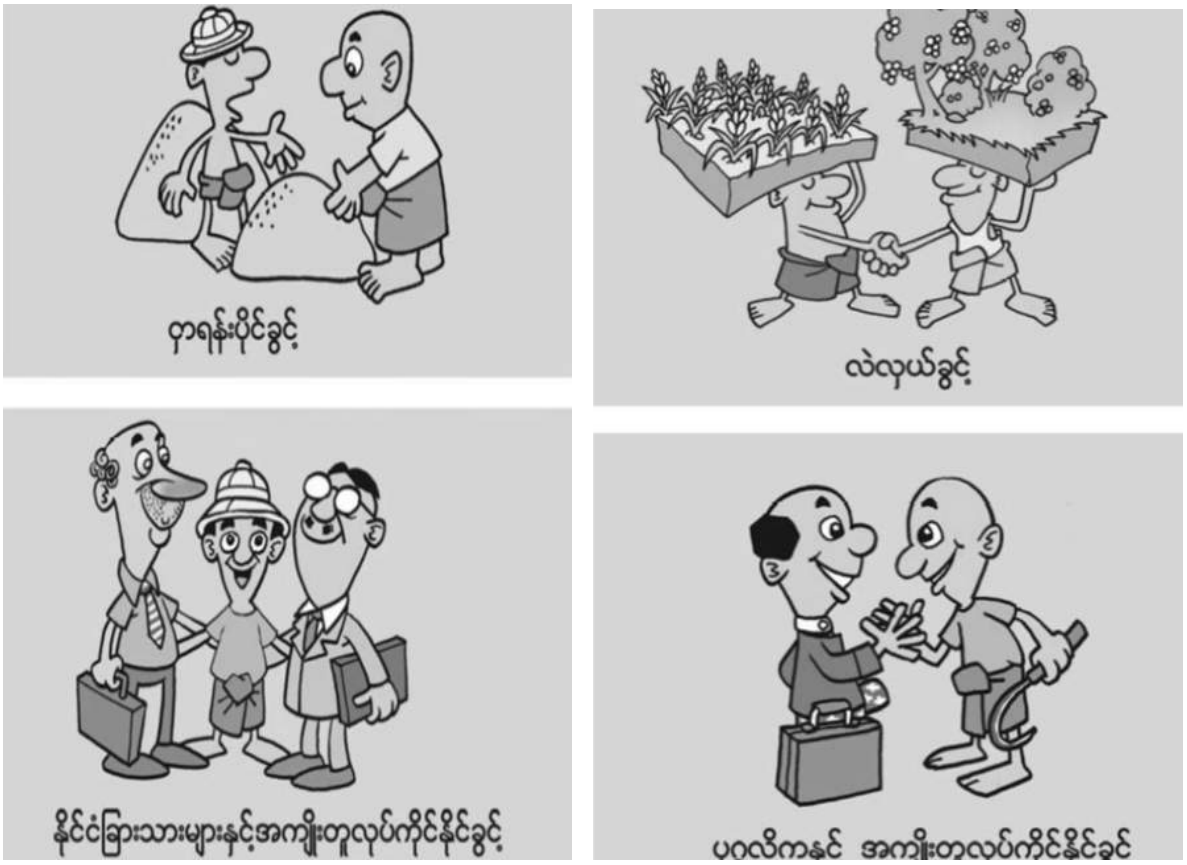

***Figure 13**. A page from a NGO training manual on the workings of turning land into capital.*

But what would it mean for these training manuals and others made by NGOs in Rangoon to be applied across a country of diverse ethnic populations, agro-ecological

practices, and political territories?[51] How do these universalized cartoon texts speak for the contentious politics of applying statutory land laws in indigenous upland areas that practice swidden cultivation under customary laws and norms? As my research took me out of Rangoon and into northern Burma on longer stints after 2012, a sharp division came into focus. Ethnic minority villagers using agricultural customary norms and practices in the hills contrast starkly with lowland irrigated paddy systems managed by predominately Burman farming populations. Facilitating land and forest policy workshops for ethnic minority groups showed me firsthand the problems — but also the state building potency — of uniformly applying a national land reform agenda that singularly sees land as a paddy field governed by state officials. What does it mean, then, to overlay such land governance policies across a divided nation of farmers who cultivate a wide assortment of agro-ecologies and political territories operating under varying customs and authorities?

The making of governable spaces and associated state-regulated subjects follows how a state recognizes, categorizes, and polices racialized (and religious, among other) identities. In this vein, new formalized property relations vis-à-vis the state do more than inscribe new laws and state land management regimes. Especially in fragmented states and post-conflict arenas, the land laws and governance regimes inculcate a racialized identity more supportive — and in the image of — the state. Thomas Sikor and Christian Lund see property formalization as a process where "territorializing strategies allow and disallow certain forms of land use and access; they regulate certain forms of mobility; and by differentiating rights to resources they contribute to the structuration of citizenship."[52] Populations that come under state governance structures, be it for land rights regulation or otherwise, must then follow state land use regulations within permissible state land use categories. The reverse holds as well: those communities that live around and use state regulated land use systems and land categories, such as irrigated paddy fields or state forests, bring the legacy of state administration and governance structures into the present.[53]

Agribusiness concessions have altered population dynamics in the vicinity of the estate because of who got displaced, hired as wage laborers, or lured to the area in search of work. In most cases villagers were displaced from the concession area. Military-state officials facilitated relocation to lower elevation lands, invariably more accessible to state agencies and military bases. Many villagers fled to escape forced relocation and seek alternative livelihoods elsewhere, often to outside the country. In no cases that I have studied in northern Burma (or Tanintharyi Region in the southeast) have displaced villagers reported working for the agribusiness company responsible for their relocation. Their disdain and/or fear of the company is only one of the reasons they shared with me. Villagers also frequently reported that they had little to no interest in working as seasonal wage labor for a company; that they could make more money working their own land, and that they value their freedom to work when

[51] For example, the Land Core Group (LCG), the country's premier network of foreign and national NGOs that work on land related issues, assembled a land rights training manual free of charge for any organization to use in their land rights training workshops. On file with the author.

[52] Sikor and Lund, 2009

[53] Furnivall, 1960

and how they wanted too highly to give it up. I interpreted this as they wanted to be in control over their own means of production.

Invariably, then, the company turned to migrant wage laborers. According to interviews in the Sino-Burma borderlands for rubber concessions as well as in Tanintharyi Region in the far southeast for oil palm estates, mostly landless Burmans indebted from farming in the central dry zone or the delta took these seasonal on-farm labor jobs.[54] If the concessions were near enough to the China border, Chinese citizens also (illegally) arrived to take estate farm jobs. These newly arrived migrants only worsened socio-cultural tensions with those ethnic minorities that remained in the vicinity. Kachin community representatives (and other ethnic minorities, such as Karen in Tanintharyi Region) often told me how they felt stuck between a rock and a hard place: Burmans and Buddhists were seen as trying to take over "their" territory and society, while China and Chinese were "eating up" their natural resources and land. What was often left out of these discussions — more complicated identity politics aside — was how Burman migrants changed population demographics in these locales, and how, as the dominant ethnicity and religion of the military (and state), the demographic change could have far-reaching political outcomes. This was in fact already demonstrated in state level elections.[55]

According to census data, as much as 30 to 40 percent of the country's inhabited territory operates under upland agro-ecological and customary systems.[56] Yet the nation's 2008 Constitution (passed by the outgoing military), and land and resource-related laws and policies, do not offer the country's different ethnic identity (indigenous or otherwise) populations, customs or upland agricultural practices any protective rights at all.[57] Burman lowland agro-cultural practices represent a land categorization and cropping practice that is authorized, protected, and promoted by the state,[58] and in opposition to other agro-ecologies and practices attributed to ethnic minorities.[59] Put in the language of land governance reform and state building, the Burman and Buddhist-dominated military government has applied a lowland land use and governance regime to the non-Burman, mostly non-Buddhist, agro-

[54] Those arriving from the delta area increased dramatically after Cyclone Nargis, where millions of acres of land were inundated with salt water and swept away livestock and families.

[55] For example, Maj. Gen. Ohn Myint, the former northern Military Commander presiding over Kachin State, ran on the military party's ticket (the USDP) for the 2010 elections in Denai, the town located in the country's largest agribusiness concession overlapping with the world's largest tiger reserve. He ran against and allegedly beat Bawk Ja, a land rights activist from the area. See https://www.hrw.org/blog-feed/burma-elections-2015. Bawk Ja also told me how the company who developed the concession scared Kachin villagers from voting, and supported their Burman wage labor farmers to vote for USDP instead (Interview, Rangoon, 2010).

[56] Kissinger, 2017

[57] While the NLUP does in its current rendition afford rights to customary managed lands, this is precisely the aspect that is currently under review in the NLUP and threatened to be deleted by a special appointed government committee at the time of writing.

[58] Wet rice cultivation is generally attributed to ethnic Burman populations, but also certain Shan and Rakhine identified populations. This is not to say that those ethnicities associated with upland swidden cultivation (dry rice) do not also at times cultivate paddy rice if the agro-ecology allows.

[59] See Scott (2009) for further exploring the relationship between the modern Burmese state and its citizens with regard to the lowland-upland divide and "state-evading" land use practices.

forest rebel frontier that is predominately governed under village customary authority and rebel leaders. Burman migrant workers oftentimes move into the areas where ethnic minorities have been displaced to work on the estates. In this way land reform performs in the racialization of space and the spatialization of race.

Race, space, and law

The first two laws to pass through the newly formed Union parliament in 2012 were designed to open Burma's agricultural land for business. This section describes these land laws through the lens of racialized identities, agro-ecologies, and territorial practices. The 2012 land laws present the most current rendition of state appropriation of wastelands and their commodification. As discussed previously in this chapter, the state's historical deployment of the category of wastelands met counter-insurgency and commercialization aims. The 2012 land laws achieve similar goals, as well as reifying the Burman Buddhist paddy nation in relation to the upland ethnic minority agro-forestry frontier.

The first of the 2012 land laws, known as the *Vacant, Fallow and Virgin Land Law* (VFV Law for shorthand), targets lands – categories of land that give name to the law – to which the government appropriates from "squatters" and allocates to companies for commercial agricultural development. This new law is in fact reincarnated from the 1991 Wastelands Law,[60] both of which have a direct colonial and post-colonial lineage with ties to counter-insurgency tactics (see above).[61]

As in colonial times, upland shifting cultivation (called *taungya* in Burmese) is not a legal (state-recognized) cultivation practice, despite being the agro-ecological practice for millions of upland smallholders. This British colonial-era land categorization discursively transforms household farmlands into dormant vacant land for private sector development. In fact, much land defined as "wasteland" is often cultivated fields and fallows under customary regulation and management. A total of over 6 million acres of vacant and virgin land is listed by the MOAI in 2010-11, more than half of which is located in the uplands of Shan State – the same geographical areas where opium and insurgency reign.[62]

The second land law, passed at the same time, is known as the *Farmland Law*. This law states that land use titles (Land Use Certificates, or LUCs) can be legally bought, sold, and transferred on a land market.[63] The manner in which the government conceives of property formalization makes the granting of only one sort of individual land title possible: that pertaining to farm plots used for permanent agriculture practices, such as paddy fields. It is not possible, therefore, for the government to grant a LUC to shifting cultivation plots since they "move" from hill to hill over time and are sometimes collectively owned. In any case, shifting cultivation was deemed an illegal cultivation practice, although obviously tolerated by officials since a quarter to a third of the country's population relied on this agro-ecological method in the hills.

[60] Oberndorf, 2012
[61] Ferguson, 2014
[62] Department of Agricultural Planning (DAP), 2010
[63] Oberndorf, 2012

The VFV Law and Farmland Law in effect inscribe notions of the paddy nation and its associated land governance regime based on colonial notions of race and agricultural practices to a diverse agro-cultural terrain. The assemblage of land use customs, practices, and management carried out by hundreds of ethnic minority communities throughout the hilly regions of the country are oftentimes not amenable — politically, culturally, or agro-ecologically — to the lowland paddy nation governance regime. Through the implementation of these two land laws, the paddy nation rewards those ethnicities regarded as lowland paddy producers (predominately Burman, but also Rakhine, Shan) with statutory tenure security and agricultural loans.[64] But those ethnic minority populations who cultivate hillsides using traditional methods are deemed "squatters" illegally occupying state lands categorized as "wastelands" and "fallow lands."

The state does not acknowledge customary laws and practices governing land and natural resources. Special customary rights for indigenous peoples, not least their customary land practices, are notably absent from past and present constitutions, laws, and policies. The agriculture and forestry officials are staunchly anti-shifting cultivation, which is often blamed in private and public forum as the main driver of the country's deforestation crisis.[65] A lowland agro-ecological and cultural governance system refracted into the uplands is not a trivial matter, nor one that just entertains agricultural development or land related issues. The discursive and material potency of these laws is how they implicitly erase, or "Burmanize," the very territory and population that the post-independence Burmese military state has tried simultaneously to conquer and incorporate into the Buddhist Burman "Union."

One helpful example to understand the differential racialized aspects of land formalization is the country's national land titling program, which has been given recent legal support by the Farmland Law. The titling of land is still an immature process in Burma, and data is very restricted and limited. So far, however, nearly all recipients of LUCs have been Burman, lowland paddy farming households.[66] In addition to being paddy cultivators, the recipients of private land titles reside within the realm of the paddy nation, meaning lowland paddy Burman populated villages that are better connected to state administration and services, and tend to see the state as protector.[67] In contrast, very few land titles have been granted to ethnic minority upland farming households and communities, in part (but not only) because those households who practice shifting cultivation do not qualify for an LUC.[68] Even for ethnic minority households who practice sedentary agricultural practices, such as for

[64] See Chapter 5 for more details on how the state favors paddy smallholders with more financial and tenure security support.

[65] Burma has one of the world's highest deforestation rate over the past many years. The logging and timber trade has been well documented by international organizations, including by myself, since the early 2000s. Despite all this evidence, which is well known to farmers and forest dwellers, government officials — and even many NGO members in Rangoon — blindly condemn shifting cultivation for nearly every environmental malaise the country suffers from. Several reports present data to quite the contrary; for an excellent analysis of national quantitative data, see Kissinger (2017).

[66] Boutry et al., 2017

[67] On the views of Burman paddy farmers towards the legitimacy of the state, see Thawnghmung (2003).

[68] Faxon, 2015

industrial corn production (see Chapter 5), their relative power position to, or familiarity with, state authorities keeps many from approaching state officials to obtain a LUC. Many ethnic minority farming households also still hold a deep-seated fear of military and state agencies because of what they have long represented to these villagers. According to my field research in Shan State, only relatively wealthy households are able to afford to "purchase" a free LUC (due to high-cost bribes), and only do so for valuable land along infrastructure routes.[69] Chapter 5 explores in more detail how land titles are expected to exacerbate racialized dispossession. Such an effect is already evident in Shan State, where rural smallholders put up LUCs as collateral for high-interest loans from moneylenders.

Racialized geographies of land grabs

I would like to now turn to agribusiness data compiled by the Ministry of Agriculture and Irrigation (now called the Ministry of Agriculture, Livestock and Irrigation) for the different states and regions of the country, as presented in **Table 1**.

Table 1*. Agribusiness concessions in Burma by State / Region, 2010/11-2012/13, in cumulative acres. Source: DAP (2013), except for Tanintharyi 2012/13 data which was collected from the regional head office. Note: Tanintharyi data does not include rubber, only oil palm.*

State/Region	Allocated	Allocated	Allocated	Total % Allocated	Planted	% planted
	2010/11	2011/12	2012/13			
Naypyitaw	-	7,408	17,554	0.3	5,217	30
Kachin	596,180	1,396,575	1,381,165	26.5	172,348	12
Kayin	2,161	4,011	34,946	0.7	15,867	45
Kayah	-	-	-	-	-	-
Chin	-	1,542	1,743	0.03	118	7
Sagaing	100,057	259,273	533,406	10.2	19,543	4
Tanintharyi	671,594	993,887	1896970	36.4	359455	19
Bago	19,772	52,238	200150	3.8	91074	46
Magwe	202,492	211,292	219,578	4.2	95,949	44
Mandalay	10,300	6,262	56,046	1.1	14,497	26
Mon	-	-	-	-	-	-
Yangon	30,978	30,980	80208	1.5	76,243	95
Rakhine	-	7,826	131667	2.5	13,176	10
Shan	117,096	160,626	323833	6.2	120,403	37
Ayeyarwady	193,353	285,844	335331	6.4	212,969	64
TOTAL	1,943,983	3,417,762	5,212,597	100.0	**1,196,859**	23

[69] For upland ethnic minority communities that have had the opportunity to receive a land use title, only the wealthiest households were able to obtain one because of the reported high cost due to bribes paid, despite the free service (Faxon, 2015; author's field observations in Shan State, 2013-2015). Lowland Burman communities have not reported to having to pay bribes, however (Boutry et al., 2017).

Over 60 percent of the cumulative total acres of private agricultural concessions listed by 2013 were located in just two regions of the country, according to Table 1. Nearly 1.9 million acres of government-registered agribusiness concessions, or 36 percent of the country's total concession acreage, were allocated in Tanintharyi Region in the country's far south-east, exclusively for oil palm.[70] This figure represented nearly 20 percent of the region's total land area. Less than 20 percent of oil palm concessions had been actually planted, however.

More revealing than the numbers at face value, these two geographies represent the two regions most emblematic of the intersection of war, counter-insurgency, and rebel forests. For the case of Tanintharyi Region, lowland dipterocarp forests cover extensive areas of the region, which have made it ideal fighting terrain for the Karen rebel group (KNU 4th Brigade) as well as an area of focus for international conservation efforts.[71] As illustrated in **Figure 14**, a considerable spatial overlap exists between protected state forest reserves, KNU-claimed territory (roughly the eastern half of the region), and demarcated oil palm concessions, particularly in the southern part of Tanintharyi Region. In 1997 the Tatmadaw attacked KNU bases and Karen civilians by a major counter-insurgency offensive. Oil palm concessions were allocated in the southern half of the region on the heels of the major 1997 Burmese military offensive that targeted Karen communities and KNU bases in the northern part of the region (Dawei District). The offensive continues to inform the geography of war, resource extractivism, and conservation. War and counter-insurgency has displaced tens of thousands of Karen villagers to other parts of Burma and into Thailand as refugees, some of whom are beginning to return, only to find their former settlements occupied by private oil palm concessions. State territorialization and forced population movements, unachieved by classic counter-insurgency operations (and to a lesser extent resource extractivism and forest conservation), advanced markedly thanks to oil palm concessions awarded to cronies.[72]

Kachin State is the second of the two regions that have received the bulk of the country's agribusiness concessions. By 2013, nearly 1.5 million acres of private concessions had been allocated for rubber and biofuel crops (mostly cassava and sugarcane), which represented over one-fourth of the country's total agribusiness concessions by acreage.[73] Only some 10 percent of the agribusiness estates had been planted by that date, according to

[70] Data for Tanintharyi Region for 2013 was collected from the Tanintharyi regional government, which reported much higher acres than the central level branch. Concession data that I collected from key informants in Rangoon and Tanintharyi Region support the regional level figures. Therefore, Tanintharyi regional government data was used rather than what is reported by the Union Government published figures.

[71] According to 2013 Tanintharyi Region government data, 62 percent of Tanintharyi is covered in forest habitat (approximately 6 million acres). Of the total land territory in Tanintharyi Region, 31 percent is officially delineated under a forest category as protected public forest (PPF) and state forest reserve (both administered by the Forest Department), or as "unclassified forest" land (mostly administered by the agriculture ministry). The 37 protected state forests in Tanintharyi are of varying sizes—some only a few acres, and others hundreds of thousands of acres in size—that taken together total 3.32 million acres.

[72] See Woods (In Preparation (a)). The Tanintharyi Region hosts the Mekong Region's largest and last remaining rare lowland deciduous rainforests ("Sundaic forests"), which since this decade have received most of the country's — and now the Mekong Region's — international conservation efforts.

[73] Data come from the MOAI's regional office in Tanintharyi (not the central ministerial office in Naypyitaw, which significantly underreported oil palm concessions.

national government figures. Over 2.5 million acres of “vacant, fallow, virgin, or wasteland” had been demarcated on state maps for Kachin State. Of these, 430,000 acres had been earmarked as suitable for agribusiness production. After Tanintharyi Region, Kachin State (still) is the country’s most heavily forested region. Nearly 9.2 million acres have been designated as protected state forest, representing 42 percent of Kachin State’s total land area. These agribusiness concessions have been allocated in these forested landscapes, demarcated on maps either as state forest reserve or virgin land.

The data reveal the multiple ways in which state institutions, officials and land formalization measures have taken the rebel out of the landscape. The government’s Forest Department turned rebel forests into state managed forest reserves, if even on paper. Swidden farmers who preferred “rebel governance” to the of the government had their farmlands declared state property under renewed land laws. The Forest Department forcibly evicted farmers if practicing swidden in forest reserves (even if no management is in place). If they escaped this fate, then the agricultural ministry could evict them for unlawfully using state “wastelands.” Since the mid-2000s, agricultural line departments and sometimes military officials allocated private agribusiness concessions to strongmen in these same forested swidden rebel landscapes. Farmers sympathetic to the rebel cause were thereby replaced by outside migrant farm labor, usually Burman. Rebel leaders lost their forest guerrilla hideouts and the villager support needed in guerrilla warfare due to state-led land privatization measures reaching into the rebel uplands.

The privatization of state land reifies the political and racialized construction of territories. Land grabs for agribusiness concessions cannot be examined as silo events—either spatially or temporally. Agribusiness concessions bring to the surface the spatial and temporal overlap of state designated wastelands, “political forests” (see Chapter 5), and rebel territory. War and counterinsurgencies meant to turn rebel territory into state regulated territory have bled into state land management regimes, and vice versa. The particularities of land formalization, its geographical distribution, and its political effects are key aspects in the war to rule.

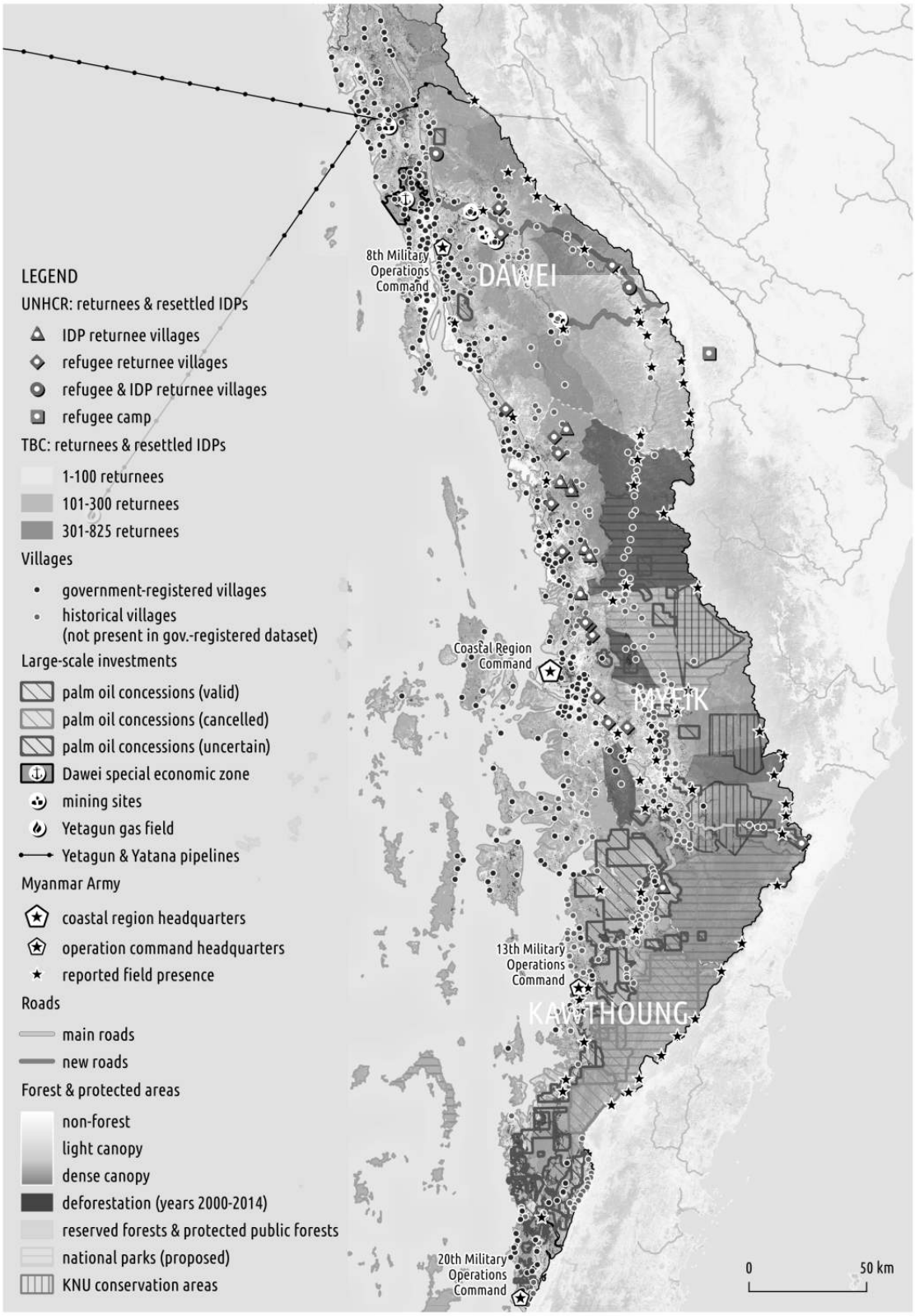

Figure 14. *Large-scale investments, protected forests, militarization, forced displacements, IDP returns, and deforestation in Tanintharyi Region, Burma. Map credit: Mathieu Pellerin.*

Land restitution and racialized difference

Land grabs were so extensive and violent, and so broadly condemned by farmers and civil society leaders as material expressions of military abuse, that the newly elected Union Parliament launched a government-run Land Investigation Committee (LIC) in 2012 in the hopes of stemming popular civil society criticism.[74] This committee was composed of members of parliament (MPs), headed by a high-level representative of the military-backed political party (the USDP). The committee had no decision-making power and was only mandated to investigate "illegal" land grab cases only after 1988 (the period after which the current military regime was responsible). It was never stated how illegality would be precisely measured, but the Union Minister of the Ministry of Agriculture, Livestock and Irrigation has gone on record to clarify only as "[t]here are illegal and legal ways to take land…[i]t is crucial that a peaceful approach is taken."[75] By January 2014, nearly 6,500 letters of complaint on land confiscation were reportedly received by the LIC, with over 26,000 complaints submitted directly to the Parliament. Despite these figures, the Ministry for Home Affairs[76] noted that only 745 cases of land rights abuses totaling more than one-half million acres had been successfully filed and accepted by the LIC — that is, have met the Ministry's definition of "illegal," and otherwise been determined to fall under its mandate. The LIC was reported to have satisfactorily "resolved" only 423 of these cases.[77] The Commission reported that the Burmese military was directly responsible for at least half, and possibly upwards of 75 percent, of the accepted cases.[78] Backed by decree from the Union Government, the LIC eventually requested that the military give back the land to the farmers whose lands were stolen. The military initially agreed to give

[74] Since the committee represented the government, this was in part an example of a reform-minded state moving against the military that held power with an iron fist all those decades over the country and its people. But since some of its MP members were on the ticket for the military's political party, it's not as clear cut a line as it may first appear.

[75] Htoo Thant, 2017

[76] The Ministry for Home Affairs is one of three ministries constitutionally mandated to be under full military authority; the other two are the Ministry of Defense and the Ministry of Border Affairs (or Na Ta La, see Chapter 3).

[77] Ei Ei Toe Lwin and Noe Noe Aung (2014). The reported number of cases actually resolved was openly contested by some fellow LIC members, with an even lower result expected, given common exaggerations or false claims.

[78] This approximate percentage is based on conflicting media reports citing different authorities. The parliamentary reports recommended that the military return unused farmlands and compensate farmers for the unjustly seized lands, including those appropriated by the military. After diplomatic pressure from the Commission and the President's Office, Burma's Defense Services initially agreed in July 2013 to give back all of the nearly 250,000 acres of land that they have been accused of illegally confiscating, minus active military-occupied land that houses existing structures or compounds. One week later, however, the Ministry of Defense reassessed the situation and then proposed, with no explanation as to how the figure was decided, to return only about 18,000 acres — less than 10 percent of the total amount of land they were accused of wrongfully seizing (Ei Ei Toe Lwin, 2014). Then in mid-2014 news surfaced that the total number of acres of land "illegally" confiscated by the military was in fact nearly 475,000 acres, of which the Ministry of Defense reported they would return less than 125,000 acres of farmland to its "original owners," making up less than a quarter of the reported "illegal" land seizures across the country by the military since 1988 (Ko Htwe, 2014).

back just less than 10 percent of the quarter million acres they had been accused of wrongfully taking since 1988. They have followed through with far less, however.[79]

The partial list of “illegal," mostly military, land grabs compiled by the LIC reveals as much as it at first conceals.[80] The majority of cases and the vast majority of concession acreage are located in very different regions than those profiled in the agribusiness land data presented above. For the LIC data set, the percentage of cases and acreage reported strongly favor Burman lowland paddy communities. Of the supposedly 745 cases determined to be “illegal” (of the 6,500 reported), an unofficial subset published by non-government researchers listed only 186 “illegal” land grab cases.[81] Of these, 141 are for land grabs in regions (Rangoon, Irrawaddy, Mandalay, Bago, Magwe, Sagaing and Naypyidaw) where most of the population is identified as Burman and Buddhist and engaged in lowland permanent agriculture (the paddy nation). Whereas for regions of the country dominated by ethnic minority populations engaged in upland shifting cultivation, and where armed insurgencies have been based, only a total of 45 cases were listed, representing just 24 percent of the cases. If we compare acreage, the differences between political territories are even more striking: 97 percent of total acreage, or nearly 274,000 acres, were allocated in paddy nation territory, whereas just 3 percent of total acreage (just under 10,000 acres) documented as illegally grabbed was in ethnic minority areas. These stark differences in geographical extent of documented “illegal” land grabs in the country speak to how the state “sees” the country’s diverse landscape. These discrepancies become clearer when looking at a different land grab data set.

It is helpful to go back to the agribusiness data set in **Table 1** (above) and compare it to the compiled government sanctioned data on “illegal” land grabs (under the LIC, see above). When we look at the two data sets together, we can get another view of how race and geography guided land grabs — and crucial to my point the official reporting and state-led land restitution efforts. Although incomplete, the data in **Table 1** offers a helpful guide to the extent and geographical distribution of one common set of officially reported large-scale land acquisitions. For example, in Tanintharyi Region nearly 1.9 million acres of oil palm concessions were allocated by 2013 to over 40 Burmese companies, where officials and company managers had forcibly evicted thousands of farmers with no compensation over the years. In addition, tens of thousands of acres of rubber have been planted in the north of Tanintharyi region by Mon (another ethnic minority) businessmen migrating further south from Mon State in search of available land.[82] But only 5 cases, totaling just 783 acres, appear in the

[79] Since the NLD took office in late 2015, there has been an increase in the number of cases where military-led grabbed land returned it to villagers, at least based on my own perceptions of selective English language media. Still, the number of reported cases in English of returned land has only been a handful, without much follow-up concerning the amount of land returned, and to whom.

[80] The list of cases, which includes location by township, acres grabbed, and state agency or company who the land was grabbed by and allocated to, is on file with the author. Part of the data set is available in the report by MRLG (2017).

[81] The data set is published in a report by the Mekong Region Land Governance (MRLG), funded by the Swiss and German overseas development aid. It is not exactly known under what criteria cases were deemed to be “illegal;” presumably the nature of legality was determined by whether or not land-related laws, policies, and procedures at that time (1991 Wastelands Law, 2012 VFV Law and Farmland Law) were followed.

[82] Woods, 2015(a)

LIC list of "illegal" land grabs for Tanintharyi Region.[83] Again, "illegal" presumably meant land confiscated did not follow legal protocol set out in the national laws (1991 Wastelands law, 2012 VFV Law, 2012 Farmland Law, and so forth). Since no rule of law regime has been in place in the country, but rather a rule by decree under military orders, it seems dubious on what would be constituted as "legal" or otherwise. No "illegal" land grab cases whatsoever were reported for Kachin State by the LIC, despite 1.5 million acres of agribusiness concessions officially recorded, some of which I have documented and appear in this chapter.[84]

These two data sets raise questions of racial biases in the process of land grab cases reported to the LIC, and how "illegality" was determined by the committee. First, the LIC was made up of members of Burman Buddhist members of parliament (MPs), from regions predominately populated by the same ethnicity and religion. They wouldn't have familiarity, networks, or knowledge of military or private land grabs in ethnic states; one could make the argument that some may not have had as much sympathy for farmers from these areas either. Second, lowland populations in state territories had a greater ease and comfort to report land grab cases to a state agency or authority figure since the aggrieved view the state as "protector." Third, ethnic minority populations not well linked into state administrative structures and agencies were less likely to approach state agencies, including to report land grab cases to the LIC. These populations oftentimes see the state as a "predator" best to be avoided, including to seek out assistance to correct past injustices. Furthermore, ethnic minority communities instead rely first and foremost on customary norms and authority to mediate potential conflicts.

This section has demonstrated how the process of turning land into capital reflects divisions within society and in relation to the state. state-society relations. Land formalization reforms, shown here by the new land laws and land grab data sets, inculcated state and society biases. The 2012 land laws further criminalized traditional upland agricultural practices by ethnic minorities, putting swidden farms on sale to private companies; lowland agricultural fields, meanwhile, received land titles to better secure and capitalize their household assets. The reporting of "illegal" land grabs favored Burman Buddhist paddy growing populations while neglecting ethnic minority upland territories that have in fact suffered under the most widespread land grabs in the country. The land laws and discrepancy among land grab data sets points to how racialized geographies are made and maintained — not only in which areas of the country the most land was grabbed, but also in the reporting of land grabs for the sake of restitution. We will next turn to field case studies where state-like strongmen, many of whom were strong fixtures in the narco-economy, became rubber barons.

[83] MRLG (2017). The land that Mon rubber businessmen received used to be occupied and cultivated by Karen villagers who had been at an earlier time been forcibly removed from the area by the Tatmadaw as part of counter-insurgency efforts (Woods, In Preparation (b)).

[84] Apart from agribusiness concessions, ethnic territories and populations have been confronted by decades of land grabs by military units for their compounds, training grounds, electricity generation, and for growing food, among other purposes, especially for securitization measures. Military units are responsible for their own food provisioning, and therefore units would also confiscate nearby cultivable land for the purpose of cultivating food crops (see above, this chapter).

Agribusiness Expansion as the Spearhead of State Building

While drinking instant coffee on a patch of crumbling cement overlooking a vibrant green rice field, an ethnic minority elder from Shan State scoffed at my worries about expanding opium fields in his home state. "Opium hasn't destroyed local farmers…rubber has; rubber has taken everything from my people."[85] Expanding rubber concessions in northern Burma has fenced in farmers' fields and beefed up militia leaders' hold over land, people, and the local economy. But one notable aspect overlooked during that sunset conversation was that the spread of rubber had little actually to do with rubber per se, and much more to do with Chinese cross-border investments, commercialization of agricultural production, and competing claims in rebel territory. What did not need to be mentioned in conversation with my long-time colleague is that narco-rebel leaders are now also rubber barons. But how and why did drug lords and warlords turn into landlords? And what did rubber advancing across the uplands of northern Burma mean for ethnic minority villagers and their political relations to the land and the state?

With a view of turning land into capital, rubber expansion, facilitated by land reforms and derived from historical legacies, has acted as a "spearhead of the state." The first set of field cases presented below provides empirical support to this chapter's arguments concerning rubber expansion in state-like strongmen territory (government or mixed administration territory) under the authority of militia leaders involved in the drug economy. The second field case study offers insight into the material and discursive politics that emanate from private rubber expansion in rebel territory with no regular government presence. Placing the two sets of case studies side by side — operating in two different political and racialized territories — helps to illustrate the different observed territorialization effects from private rubber estates. Rubber expansion in state (or state-like) territory offers new legal economic opportunities for narco-militia strongmen. In the case of rebel territories, however, military-state agents (crony companies, strongmen, soldiers) get ushered into producing state territories, planting the seeds of state militarization and securitization.

Fixing Chinese capital in strongmen territory

The case presented here is on ethnic Chinese strongmen obtaining rubber concessions in their territories of influence, which are either fully government controlled (hand-in-hand with the para-militaries, or so-called "white" areas) or in "brown" areas that are jointly administered by government agencies (with strongmen) and rebel groups. Regardless of its political status, strongmen act as authority figures in these state-like territories with the power to rule.

Kokang Chinese strongmen are in a prime position to facilitate cross-border Chinese agro-investment because of their political identity tied to Burma's military state and their familial ties to mainland China (see Chapters 2 and 3 for more background). A few prominent Kokang Chinese leaders emerged over the past half-century from their "Golden Triangle" territory. Most prominent of these leaders is the Kokang Chinese Lo Hsing Han, who founded

[85] Interview, Chiang Mai, Thailand, July, 2010.

and managed one of the country's most notorious companies, Asia World.[86] Kokang Chinese migrated further into Shan State from their own self-administration zone during the territory's periodic waves of hardship, such as when armed battles made life too insecure. Several decades of migration by Kokang Chinese, ex-KMT families, ex-PLA soldiers stationed on the border, and Yunnanese Chinese living in Yunnan province, made northern Shan State's Lashio town into a commercial trade hub between the two countries. By one estimate, these waves of ethnic Chinese migration towards Lashio resulted in up to half the town's population becoming Sino-Burmese.[87]

Kokang Chinese merchants have played an ever-growing role in capital accumulation in Shan State. Some Kokang business leaders' abilities to secure finance capital from familial and business relations in China while based in Shan State have put them in a key position to act as regional "capital conduits" for business deals, legal as well as illicit. Kokang Chinese business leaders have assisted mainland Chinese agro-investors obtain land by introducing them to local strongmen who can secure land, as well as provide protection. Migration of more capital-endowed ethnic Chinese into capital-deficient rural areas of northern Shan State has also greatly impacted moneylending practices to farm households. Town-based ethnic Chinese businessmen have become the main informal moneylenders to finance farmers' transitions to high-input cash cropping, such as for industrial corn, which has caused unprecedented levels of household debt and dispossession. In many reported cases, ethnic Chinese moneylenders are obtaining village land along roads as debt payment, as shown in Chapter 5.

After the Kokang rebel group's ceasefire, a handful of ethnic Chinese split off and formed various para-military militias. The *Pong Se* militia close to the Yunnan border, and the Moe Win militia just west of Kutkai town, have used their contacts and foot soldiers to cash in on the territory they have authority over. Whereas before they used their political support to cash in on the drug economy, since the mid-2000s land also became an avenue of capital accumulation. The leaders of these militias continue to have good working ties to the wider Kokang Chinese business community, Chinese investors across the border, and Burma's Northeast Military Commander, who rules over this part of Shan State. These politico-business connections — together with their armed authority and "rule by decree" — have made getting into the land and Chinese rubber business an obvious choice.

A prominent figure who has played a key role in cross-border agricultural investment in northern Shan State is the Kokang Chinese para-military militia leader, Myin Lwin (Chinese name Wang Guo Da). Based in *Ta Moe Nye*, a town adjacent to the Kokang Self-Administration Territory, he is best known — and feared — as the leader of the para-military outfit known by the same name of the town. In addition to having foot soldiers on call and controlling territory, he commands his own company under the same Burmese name as his militia. The company

[86] The widely held perception among Shan State residents, and even among Burmese across the country, is that Kokang Chinese are directly or indirectly involved in the narcotics business, even those not part of a militia. Certainly, this cannot be true for all Kokang Chinese residents, but the point here is that the widely held perception is just that.

[87] Le Bail and Tournier, 2010

even displays their power and wealth in an expansive office in downtown Rangoon. It is believed that he is the one who first introduced Senior General Than Shwe (the former head of the Burmese Armed Forces and dictator) to Chinese businessmen interested in resource extraction in the 1970s, when Than Shwe was based in Ta Moe Nye town. Myin Lwin has been involved in resource extraction projects in northern Shan State ever since, and has often facilitated contracts with Chinese businessmen because of his good relations with the regional and national-level Burmese military.

Myin Lwin's success in the land and agribusiness sectors, which both enriched his pockets as well made him into a more legitimate business leader, nudged him into running in the 2010 national elections on the military's USDP party ticket for Kutkai township. In this area, he is reportedly very popular with ethnic Chinese residents, who can vote and control much of the economy. Victorious, he took his place in the Shan State Parliament, next to a handful of other militia drug-lords who were now in charge of regional law making.[88] Myin Lwin retired as militia head and passed the role on to a close male relative.

Less than two years later and just after the 2012 land laws were passed, Myin Lwin's company was awarded the country's largest agribusiness concession. An astonishing initial 600,000 acres, it encompassed seven townships in Lashio, Kutkai, and Muse Districts.[89] The venture is in partnership with Sunshine Kaidi New Energy Group based in mainland China, a technology company under China Huarong Asset Management. The agribusiness concession was marked for biofuel production, which is the Chinese company's specialty.[90]

Company representatives and state land settlement officials confirmed to Kachin community development workers that most of the acreage for the concession would be demarcated in Kutkai District. The political geography of its placement is worth noting: Kutkai District is the political heart of Kachin and mostly populated by Kachin residents. Most KIO leaders, including the founder and the current public face of its leadership, originate from around Kutkai town. The concessions' geographical location selected by the Burmese military state typifies the politics behind large-scale land acquisitions: a military-state territorial intervention, carried out by an armed state-backed militia leader (cum state parliamentarian), in indigenous lands that birthed an armed revolutionary movement (the KIO). After war broke out with the KIO in 2011, Myo Lwin, a Kokang Chinese who holds no special affinity towards the Kachin because of his non-Kachin identity, became an even more important asset to the military state for his capacity to order the Tat Moe Nye militia to go on the offensive against the KIA. The concern of Kachin CSOs, priests, and other activists was that the measures taken for

[88] On militia leaders linked to the drug economy becoming new members of parliament, see SHAN (2011).

[89] While the township and districts were named for where the concession would be located, upon further investigation by Kachin community development workers and a Kachin master's student, no land boundaries for where the concession would actually be located was officially demarcated at the time of research. Given the number of acres allocated for the concession, it would be impossible for it to be a single contiguous concession. But the size is such that even if acres planted were done so throughout the districts, it would seem impossible as not enough wasteland, even by the government's own measure, would be available to accommodate such acreage.

[90] Given how other Chinese-financed agribusiness concessions operate in the region, I assume that subsidies and benefits would be provided for the production scheme under China's opium substitution program.

the concession would amount to another type of counter-insurgency alongside the war now being waged in the same territory.

Kachin community development workers I interviewed and worked with discussed their fear of their community members being forcibly expelled from their villages and farmlands, relocated to state-monitored towns, and governed under statutory laws and administration as a result of the concession. As I left these meetings in Kutkai and drove back to Lashio before nightfall, I was lost pondering the multiple layers of violence that had converged here and that all seemed to reinforce a common target and outcome. State-like armed groups wielding power through guns, capitalized on and further reinforced by land grabs. Military state officials may have been thinking that what they could not have accomplished by war they could perhaps by private land deals. But Kachin leaders in northern Shan State were not willing to sit back and watch to see if land deals were going to be the final blow to their indigenous struggle.

Kachin civil society leaders, predominately from Kutkai town, but also Lashio and other smaller predominately Kachin towns, mobilized themselves around resisting the agribusiness concession. Leaders relied on behind-the-scenes grassroots organizing, but complimented them with the more innovative resistance methods now possible as they had a cadre of elected state leaders. Kachin activists and clergy mobilized well-known Kachin elders, pastors, and other key Kachin traditional authority figures to raise awareness among Kachin civil society about the land deal. Kachin leaders tested innovative conflict resolution mechanisms within the new Burmese government structures by sending letters of civil society objection, with many pages of signatures, to the nation's and Shan State's capitals.[91] The Kachin senator for Shan State became a key ally for Kachin citizens concerned about this land deal. He was able to bring together Kachin civil society leaders, state officials, and representatives from the companies involved to openly discuss company intent and civil society concerns. As a result of these concerted efforts over a two-year period, the government announced that the concession would be drastically reduced to 60,000 acres, down from the initial 600,000 acres.

Kachin civil society leaders were determined in their grassroots resistance and would accept little compromise, not unlike the KIO. When I congratulated one of the movement leaders for her hard grassroots work using the tools of political democracy, she looked straight into my eyes — an unusual act given our gender differences — and matter-of-factly retorted that the Kachin will not see this as a victory until the number of acres awarded in their territory is zero.[92]

The biofuel concession marked for Kutkai was the only example I heard about in northern Burma where civil society resisted against its demarcation. All other proposed land deals I heard about or observed went ahead as planned, with no prior notice to residents in the area. These various para-military militias have been born out of different political lineages and aspirations, and hold authority over different territories in northern Shan State, yet to varying degrees they all have established rubber concessions backed by Chinese investors. Brick walls and barbed wire fences cordon off former swidden fields that have become the private

[91] Signed petition letters are on file with the author.

[92] Interview, Kutkai, January, 2014.

property of militia leaders, demonstrating their state-backed power. The green government signs marking some of the concessions reveal much more than the acres awarded and to whom: they signify that state governance, land laws, and the police and army who enforce them have reached these hilly regions previously operating under customary law and authority. The concessions also remind us how the power and authority of strongmen is reinforced through Chinese land-based investments.

Agribusiness expansion in rebel territories

This next case study illustrates how Chinese agro-investments have contributed to Tatmadaw militarization and state building, this time in rebel territories – in this case around KIO's headquarters in Laiza. The land deals and the spatialized politics it engendered furthered the conditions of ceasefire capitalism and the return to war. How did the material politics of agribusiness in a rebel-held territory, as opposed to those in state or state-like territories, affect the conditions and outcomes of ceasefire capitalism? To answer that, we turn to an ethnic Chinese businesswoman born in Kachin State, who goes by the nickname Ali Jie.[93] Over the years since the KIO ceasefire, she developed good business relations with the KIO, as well as the rotating Burmese northern military commanders. Her political-economic connections to both high-level KIO and Burmese military officials in Kachin State during the heyday of logging in the early 2000s earned her numerous lucrative logging concessions in the region (see Chapter 6).[94]

But after China's opium substitution program came online in the mid-2000s, Ali Jie switched to agribusiness from logging in KIO-controlled territory. She joined up with Garang La Seng, a Kachin businessman. Garang La Seng, for his part, had close connections with the construction company Jadeland and its Kachin owner Yup Zau Hkawng, one of the most well-known businessmen in the region at that time. But the two business partners still needed a mainland Chinese investor to access China's opium substitution subsidies.

Enter the Chinese man who people say goes just by the name Lao Ying. He invested heavily in various resource extraction sectors in Kachin State, and cultivated good political connections on both sides of the Yunnan-Kachin border. Lao Ying used to work primarily with Yup Zau Hkawng to get access to resource extraction contracts in Kachin State during the earlier 2000s when Jadeland Company had less competition vis-a-vis the military state. He started doing logging deals with Gareng La San after he split from Jadeland in 2005, however. Over the years Lao Ying gained better contacts to match the changing political affairs in Kachin State. For example, Lao Ying strategically helped sponsor a Kachin *manao* new year's festival in Myitkyina since he knew that major national military figures would be present. Lao Ying posed with national leaders for photographs as a visual representation of new business connections forged, and then drink rice whiskey with them in the hopes of turning the symbolic material.

[93] The information for this case study is based on field research in Myitkyina in 2010, and in Myitkyina and Laiza in 2013 and 2014.

[94] Woods, 2011(b); EIA, 2015

Lao Ying's social and political acumen positioned him well to access China's subsidies and tariff-free agricultural import quotas through the opium substitution program. But what Lao Ying needed were business partners on the Burma side of the border to act as land deal fixers. Lao Ying joined Garang La San and Ali Jie and their newly registered company, Northern Royal Jade (NRJ). Soon thereafter, thanks to Lao Ying as the Chinese agro-investor, the trio obtained a 30,000-acre rubber (and banana) concession near Hkaya village, part of which is pictured in **Figure 15** when I visited this part of the concession depicted in the blue-grey area on the map.

Figure 15. *A roadside view of part of the Hkaya concession with banana and rubber planted. Source: author, March, 2013.*

The Burmese government labeled the settlement Daw Hpon Yan sub-township, a political hotspot located as it is in the hills around Laiza, the KIO's central headquarters. The concession, shown as a map within the wider geography in **Figure 16**, was granted by the government's agriculture ministry office in Myitkyina in cooperation with the KIO's agriculture and forestry ministry, according to a personal interview with the head of KIO's agriculture and forestry department.[95] The Taping (or Daping) River and its two Chinese-financed dams is

[95] Interview, Laiza, 2013

located in and along the concession which turned out to be — perhaps not by coincidence — the site where the first fight broke out that ended up restarting the war against the KIA (see Chapter 6) .

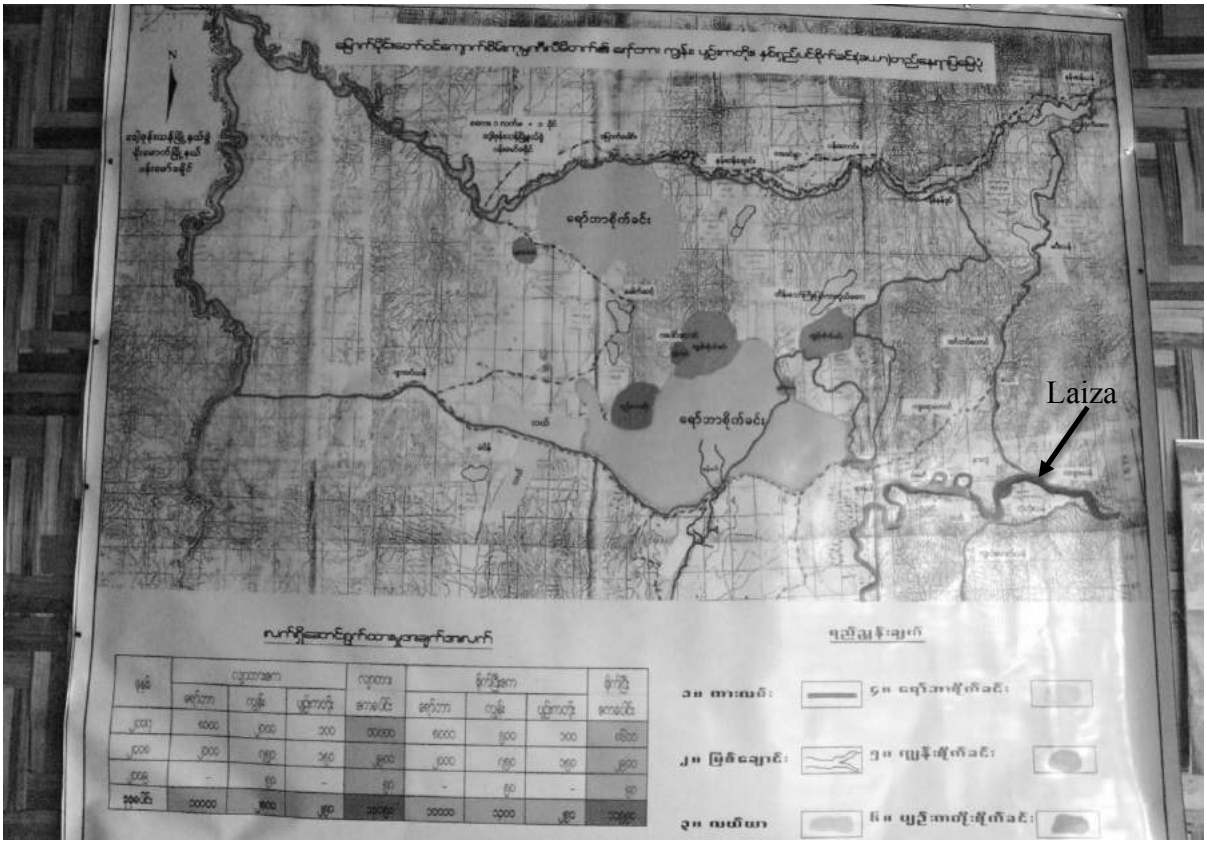

Figure 16. *A map of the Hkaya concession area (colored regions) in relation to surrounding border geography and KIO's headquarters at Laiza just a few miles away. Source: Picture of a map hanging on a wall of a township government agriculture office, taken by anonymous field researcher, 2013.*

In addition to being located next to a politically explosive dam site and the KIO's headquarters, the concession includes land in both Bun Sun and Thein Daw State Forest Reserves, although the territory is not actively managed by the state since it is effectively located in KIO controlled territory. The state forest had long been a refuge for KIA soldiers as it provided cover for guerrilla maneuvers — as well as logging revenue for the organization. As the post prominent Kachin businessman, Yup Zau Hkawng's Jadeland Company won the contract from Burma's government to build a road inside the state forest reserves. The road building not only provided access to the new agricultural concession, but in effect also connected two government-controlled towns that the Tatmadaw saw as strategically important choke points.

Jadeland Company received permission to log the forests for wide stretches on both sides of the road, clearing large parts of the state reserve that the KIA also relied on for their

covert movements and timber rent seeking. Logs were hauled away for timber revenue, but not without multiple taxes levied at multiple points: military and rebel checkpoints, the military's timber association, and Burma's Forest Department.

A new Tatmadaw battalion was established in the agribusiness concession zone, forming a triangle with two other Tatmadaw battalions outside the concession zone. The three battalions pushed up against KIO's headquarters, which abutted one side of the concession. NRJ Company managers brought in Burman wage laborers from the country's heartland, who themselves were earlier dispossessed by farming-related debt, as well as Chinese citizens from across the border just a few miles away.

Burmese military officials blocked the overland export route via KIO's headquarters in 2010 to prevent KIO officials from taxing the harvested produce. The trucks from China carrying the bananas had to instead travel along government-controlled roads and through a much more distant cross-border checkpoint managed by the government (rather than the KIO), with tax revenue and unofficial bribes doled out to Burma military and government officials (instead of to the KIO). According to Kachin workers involved with NRJ, one of the trucks transporting the boxes of produce from this concession was seized by the Chinese border police for concealed heroin.[96]

Since Chinese business deals crisscrossed strongmen and rebel territories, Chinese agro-investment became entangled with the resumption of war in 2011. The road from the nearest large government-controlled town to this banana and rubber concession became the supply route for the Tatmadaw to reinforce their troops. Since the concession forms a half-circle around the KIO's headquarters, the area's largest agribusiness estate amounted to a battlefield, literally and figuratively. The concession area came under the nominal control of the Tatmadaw after several successful offensives. But at other times the KIO was able to launch counter-offensives against Tatmadaw troops located inside the concession. In an effort to curtail troop movements, the concession area has reportedly become heavily mined.

The political and biophysical landscape changes in and around this concession have provided a good proxy to study the state-building effects from Chinese investments in an armed rebel setting. The state forest reserve, which in effect acted as a buffer around the rebel group's headquarters, was logged and turned into a banana and rubber estate. Even though informants did not narrate the series of events and outcomes in the language of territorial conquest or state building, the material politics spoke for itself. After the concession became the launch pad for battles against the KIA, the head of the KIO's agricultural department awkwardly declined comment to me on the wisdom of turning the landscape surrounding their headquarters into a deforested clearing. The political and securitization ramifications of the concession became undeniable, if yet unspoken, to the rebel colonel.

Concluding Remarks: Territorialization as State Building

Burma is a fractured landscape of diverse ecologies, territories, and ethnic identities. The analysis presented here showcases how land formalization and agro-capitalism reify — yet

[96] Since that time Lao Ying, the Chinese NRJ business partner from Yunnan, has reportedly been on the run as a wanted fugitive.

also offer new opportunities to break down — legacies of racialized space and territories. Colonial and post-independence categorizations of ethnicity, land use, and political territories set up the building blocks of what became the country's agribusiness sector after the end of war and socialism. The legacies of institutional power — military authoritarianism, crony companies, and ethnic strongmen — inform how, where, and to whom capital is accumulated and how and where state territorialization takes place. This chapter demonstrates how global and regional experiences with, and processes of, turning land into capital become reworked by Burma's armed sovereignties context. This chapter's case study material illustrates the political meaning and outcomes of turning land into capital in the context of armed conflict, racialized identities, and political territories.

The military's appropriation and allocation of swidden farms to private individuals for agribusiness represents a contemporary incantation of the politics of "wastelands." Marked as "unproductive" and "inefficient" under the management of smallholders, Burma's post-colonial socialist government used the discourse of wastelands to legitimize state land claims, as their colonial predecessors had done. Burma's military, on the other hand, also found resonance with the discourse of wastelands, especially when located in rebel territories. Wastelands became sites of counter-insurgency, whereby state and para-military soldiers forcibly removed villagers from wastelands in black areas and moved them into strategic hamlets. Thereafter soldiers often occupied these sites to grow food for their families and units located nearby, effectively making these rebel spaces into military state territory. Since Burma's government has liberalized the agricultural sector starting in the early 1990s, the arrival of foreign investment to make wastelands productive has had the effect of amplifying and expanding the extent of turning wastelands into state territory. The cases presented here illustrated the contemporary manifestation of the legacy of counter-insurgency with wasteland development.

The pairing of developing wastelands in the rebel frontier with China's opium substitution program directly linked Chinese investors and their finance capital with Burma's strongmen operating in armed sovereignties. The Sino-Burma borderlands provide a provocative backdrop to China's changing cross-border engagements since the Cold War: from funding insurgencies to instigating business partnerships with state-like narco-militias who are called upon to fight the remaining revolutionaries who they used to support. Cold War legacies of political violence have structured the ways in which political power and territorial authority get called upon in contemporary cross-border Chinese engagements. Ethnic Chinese militia leaders in northern Burma who once fought under Burma's communist umbrella are benefitting from their cross-border ties. Instead of directly funding a political revolution, Chinese agro-investments in effect channel new opportunities for the same armed elites. And as the military state gains more territorial power and authority in northern Burma through the workings of ceasefire capitalism, crony companies are increasingly competing with local ethnic strongmen and Kachin businessmen to stake their land claims.

The territorial rearrangements triggered by agribusiness land grabs also extend to population dynamics. Military and police acting on behalf of generals, cronies, and strongmen leaders forcibly evicted villagers living within the concession area have come on the heels of

villagers fleeing war, counter-insurgency, and “development” projects amounting to forced location of another kind. Population movements are politically charged: the military, government, and NGOs resettle ethnic minority communities living in the poppy highlands within reach of rebel groups down to roadsides in the lowland state territories. These displacements act as a crucial element of state building that works in tandem with the making of state territory and subjects.

The proliferation of these concessions in rebel areas is not by coincidence or without political repercussions for rebels fighting against the state. Concession holders and other sub-contracted cronies build roads and cut the forests that offer armed guerrilla habitat. Tatmadaw and para-military militia units attack rebel soldiers, requiring ethnic minority farmers sympathetic to rebels to flee further into the forests or temporarily seek shelter in IDP camps, usually in government-controlled territories. Burman (and sometimes Chinese) migrant labor then moves into these depopulated agricultural concession areas. These industrialized landscapes to varying extents have erased the revolutionary past, to start anew with state and state-like governance norms, and a new population more subservient to the state based on their racialized identity, religion, wage labor service, and stronger political allegiance to the state.

CHAPTER 5

MONEYLENDERS TO LANDLORDS: CORN CASH CROPPING & ACCUMULATION FROM BELOW

Introduction: Accumulation from Below and Agrarian Transformation

How did a corn cash crop boom eat into impoverished villages' upland subsistence rice fields and become the second most common crop in the country's upland agricultural heartland? What do smallholder corn landscapes reveal about northern Burma's legacies of war and racialized geographies as they relate to upland agrarian political economy? Studying smallholder corn production revealed everyday pathways of violence of a different kind compared to rubber.

Whereas Chinese investment in rubber turned warlords into landlords in Burma's northern borderlands, the spread of smallholder corn production turned land over to town moneylenders and village elites.[1]

Whenever I met with community leaders and local development workers to talk about rubber, the discussion would eventually lead to the rapid spread of corn cash cropping and extensive associated debt. After I finished my field studies on rubber concessions, I followed their requests and next researched the agrarian dynamics of smallholder corn cash cropping in Shan State. My research assistant and I drove along stretches of road where instead of rubber estates fenced in by barbed wire and brick walls, village hamlets periodically dotted the roadsides where smallholders still held onto their land. Subsistence upland rice fields had been replaced in the past three to five years with industrial corn hybrid varieties from Thailand for China's chicken feed market. Corn stalks crept up into the surrounding hills once covered in forests. During the monsoon, the landscape would light up with the soft green of corn stalks, as pictured in **Figure 17**, much like the color of young paddy fields in more low-lying areas. After the corn harvest at the end of the rains in November, the yellowish-brown stalks remained as a reminder of a season's hard farm work (**Figure 18)**.

[1] For reasons of needing some institutional and financial support to carry out what became a rather challenging and extensive project, I pitched this research and advocacy project to the Land Core Group (LCG) in Rangoon. LCG was kind enough to help me undertake this project which stretched over a period of nearly two years. Funding through LCG was generously provided by LIFT, a consortium of Western donors focused on rural livelihood development in the country. I was able to publish my findings with LCG (Woods, 2016(c)) as well as with the International Institute of Social Science (ISS) in The Hague, Netherlands (Woods, 2015(b)), which acts as a complement to this dissertation chapter. Two years later, with funding from the Mekong Region Land Governance (MRLG) project during 2016-2017, I have been able to work with local community based organizations (CBOs) in Shan State to help do community farmer outreach in CP corn growing areas using these research findings.

Figure 17. *Upland cultivation of CP corn in northern Shan State during the monsoon season. Source: field research assistant, 2013.*

Figure 18. *Corn harvest, with remaining corn stalks in the hilly background, in northern Shan State after the monsoon season. Source: field research assistant, 2013.*

This chapter presents an in-depth field-work based case study of another type of opium substitution program, a smallholder cash-cropping scheme. Asia's largest and most prominent agro-food/feed corporation, the Sino-Thai Charoen Pokphand (CP) Group (with headquarters in Bangkok, Thailand), has regionalized its CP corn production operations over the past two decades.[2] Rapidly growing regional consumer demand, mainly from China, and rising land and labor costs in Thailand, led CP Group to instead source corn feed from its poorer neighbors, including Shan State, Burma. Many of Shan State's rural upland ethnic minority smallholders have sought a way out of the poppy economy and the poverty trap by seizing the opportunity to capitalize their own customary land and household labor by cultivating high input CP corn for China's chicken feed market.

This chapter examines how a smallholder corn contract farming scheme's mode of production created the conditions for "intimate exclusions" within villages in Shan State, and consequently created the means for "accumulation from below." I borrow the term "intimate exclusions" from Hall, Hirsch and Li (2011), who examine cash crop booms in Southeast Asia, to mean the "'everyday' processes…of accumulation and dispossession among villagers in the context of agrarian capitalism."[3] I use the phrase "accumulation from below" to mean the village-level processes of capital accumulation by smallholder production schemes that result in socio-economic differentiation because there are those who are successful and those who are not.[4] The capitalist relations into which upland, predominately subsistence households are voluntarily inserting themselves are structured by a highly differentiated terrain of political and economic power. Poor farmers quickly learned that they are no longer only subject to bullets and bulldozers or brick walls and barbed wire, but also to the silent compulsion of the market. Inaccessible capital among poorer households, ethnic Chinese migration and moneylenders with access to capital in China, and state administration and governance structures have created a highly uneven playing field. This chapter's study sought to answer the overall research question on how the industrialization and marketization of smallholder agriculture reconfigure land politics within the context of political violence.

Hopes to escape economic poverty and food insecurity by growing CP corn were dashed for all but the wealthiest villagers due to an agrarian political economy stacked against poor farmers who were without capital or access to state power and privilege. Poor households could not afford to purchase CP corn seeds and chemicals themselves. But the CP corn program did not offer any direct line of credit to farmers in part because too many farmers grew their CP product, as the head of one of the CP offices in Shan State explained to me.[5] So farmers instead were forced to rely upon high interest loans from local moneylenders (called *bway sa* in Burmese). Traditional moneylenders in large villages and towns, many of whose funds and trading networks had underpinned the opium economy since the 1960s, transitioned into

[2] Burch, 2010

[3] Hall, Hirsch and Li, 2011:145-146

[4] An excellent example of "accumulation from below" is Li's (2014) ethnography on highland farmers' struggles to accumulate capital from cash cropping in Sulawesi, Indonesia.

[5] Interview, Taunggyi, Shan State, January, 2014.

performing also as informal CP corn agents as corn became a prominent new legal capital accumulation opportunity.

Turning land into capital through corn contract farming engagements has put some poor households into debt because of their reliance on credit from private moneylenders. While the case is often that farmers cannot properly capitalize on their assets because of a lack of credit, here the problem in Burma is its presence, at least of a less affordable type. Debates on the capitalization of land, popularized by de Soto and quickly streamlined by IFIs, argue that the twin tools of private land titles and available credit can unleash farmers from their entrapping of poverty.[6] The lack of any state or CP Group provided credit – or from increasingly available microfinance lending from the non-profit sector – to corn cultivators in Shan State left private moneylenders as poor farmers' only option. When poor households got lower than expected corn yields and whose harvests were under-valued by their brokers year after year due to a host of socio-economic reasons (explained further below), they often became caught in debt from moneylenders' high-interest loans. Households relied on a host of debt coping mechanisms, such as young members migrating to China and Thailand to work or transitioning back into the poppy economy to make some quick cash.

In addition to the problem of the availability (rather than the lack) of high interest credit that explains unusually large debt burdens among poor farming households, the opening of a private land market (rather than its absence) in Burma enabled debt-induced land dispossession. Households who couldn't repay a moneylender who demanded immediate pay back in full sold their farmland to their moneylenders or to the few wealthy households in their village to repay their debt. Village survey data demonstrated that in villages where CP corn became the primary crop, and few coping options were available, the opium economy was beyond their reach, and moneylenders demanded quick payback, poor households sold their land to those with power and money tied to state political power. Legal land markets and private land titles created under the 2012 land laws (see Chapter 4) fostered the conditions under which poor households considered their farmland as a potential commodity for sale, and for rich households and moneylenders to buy. These agrarian dynamics where land turned into capital created the conditions whereby moneylenders and village elites turned into landlords, not unlike the transition undergone by armed strongmen involved with rubber concessions.

As will be described in detail below, my study found three common factors (with sub-regional variation) that individually and collectively drove the uneven agrarian outcomes from smallholder CP corn production: *moneylenders, state-backed village elites,* and *the opium economy*. The first and most important of the three factors, traditional moneylenders, who long have had access to capital and state privilege, were best positioned in these capital-poor environments to engage in a sort of "market grabbing." Their position and role in the agrarian political economy is not unlike armed strongmen with rubber concessions (Chapter 4). Different ethnicities of moneylenders, much like village populations, can be found in different areas in Shan State. The field data demonstrated how ethnic identities of the moneylenders and their clients related to the degree of smallholder land loss incurred from debt. Ethnic

[6] de Soto, 2003

Chinese merchants in northern Shan State, predominately Kokang Chinese (profiled in the history chapters and rubber case study), have better access to capital from (and trade networks to) China, and therefore often play the role of moneylenders near to the China border where they reside. But non-Chinese clients who had ethnic Chinese moneylenders complained to me about the brokers being "tricky" or "cunning" businessmen who demanded full repayment immediately upon harvest; many of these clients in study villages in northern Shan State subsequently fell into debt and lost their land as a result. In southern Shan State, however, which is quite a far distance from Kokang Chinese settlements and the China border, moneylenders normally have the same non-Chinese ethnic identity as those they are lending to, and generally relate to each other as extended kin. Ethnic identity familiarity among Pa-O, for example, rarely resulted in loss of household land to pay off debt according to study village data and key informant interviews. Ethnicity and geographies of credit largely determined levels of debt and land loss from CP corn production, where villagers in northern Shan State experienced much higher levels compared to those in the south of Shan State.

Village-level elites connected to state political power – as the second determining element – also played an important role in accumulation from below. Village elites are generally military-appointed (although now sometimes elected) headmen, police officers, other state agents, and teachers, among other possible connections to state political power. The rise of the market on one hand and local conditions on the other hand have enabled them to secure more cash and land from CP corn cash cropping. In particular their ability to capitalize on corn has proceeded in two related ways. First, state and state-like elites generally had more land and greater access to capital to start with, which better positioned them to profit from CP corn cultivation in ways that will be made clearer later in the chapter. Second, poor households that have defaulted on corn cash-cropping loans have sold their land not only to brokers, but also to elite village members. The result has been an increased disparity of wealth within villages, with state-backed village elites joining moneylenders as recipients of land from villagers under duress.

The third and final factor in shaping outcomes from CP corn production is Shan State's opium economy. The Thai government initially pitched CP corn production in Shan State to the Burmese military in the mid 1990s as a poppy crop substitution scheme whereby farmers could cultivate a legal crop instead of poppy. In fact, CP corn as an opium substitution program predated China's program (detailed in the previous chapter) by about a decade. Even though CP Group advertised corn production as providing the region a legal crop to reduce farmers' reliance on the drug sector, my study found that the dispossessory outcomes have actually *augmented* the opium economy. Some households have sought to subsidize the input costs of cultivating CP corn through their savings from poppy cultivation or wage labor on poppy farms, and thereby cut out the need for high interest loans from moneylenders. In other cases, ex-poppy farmers have gone back to the poppy economy in order to pay off debts incurred from CP corn cash cropping. Moreover, poppy production and the opium economy is much more prevalent in the south of Shan State.[7] Villages in the south were more likely to have access to

[7] The geographical distribution of poppy production concentrated in southern districts of Shan State can be shown in UNODC (2015) data as well as confirmed by my own findings.

the opium economy to help subsidize their CP corn production and thus avoid taking out credit from moneylenders altogether. This also helps explain the much lower prevalence of debt and land loss among CP corn households in the south as compared to the north. Local conditions such as village agricultural management practices, distance to roads, involvement in illicit economies, and broker-client relations in different geographical areas thereby significantly affected dispossessory outcomes.

Ethnic Chinese moneylenders and wealthy state-backed elite villagers in northern Shan State have turned into landlords, much like warlords have transitioned to landlords in the making of rubber estates. A certain set of conditions led poor households under CP debt-induced duress to transfer their farm land to ethnic Chinese brokers and elite village households. CP Group and corn for chicken feed underwent regionalization, Thai labor and input costs priced themselves out of the CP corn production market, upland farming households in Shan State looked for ways to accumulate capital and rebuild their livelihoods after war, and moneylenders grew interested in post-poppy capital accumulation strategies. Rubber and CP corn, despite very different modes of production and dissimilar conditionalities, were both introduced as poppy substitution crop programs, emerged out of a liberalizing post-war environment, and resulted in landlessness. Arguably, one agriculture commodity (rubber) led to accumulation from above and the other (CP corn) from below. Yet the case studies demonstrate that in both cases, local elites connected to state power and privilege are becoming the region's new landlords.

The modes of production for both rubber and corn have led to ex-poppy smallholders losing land to local elites, but the associated forms of violence are not the same. Forms of violence did not end with the historical moment of primitive accumulation, but rather transformed into the process of production itself — in this case, into agricultural production regimes. This is ceasefire capitalism. Focusing on the *transformation of violence* from primitive accumulation (capital "becoming") to capital accumulation proper (capital "being")[8] analytically enables a dialectical framework in which these two processes of accumulation become co-constitutive. Jim Glassman advocates for the term "accumulation by extra-economic means" to refer to the entire panoply of forms of accumulation, such as Marx's so-called primitive accumulation, Harvey's accumulation by dispossession, and the gendered and racialized forms of accumulation within social reproduction.[9]

The elephant in the shadow of land grabs in Burma is poor farmers themselves "voluntarily" engaging in a cash-crop economy that is systematically stacked against them. As Burma enters the international community and the global economic market, the mechanisms for domestic elites to accumulate capital is also undergoing a transformation. Whereas for the past two decades the military and private elites have secured land through forced appropriation, as seen for rubber estates in Chapter 4, the means of obtaining land and agricultural commodities under a more liberal economy are certain to change. As companies under increasing due diligence pressure look to decrease their political and economic risk, they may shy away from large-scale land acquisitions and increasingly rely on smallholder

[8] Marx, 1973:459

[9] Glassman, 2006:617

production schemes to obtain their products. Burma is on the cusp of a new era of enclosure and dispossession. Research findings demonstrate that the silent compulsions of the market, rather than the military as land grabbers in decades past, is set to be the new primary driver of dispossession and the making of landlords.

Turning from Land Grabbing to Contract Farming

The Greater Mekong Region's agricultural sector and rural livelihoods underwent a dramatic industrialization transformation that started in the 1980s beginning in Thailand. But Burma's farming communities remained stagnant at best throughout the 1990s and 2000s. Burma's rural farming economies has atrophied since the socialist period under severe agricultural sector mismanagement. Even partial market agricultural reform from the 1990s into the 2000s did little to trigger growth or lessen farmers' livelihood burdens.[10] To this day in Burma there is a lack of essential ingredients needed to spark rural economic growth and boost farming livelihoods. These include state support, household capital, low-interest loans, market information, and institutional and infrastructural support. These limitations have severely restricted the overall rural economy, and in particular socio-economic opportunities for poor smallholder farmers.[11]

Despite the dilapidated agrarian economy where farmers want better access to markets and higher market prices for crops, among other farming support, Burma's government and military this decade have promoted large-scale land concessions (LSLAs) as the solution to the stagnant rural economy and farmers' poverty. The political and legal support for the LSLA model in Burma followed state strategies in the rest of the region,[12] as well as global and regional investors looking to Burma as a possible new agricultural and land investment frontier following the 2007-08 market crash.[13] The military, government, and investors viewed the country's farmers as an obstacle, rather than part of the solution, in reinvigorating the agrarian economy and agricultural sector. But domestic and foreign investors in LSLAs in Burma quickly became ensnarled in a host of technical and political challenges in the country, much like the rest of mainland Southeast Asia region.[14] The challenges have become only more insurmountable as Burmese civil society resistance against land grabs has strengthened.

In response, IFIs, Western government donors, and some private sector players have advocated for and begun projects on rural farmers to be incorporated into global agricultural production supply chains as a more viable alternative to LSLAs. Smallholder cash-cropping schemes, such as contract farming, are enticing to the private sector because they avoid the potential legal and political challenges and due diligence with the concessionary model approach. As major international firms are enticed to enter Burma's agricultural market with

[10] Okamoto et al., 2003

[11] IHLCA, 2011; LIFT, 2012; MSU and MDRI, 2013

[12] See Baird (2011), Dwyer (2014), Diepart and Schoenberger (2016), and Dwyer and Vongvisouk (2017) for a good sample of critical reflection on LSLAs in Laos and Cambodia.

[13] For more on the emergence of agro-capitalism in Burma, see Chapter 4 and Woods (2013(b)).

[14] For example, the Cambodian government introduced their "leopard strategy" in answer to mounting land titling challenges and critiques (Milne, 2013).

its land reforms, a pronounced shift is underway to source agro-commodities from smallholder producers.[15]

Meanwhile, those in Burma's civil society who claim to represent rural farmers have so far focused their advocacy exclusively on fighting LSLAs, or in their parlance, land grabs. I can only speculate why social movements in Burma only focus on land grabs, despite my attempts to try to raise awareness on the importance to consider accumulation from below as well. Smallholder households profiled in this chapter's case study, many of them dispossessed of their assets by debt and thus prevented from engaging in the cash-crop economy, are thought to be usually of a lower socio-economic class than those who have been forcibly evicted in outright land grabs. While admittedly speculative, the logic is as follows: land grabs mostly occur along strategic infrastructure routes, along which land has probably already been "captured" by well-to-do household's intent on exploiting its coveted roadside location, cheaper transport costs, and potential rising land value. This process of intra-village land dispossession and accumulation has thus already squeezed out marginalized households from more prime locations. When a land grab on a roadside occurs through forced eviction, the original owner may very well possess a higher socio-economic status, which translates in this context as closer connections to power (e.g., headman, teacher, policeman, businessman, etc.) and access to mechanisms of justice. The voices that NGOs and media in Rangoon and provincial capitals hear belong only to those who are more economically and politically privileged, as this is what enables stories to travel to urban centers. To be clear, I am not making an argument that land grab victims are elites and therefore should be discounted in their quest for justice. But I am putting forth a class-based argument for why land grabs have received ample attention compared to market-led dispossession, despite the latter's much greater prevalence in rural Burma. Of course, other factors are at play here, namely that resistance to land grabs more directly confronts military state power and violence, and thus is closer to the center of struggles against overt oppression and political violence in the country.

Yet all the attention that land grabs have rightly received has inadvertently hidden from civil society leaders, the media, and policy makers the uneven workings of agrarian capitalism in Burma. It is important for civil society and policy makers to look beyond the discourse of land grabs. A more critical conversation is needed on what it means for smallholders to turn their own land into capital, even without seizure by the military, strongmen, and cronies. This case study therefore highlights the everyday and mundane forms of differentiated dispossession; less sensational than land grabs, yet nonetheless fundamental to the agrarian transformation underway with its associated forms of class making and state building.

Field Research Methods

The industrialization and commodification of agriculture and its resulting dispossession does not proceed uniformly everywhere. Among other factors, local history

[15] This shift has already taken place in Laos, for example, due to challenges with implementing LSLAs. On an overview of business models for foreign investment in agriculture in Laos, see Campell, Knowles, and Sayasenh (2012).

shapes the conditions under which land and agriculture are commodified and capitalized.[16] I selected northern and southern regions of Shan State as the two study areas for the field case because of their contrasting political histories, ethnic identities and migrations, agro-ecologies, opium economies, and moneylending practices. I first conducted preliminary key informant interviews ("phase one") in Taunggyi and Lashio, the two main cities in Shan State in the south and north, respectively, in order to identify possible determining variables in CP corn production causing different socio-economic outcomes. The identified variables were then taken into account in field study design and village selection. I designed the study to test if and how these sub-regional variations inform differences in the socio-economic outcomes as households and villages turn land into capital.

A total of eight villages were selected based on the presence of previously identified influential variables (from phase 1), CP corn was the main village crop, and field research assistants had an established connection to someone in the village. In some cases, a township area provided the right conditions for this study, but field research assistants had no existing connection to any villages in the area to make it possible to study.[17] All study villages were located in upland areas, populated by ethnic minorities, and most if not all households cultivated CP corn as their main (or only) cash crop. Villages had varying distances to a road (located alongside to a half days walk) and to the China and Thailand borders. To study the relationship between corn and poppy cultivation, two village sites (in Pekong township in southern Shan State) were purposefully selected for their known involvement in poppy production; other village sites were not known at the time of selection to be involved in poppy production which was only discovered during the survey interviews. My final selection of eight villages was purposefully equally geographically distributed between the north and the south of Shan State to capture differences between geographies: four each in the north and south, in townships that had some of the highest reported volumes of CP corn production according to CP Group data. Study villages in each township were selected so as to capture diversity across the identified variables between geographies to better understand their influence in shaping different possible outcomes.

The actual names of study site villages are kept anonymous, identified only by township, for political sensitivity reasons, as requested by villagers and research assistants. In southern Shan State the four villages are located in *Hse Saing, Hopong, and Pekong* (2 villages) townships. In northern Shan State the four villages are located in *Kutkai, Kyaukme,* and *Lashio* (2 villages) townships. See **Figure 19** for a map illustrating the field site township locations.

[16] Bernstein, 2004:125. As an example of how historical specificities have been taken seriously in accounting for how global agricultural commodities shape agrarian places, see, for example, Akram-Lodhi and Kay (2010) and Hollander (2008).

[17] For example, I attempted to select a village to study in *Yat Sauk* township in the south of Shan State due to the very high concentration of corn cultivation there, but could not confirm a field research team from that area and so I had to select an alternative township and village site.

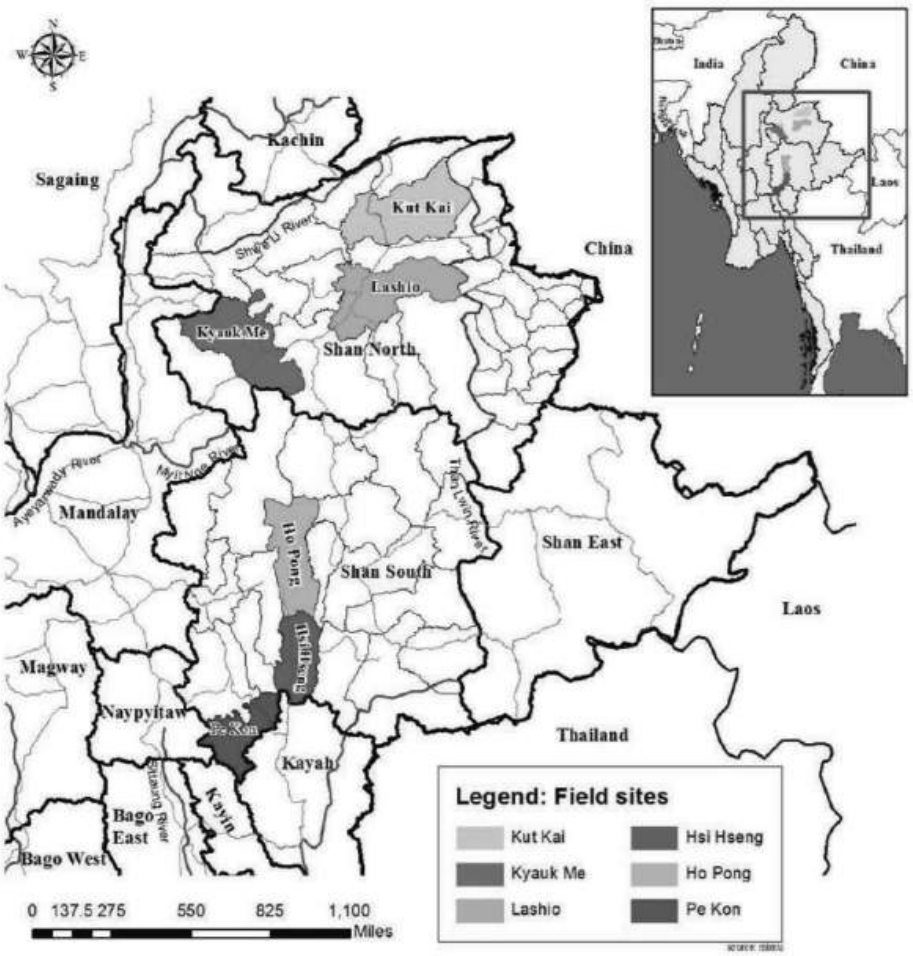

Figure 19. *Map of Shan State showing field study site townships. Source: Land Core Group (LCG).*

My research design and analysis were collaborative and collective among the farmers, field researchers, and myself. I conducted key informant interviews ("phase two") in Rangoon, Taunggyi, and Lashio over the course of 1.5 years in 2013-14. I was not able to visit any of these eight villages due to the military declaring nearly all rural areas in Shan State (outside of the few tourist places and cities) as "unsafe" for foreigners due to "security" concerns. But I did visit other CP corn growing villages along roads that I was able to travel along, especially north of Lashio towards Muse town on the China border. Instead I trained young male and female adult (early to mid-20s) community extension workers who worked for local community based organizations (CBOs) in social science research methods to conduct field research in the village study sites. All the researchers were from the township of the respective study villages, and were of the same ethnic identity as the majority in the village being studied. Researchers were already quite knowledgeable about CP corn production, mainly because they were from families who had cultivated CP corn.

In each village, paired researchers of the same ethnic identity (who could speak the same minority language as those in the study village(s)) first conducted a Focus Group Discussion (FGD). The number of village farmers present at FGDs amounted to about a quarter

of the total households in the village (average 25 farmers for each FGD), who included men, woman, and youth. This was followed by sampling of randomly selected semi-structured household interviews (SSIs), guided by an in-depth list of questions to assist the field researchers in their discussions. SSIs covered about ten percent of households in the village. Interviews were conducted in local ethnic minority languages in order to ensure that nuances were not lost and farmers felt more comfortable speaking in their first language. Afterwards I led the data analysis with the field research teams, with field notes translated from ethnic minority languages into Burmese.

Research assistants with the village households categorized CP corn farming households as "low," "middle," and "high" capital households at the time of the interview. In most cases a low- and middle-capital household functioned similarly in the CP corn contract farming system, and so was simplified as "poor" or "rich" households. We based these household categories on standard socio-economic parameters related to household material assets (e.g., house construction materials, electronic goods, form of transportation), available cash, and amount of land *after* engaging in the CP corn cash crop economy for several years. The classification exercise is meant to showcase socio-economic agrarian outcomes from CP corn production and as a way to present collated data on generalized differences in expenditures and income among these two simplified types of households. According to field research assistants, it was self-evident to the villagers in the FGDs how different households fit into these loose classification patterns (the "haves" and the "have-nots").

The methodological design of this study was not meant to provide a statistically robust data set explaining the situation for CP corn contract farming everywhere in the country, or even in Shan State, for all types of village and household contexts. Rather, the eight in-depth village studies provide enough contextualized field data to make sound analysis of *trends* in socio-economic differentiation from CP corn cash cropping at the village level, and how the historical specificities of a given place may shape these varied outcomes.

CP's Corn Crop Boom

Upland farmers in Shan State listened to the radio in bamboo shacks during cold nights under the stars, or gathered in the headman's house to watch Burmese soap operas, to learn about the rest of the country and world — and their place in it. Farmers who had been relocated to roadsides as part of counter-insurgency tactics then watched the speeding private passenger cars and overloaded cargo trucks drive to and from China — a daily reminder of how they had been left behind. This sentiment changed in part when young recruits from nearby town centers, sponsored by CP Group, arrived in minivans to these bamboo roadside villages, dressed in gleaming white outfits emblazoned with the ubiquitous CP logo and playing the newest Burmese hip hop tunes. The message was clear and strategic: grow hybrid CP corn and you will be "modern." The bombardment of these messages, some more subtle than others, have been particularly effective in pushing exceptionally poor and vulnerable farmers into cash-cropping schemes.

The regionalization of the livestock feed industry was partly responsible for making CP corn financially and agro-ecologically competitive with upland rice in Shan State. As the rising

middle class in Southeast Asia and China grew, meat consumption per capita correspondingly increased.[18] CP Group was the first foreign company that gained access to China's market, soon after the country opened to foreign-owned companies, owing to the Sino-Thai family's close connection to the highest politburo officials in Beijing. But as farm labor costs rose and other land uses competed with CP corn cultivation in Thailand, CP Group looked for nearby, cheaper alternatives. As a result, CP corn production shifted to Laos, Cambodia, and Burma to capitalize on Asia's cheapest labor and poorest farmers.

CP Group started corn production operations in Shan State in the mid 1990s by providing subsidized inputs to villagers in what CP Group officials in Shan State described to me as strategically targeted "higher potential villages." Perhaps not coincidentally, the villages were always located along paved roads that connected to the border with China — the destination of their product. Official CP agents would work through headmen, who administered distribution of inputs to the farmers for a small fee paid for by CP Group. In one of our study villages, the headman working on behalf of CP Group promised a lottery prize among those who cultivated CP corn, supposedly with a new tractor as the advertised grand prize; villagers later found out there was no such lottery, however. Subsidized inputs and the desire to no longer appear as "backward" subsistence farmers attracted villagers, who eagerly signed up for one of the only legal upland crops available. One CP corn farmer living in a study village in the south recounted during a FGD what his broker had explained in order to persuade him to plant corn in his rice fields: "If you are poor, then you can grow CP corn and become rich. Even if you don't want to be rich, you will become rich anyway."[19]

In the few years in which inputs were subsidized and soil fertility not yet depleted, it was possible for farmers of a wider socio-economic standing to make decent profits from growing CP corn. This quickly made the crop popular, and increasing numbers of villagers in upland areas in Shan State switched to growing CP corn over the years. But its initial uptake success challenged CP Group's system of contractual agreements with subsidized inputs for smallholders.[20] The heads of CP Group offices in Shan State explained to me how the rapid growth in CP corn cultivation led CP Group to switch from directly engaging with smallholder cultivators to "outsourcing" to local moneylenders. The moneylenders turned to CP brokers would provide cash credit and sell CP seeds and necessary chemical inputs to cultivators, as well as procure the corn harvest on behalf of CP Group.

CP Group highly encouraged key moneylenders in towns to promote CP corn to their clients.[21] According to a CP Group representative in Shan State's capital, "After the farmer accepts [the CP corn production system], we find them a broker."[22] But a farmer explained the relationship from the villager's perspective as "the broker followed CP corn."[23] That is because

[18] Global annual corn demand for livestock feed exceeds global supply, with demand in Asia at 100 million tons in 2009. These dynamics have led the global market price of corn to rise 30 percent in recent years, further incentivizing production to feed rising demand (Chung, 2011).
[19] Interview by field research team, southern Shan State, February, 2014.
[20] Interviews, CP Group representatives in Taunggyi and Lashio, Shan State, January, 2014.
[21] Interviews with CP Group agents and community development workers, January, 2014.
[22] Interview by lead researcher, Taunggyi, January 2014.
[23] Interview by lead researcher, Taunggyi, January 2014.

farmers knew all too well how brokers marked up input costs and subsequently profited handsomely from farmers' toil in cultivating corn.[24] Brokers initially appealed to smallholders as a means of obtaining otherwise unaffordable corn inputs. Moneylenders marked up the price of inputs above market and sold them to farmers on high-interest loans. Farmers then had to sell their CP corn harvest to brokers as per the unwritten rule; but brokers were able to set prices at below-market because of their monopoly on credit and the CP corn domestic supply chain. The brokers sold the corn harvest to agents further up the commodity chain, acting on behalf of CP Group as well as other buyers. They then transported the corn across the border into Yunnan for use as chicken feed.[25]

Under this broker arrangement, CP Group has reduced its own liability and risk, and shifted most of the risk to smallholders. Risks fell disproportionately on poor and marginalized households. Wealthier households could afford to sidestep brokers, as they generally did not need loans to purchase the required inputs. As a high-level state agricultural officer in Shan State eventually admitted to me at the end of our meeting, "The broker became more developed from CP corn cultivation, while the actual growers got less developed."[26] The brokers in each study area reportedly self-organized to form a cartel to collectively fix interest rates high and corn farm gate prices low. But farmers had not organized themselves over issues pertaining to debt and dispossession. Over a short period of time the CP corn production system evolved to reflect the agrarian structures of economic and political power and its inequalities.

Corn is the new gold

In Shan State, corn is now second only to paddy in both acres planted and volume produced. Of all high-yielding hybrid corn varieties on the market in Burma, 80-90 percent is under CP Group, with the CP 888 variety the most popular in most geographical areas.[27] Burma government figures specify that over 470,000 acres of corn (not just CP varieties) were planted in 2013 in Shan State. Yet representatives for CP Group in Shan State estimated total acres of CP corn planted based on bags sold are actually closer to 750,000 acres. Expected volumes were even higher if planting second-generation seeds were taken into consideration.[28] See **Tables 2 and 3** and **Figures 20 and 21** for government data on corn cultivation, although CP Group representatives in Shan State refute the much lower government reported acreage.

[24] By one account, mark-up on inputs was about 10 percent.

[25] Due to time and financial constraints, no research was conducted across the border in China to better understand the CP corn commodity chain in China, apart from a few key informant interviews in Kunming, Yunnan, China.

[26] Interview by lead researcher, Lashio, January, 2014

[27] This data is according to CP Shan State regional office in Taunggyi and village field data.

[28] Since CP corn is hybrid seed, any germinated seeds will not be the hybrid variety as the inbred lines will segregate out, so farmers lose the advantage of hybridity. A significant percentage of the poorest households in village field sites reported using second generation seeds to save on input costs, despite the disadvantages.

Table 2. *Planted CP corn (acres) in southern Shan State, 2013-14. Source: Regional state office, Ministry of Agriculture and Irrigation, Taunggyi, Shan State, compiled by author.*

District	Township	Acres cultivated
Taung Gyi		**147023**
1	Taung Gyi	52960
2	Ho Pong	7004
3	Nyaung Shwe	4499
4	Hse Hseng	9989
5	Ka Law	**3130**
6	Pin Daya	7857
7	Ywa Ngan	4830
8	Yat Sauk	40512
9	Pin Laung	6552
10	Pe Kon	9690
Loi Len		**30606**
11	Loi Len	1290
12	Lai Hka	1141
13	Nan Sang	14602
14	Kun Hing	2150
15	Kye Thi	5974
16	Mong Kaing	3895
17	Mong Hsu	1554
Lang Kho		**6303**
18	Lang Kho	1337
19	Mong Nai	2436
20	Mauk Mai	1170
21	Mong Pan	1360
Total		**183932**

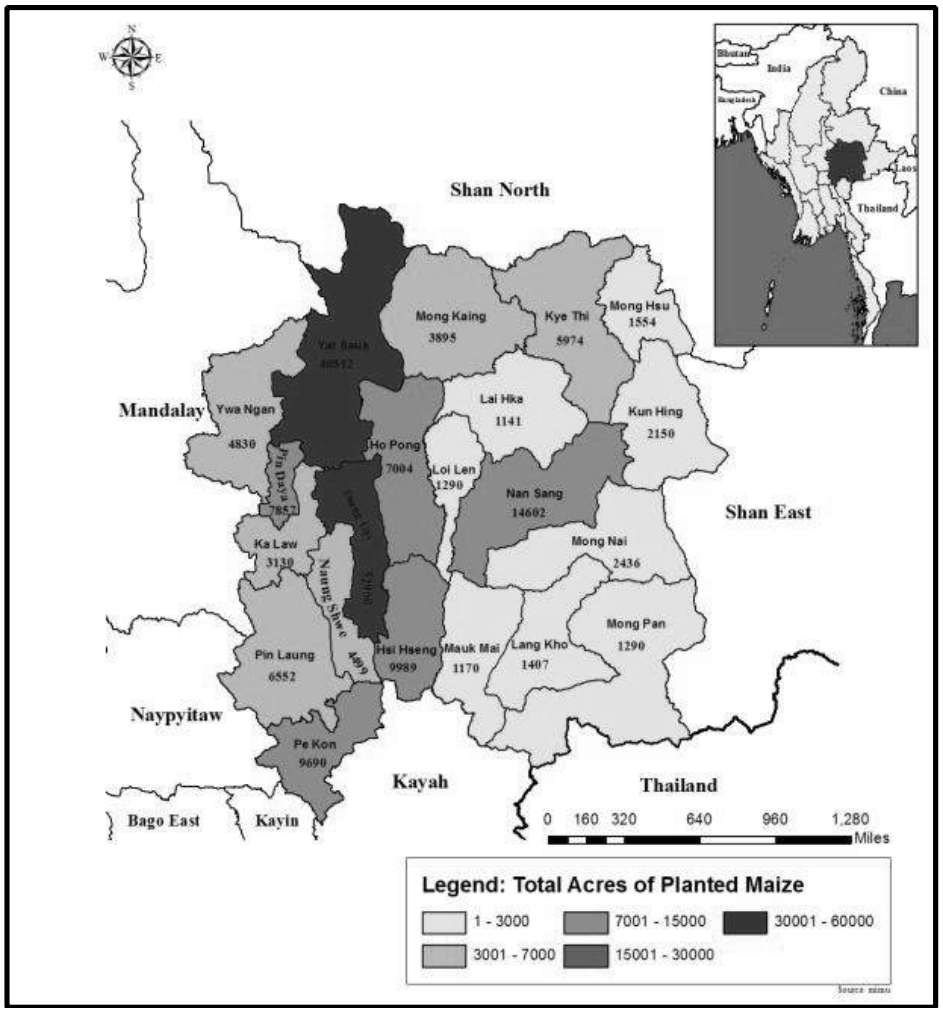

Figure 20. *Map of industrial corn planted (acres) by township in southern Shan State, 2013-14. Source: Land Core Group (LCG).*

Approximately 1.5 million tons of industrial corn were harvested in 2012-13, reflecting both the geographical expansion and intensification of corn cultivation.[29] Government agricultural officials and CP Group agents in Shan State claimed in interviews that over 75 percent of the market for CP corn cultivated in Burma was destined for China, with the remainder for the Burmese domestic market.[30] Interviews with farmers and key informants involved in the corn trade agreed that the harvested CP corn they partook in was exported overland to China. This held true even in southern Shan State, where the journey to China was longer and more expensive than to nearby Thailand. Official export figures are not available, however, as much of it does not pass through official border crossings, or if it does is not officially declared; it is not even clear (to me at least) if it is legal in Burma for corn to be traded across official border crossings to China. The only official government figure I could find was over USD $200 million was earned from corn exports in 2011-12, but of course this does not

[29] MSU and MDRI, 2013

[30] Interview, Taunggyi, January, 2014

include unofficial exports.[31] It is clear from **Figures 20 and 21** that infrastructure connections to Yunnan (e.g., the Muse / Ruili checkpoint) significantly influenced where CP corn was most frequently produced. The highest concentration of acres planted was along the Mandalay-Muse trade route, which is the main transportation corridor to China and where roadside land values are highest.[32]

Success in producing such high volumes in Shan State has made CP Group the largest animal feed manufacturer in Burma, with even two CP-operated feed mills located in southern Shan State.[33] In 2012, just after the land laws passed (see Chapter 4), CP Group announced plans to invest US $550 million in agriculture development in the country (on top of US $150 million invested since the mid-1990s) to include corn seed farms, rice farms and mills, cattle and aquatic animal farms, and livestock processing plants.[34] And CP Group is no longer alone in advancing industrial cash cropping. Since CP Group made their inroads into Shan State, other major global agro-feed/food giants have followed.[35]

[31] MSU and MDRI, 2013

[32] The importance of land value in relation to the geography of corn will be made clearer later in this chapter.

[33] Jackson et. al., 2013

[34] Beek, 2012

[35] For example, U.S.-based Cargill, one of the world's largest agribusiness and food processing corporations, opened an office in Rangoon to explore opportunities for the import and export of food and livestock feed, with particular interest in corn production to meet growing meat consumption demand. The latter is expected to grow alongside the country's (at present very minimal) middle class (Grant, 2013). DuPont, another major global agro-food and feed supply corporation, has also opened a prominent office in Rangoon with an expressed interest in corn production for livestock feed (Certo, 2014).

Table 3. *Planted CP corn (acres) in northern Shan State, 2013-14. Source: Regional state office, Ministry of Agriculture and Irrigation, Taunggyi, Shan State, compiled by author.*

District	Township	Acres cultivated
Lashio		**78309**
1	Lashio	46128
2	Hse Ni	14729
3	Tang Yan	11917
4	Mong Yai	5535
Muse		**33228**
5	Muse	9976
6	Nam Hkam	5193
7	Kut Kai	18059
Kyauk Me		**124262**
8	Kyauk Me	30507
9	Hsi Paw	21487
10	Naung Cho	58882
11	Nam Tu	10375
12	Nam San	677
13	Moe Mate	185
14	Ma Bein	442
15	Man Tone	1707
Kun Lone		**7267**
16	Kun Lone	7267
Lauk Kai		**27513**
17	Lauk Kai	17282
18	Kone Gyann	10231
Wa Region		**14495**
19	Ho Pan	12715
20	other townships	1780
Total		**206765**

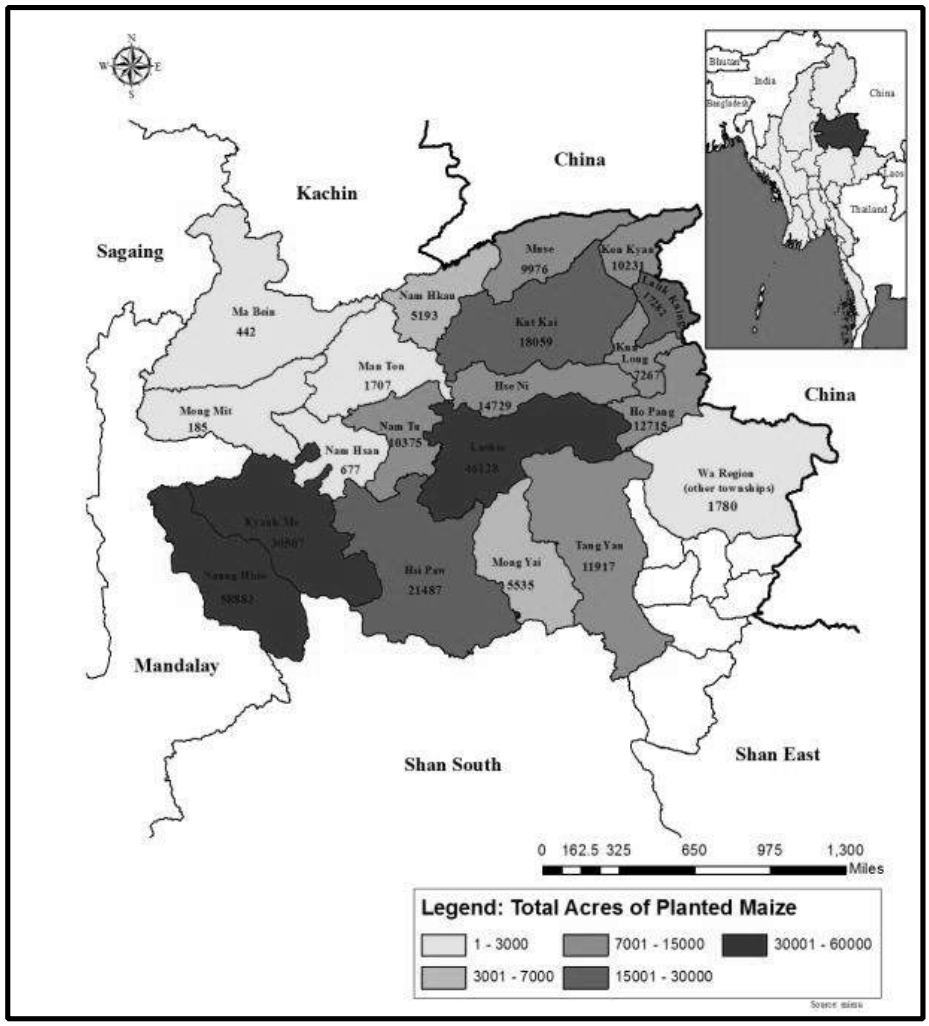

Figure 21. *Map of industrial corn planted (acres) by township in northern Shan State, 2013-14.[36] Source: Land Core Group (LCG).*

Moneylenders as Brokers of Differentiation

This section examines how the high input costs of CP corn production forced poor households to depend on high interest loans from moneylenders. Farmers identified their reliance on "traditional" moneylenders in order to enter into the CP corn production market as one of the main factors driving their production regime. Moneylenders long ago stepped in to provide capital to poor households in the absence of state supported rural finance. As agriculture has become more capitalized and dependent on chemical inputs, moneylenders have taken a more prominent role in Burma's agrarian economy and in turn played a bigger role in local / regional politics. In one of the few studies available on the topic in Burma, the top constraint (half of all answers) for farmers from different agro-ecological regions and ethnic states was the lack of money to buy farming inputs.[37] Taking out high-interest loans year on

[36] Note, the boundaries for Wa Region remain contested.

[37] IDE, 2009

year has driven debt and landlessness. Town-based moneylenders and wealthy households in the village have bought up indebted farmers' land, thus joining armed strongmen as the new class of rural landed elites.

There is a tradition of moneylenders in Burma filling in for state-sponsored finance and thereby turning land into capital. During the British colonial era, Indian moneylenders (known as Chettyiars) became an integral part of the paddy boom in the Delta by providing loans to peasants in the absence of formal state loans.[38] Customary tenure systems were replaced with a colonial political economy whereby agriculturists mortgaged their land holdings as security for loans obtained from Chettyiars.[39] But when the paddy price plummeted in the early 1930s with the onset of the Great Depression, paddy growers routinely defaulted on their loans. As covered in Chapter 2, a high percentage of peasants subsequently lost the land they had put up as collateral. The colonial political economy of land and its demise leading up to World War Two created a growing landless peasant class and "foreign" landowners backed by the colonial state.[40]

While the Burmese post-colonial state tried to prevent and terminate landlordism (in this case, largely Indian and Chinese land ownership rather than Burmans), they failed to inject state capital or provide social services to rural agricultural areas, both of which might have amounted to extremely tangible aid to poor farmers**.** Despite the formal agricultural sector dominating the country's economy, today less than 3 percent of bank loans target this sector.[41] The Myanmar Agricultural Development Bank (MADB) under the agriculture ministry is the only government source of credit for the agricultural sector, and it is limited. But more than two-thirds of clients receiving MADB loans are actually not farmers but agricultural traders, who themselves then play the role of brokers, informally financing farmers at much higher interest rates.[42]

MADB lending falls along similar racialized patterns of rural development and extraction as demonstrated in previous chapters. Due to state-defined priorities, government bias towards lowland (Bama) agricultural systems, and financial and infrastructural constraints, MADB continues to loan almost exclusively to lowland paddy farmers (88

[38] Apart from the Chettyiars, Burmese moneylenders and Chinese lenders (functioning as urban shopkeepers in Rangoon and Mandalay) lent to more high-risk urban, and then increasingly rural, clients as the colonial economy grew. While some scholarship has uncovered historical data on indigenous and Indian moneylending practices during the paddy boom in the delta, very little information is available on ethnic Chinese moneylenders and informal lending practices in the uplands of the country, in particular in Shan State which has a long history of Chinese migration and cross-border informal (black market) trade. For a rare exception, see Wen-Chin Chang (2004; 2014).

[39] Brown (2005). Some scholarship, however, challenges the scale of the Chettyiars' role in financing the paddy boom, and consequently land transferred to the Chettyiars from peasant loan defaults. This data raises questions as to the basis upon which the Indian merchant class became the scapegoat for Burma's colonial ills during its waning years. See, for example, Turnell, Ward, and Campbell (2008) and Adas (2011).

[40] Brown, 2005; Adas, 2011

[41] OECD, 2014

[42] OECD, 2014. MADB's annual interest rate on loans in 2014 was reportedly 8.5 percent, substantially lower than the annual interest rates previously charged by MADB (down from 13 percent p.a.), and much less than the 75-125 percent informal lenders operating in rural areas charge (World Bank, 2014(b)).

percent).[43] The ethnic minority populated uplands remain largely left out of government agriculture finance. In addition, less than one percent of MADB capital is loaned out specifically for corn production—a crop that is only grown in these uplands.

The lack of state loans, or their inadequacy, have forced farmers, especially in the uplands, to borrow cash from high interest informal lending sources to purchase agricultural inputs. A 2012 study on rural finance in Burma found that the majority of farm households (42 percent) relied on family and friends for finance, while 31 percent received loans from moneylenders, and 19 percent from shopkeepers.[44] Of smallholders who engaged in CP corn or other commercial agricultural production, it is likely that the percentage who took out loans from moneylenders was significantly higher, as family and friends would no longer suffice as sources of capital. More formal sources of rural finance were much less common according to the study: first were microcredit providers (at 16 percent),[45] followed in line by government sources (10 percent).[46] Half of respondents in the same study borrowed money from brokers (including shopkeepers) to fill this capital void.[47]

While loans can provide the capital necessary for households to get out of the debt trap, they can also be a Trojan horse — further entrapping households if they are not able to pay back the loan.[48] A United Nations World Food Program (WFP) survey conducted in late 2009 in the Central Dry Zone (predominately Burman villages cultivating beans and pulses) revealed that 84 percent of households reported being in debt. The median debt was 300,000 Burmese Kyat (or about US $300 at that time), equivalent to between half and a full year's wages for a male worker if engaged in regular wage work.[49] This prevalence and gravity of debt among farming villages was also found in this study's survey data, as discussed in more detail later. A report on rural finance in Burma summarizes the grave situation of the under-capitalized agrarian economy:

> *Farmer indebtedness is a serious problem in Burma and the number of landless farm households is increasing. Finance for farmers is exceedingly expensive except for the rather small amount provided by the MADB. Bad harvests can mean that farmers need to sell their land to repay loans, becoming casual laborers instead.*[50]

[43] World Bank, 2014(b)
[44] LIFT, 2012
[45] Microcredit finance is expected to be the next boon for low-interest rural finance with the passing of the Microfinance Law in 2011 and the subsequent registration of over 130 micro-finance institutions (MFIs) by early 2013 (Macan-Markar, 2012).
[46] LIFT, 2012
[47] LIFT, 2012
[48] In late 2014 the Irrawaddy (Ayeyawady) Region Farm Development Bank's director instructed township managers to issue arrest warrants for those farmers who had not been able to pay back loans to MADB under Chapter 420 (the "cheating law").
[49] IDE (2009). A majority (55 percent) of households reported debt levels over 100,000 Kyat (about US $100), and an additional 25 percent of households reported debt levels of between 50,000 and 100,000 Kyat (US $50-100 at the time).
[50] Kloeppinger-Todd and Tun Min Sandar, 2013: page V

A highly indebted farmer will often borrow from a lower-cost source of credit to pay off a higher cost source, but then may use part or all of the new loan for food or other non-directly-productive purposes, thus furthering the cycle of indebtedness.[51] As households increasingly rely on the cash crop economy, they must purchase food (instead of growing it themselves). The average rural household in Burma has adequate food supplies for only about ten months out of the year; landless households less so.[52] In one reported study, a third of households surveyed required high-interest loans to purchase low-quality rice during food shortage months, especially as cash crop yields often fell below expected levels.[53]

Rural agriculture finance has begun to fall in line with land formalization and capitalization measures in the country, as has been shown elsewhere in the world.[54] The MADB now requires farmers to have a good credit history as well as official government-issued land documents to qualify for loans. In this case this means a prospective individual borrower must join a group of 5-10 farmers to mutually guarantee their loans, as well as to submit their "Farmer Registration Book" verifying the farmer's official land use right, or their government-issued land use certificate (or LUC — see Chapter 3).[55] Government-issued private land titles used as collateral for loans acts as a fundamental element in turning land into capital. Predominately lowland, more wealthy farmers with landholdings along infrastructure and trade routes have more readily received LUCs. According to the agriculture ministry, the intention is to make available long-term loans equal to 30 percent of the value of a farmer's titled land.[56] As explored in Chapter 4, farmers engaged in upland rotational farming do not qualify for private land titles because their agro-ecological practices are criminalized and customary land claiming systems not legally recognized. The commodification and financialization aspects of turning land into capital thereby reinforce the ways in which rural populations and agro-ecological practices are used to racialize them. Only ownership of certain farmlands is recognized by state administration and finance; others are left exposed to land confiscation from agribusiness deals and unscrupulous informal moneylenders.

Eating from the hands of moneylenders

The transition to high-input smallholder agriculture to supply global commodity supply chains has subsequently created a growing need for capital among farm households. For most households interviewed in Shan State's uplands, this was the first time they had required loans to purchase inputs for agriculture.[57] I will show how local brokers provided agricultural credit to low- and middle-capital farming households (measured in monetary and household asset terms) to purchase the required inputs, a dilemma which has forced them into debt. In most

[51] IDE, 2009. For example, a WFP survey found two-thirds of all households borrowed money to purchase food or healthcare (see LIFT, 2012).
[52] LIFT, 2012
[53] IDE (2009). Also see LIFT, 2012; village field data from this study.
[54] See Fairbairn (2014) for a global perspective, and Dwyer et al. (Forthcoming) specific to the Mekong Region.
[55] World Bank, 2014(b)
[56] DAP, 2013
[57] A low percentage of households had previously taken out loans for sugarcane cultivation, although no data is available on the degree to which debt was an issue or not.

agrarian settings, the problem is the lack of credit; but for the case of Burma, it's the type of credit that exists and the demands in some areas for payback that makes this case exceptional. Given the lack of land tenure security, extreme poverty, and very poor governance overall, modest increases in available credit with reasonable interest rates would not fix the problems studied here because the structures of inequality remain unaddressed.

The relationships among the different actors and conditions are demonstrated in **Figure 22** below. But households which could use their own capital to purchase inputs did not need the services of moneylenders, thus bypassing high-interest loans and the "middleman" services that increases household risk and decreases potential profits. The disparate experiences of smallholders—based on a households' capital and connections to state power — who are engaged in high-input agricultural production provided the context for my analysis of the agrarian transition underway.

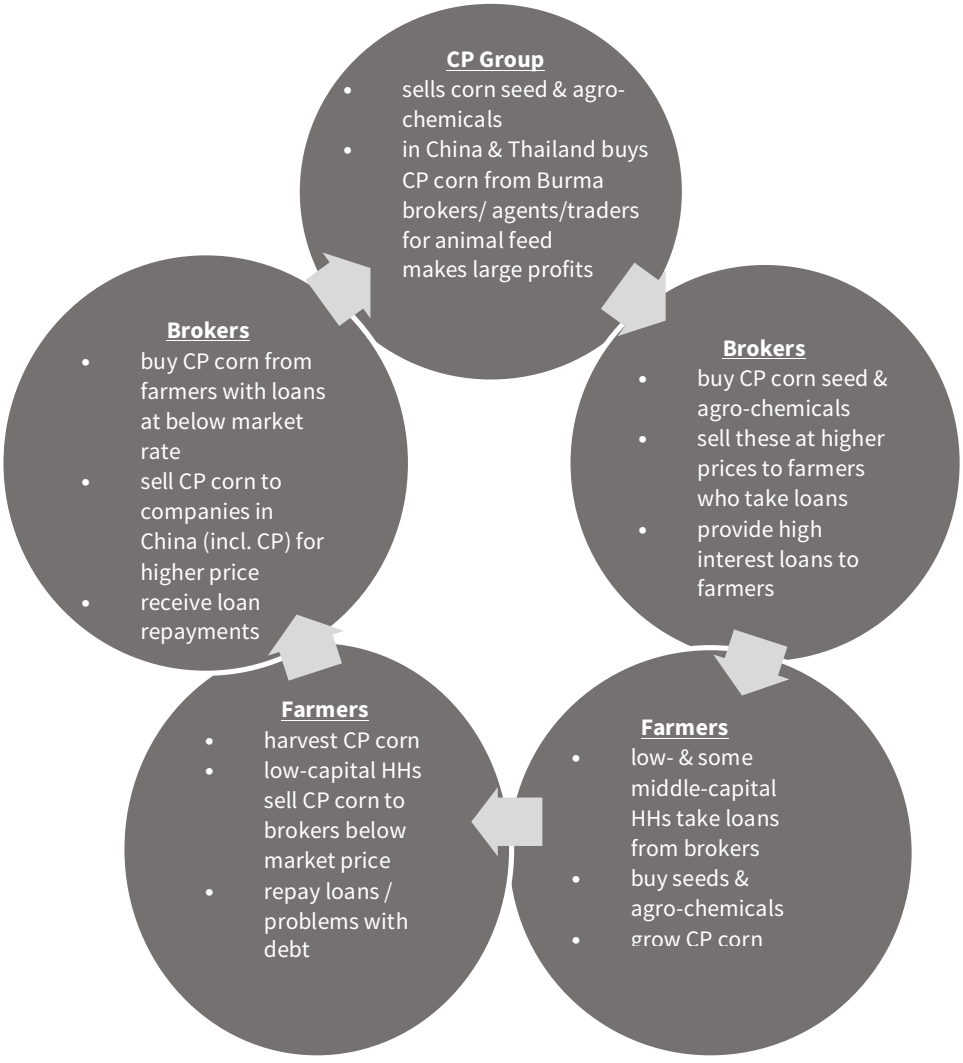

Figure 22. *Actor flow chart of the CP corn supply chain. Source: author.*

The socio-economic situation for a household largely determined whether credit from a broker was needed, and if so, the contractual relationship between cultivator and broker. "High-capital" households rarely needed credit; only in two out of the eight village sites did a few high-capital households need to take out loans at any time since growing CP corn.[58] But quite unusually, in no reported cases did these wealthy households lend credit to poor households, presumably because they relied on their cash savings to fund their own corn production endeavors. Or it could be more related to moneylenders putting pressure on these high-capital households so that they do not eat away at their monopoly of the credit market. In order to purchase the required seed and chemical inputs to grow CP corn, more than half of "middle-capital" households and nearly all "low-capital" households in the study villages (apart from poppy-producing villages, see later section) reported they needed credit from brokers every year.

Low-capital households usually either could not obtain—or could not manage the risks of taking—large enough loans to purchase the recommended volumes of chemical inputs because of their lack of substantial collateral (even if land was included). Households with capital deficiency therefore often produced lower than expected yields—based on CP Group's advertisements and experiences from wealthy households. Lower yields provided lower incomes. These lower profits resulted in difficulties in paying off loans.

Interest rates for loans from informal moneylenders hovered around 5 or 6 percent per month (or 60-72 percent per annum) across all villages studied. Moneylenders calculated the interest rate per month as a compounded rate. Rates went up to 10 percent per month in some circumstances (120 percent p.a.) in field study villages, especially when used for the immediate purchase of food or other essential goods.[59] Interest started to accrue as soon as the loan was taken out, especially for villages located in the north. Lenders expected loans to be paid back after the corn harvest, about four months after the loans were taken out. At 5 percent interest per month, the interest would grow to 20 percent of the principle by the time payback was even possible. There was some variation in interest rates and loan Two brokers in different villages in southern Shan State charged no interest at all, but balanced this by charging significantly higher input prices and offering even lower farm gate prices for corn. This tactic, at first appealing to households according to interviews, resulted in similar overall costs to clients as more conventional loans. Some other brokers switched to providing cash loans to farmers with which to purchase CP corn inputs (as opposed to providing the inputs directly), a practice which carried somewhat different conditions of payback. According to the farmers themselves, these conditions overall were even less favorable. conditions, however.

Immediately after the corn harvest, indebted farmers tried to pay off their loans, most often in kind. All farmers insisted that they must sell their corn product directly to their broker according to unwritten rule. Villagers must maintain a good relationship with their broker: they

[58] Although in a few of the poorer village's relatively higher-capital households needed to take out small loans for CP corn cultivation due to their relatively lower capital base compared to wealthy households in less poor villages overall — thus functioning more as "middle-capital" households relative to other villages.

[59] IDE, 2009; LIFT, 2012; but other reports indicate even higher monthly rates of 10-20 percent (see Dapice, Vallely, and Wilkinson, 2010).

require loans each season for the next corn crop, as well as for other household and village affairs (e.g., weddings, funerals, health emergencies). But brokers in all study villages studied bought the corn harvest from their clients at below market prices. Despite losing out on a fair market rate, farmers still sold their corn harvest to their broker every year in order to maintain their conduit to capital. Villagers commonly complained that this was an unfair arrangement and they felt cheated, but they believed there were no other options available. Some villages were also constrained by their location, lack of decent infrastructure, and lack of affordable transportation to get their harvest to the nearest market town themselves. The time of year that poorer farmers sold their harvest to their brokers was also when market prices for corn were at their lowest: the harvest itself created a temporary oversupply. Poorer households were forced to sell immediately after harvest because of their depleted finances during the rainy season—the time of year when household cash was most depleted and food insecurity most severe.

Farmers who took loans from moneylenders thus lost out several times: (1) poor farmers took out high interest loans for corn inputs plus cash for various other purchases, including food for some households during the growing season; (2) inputs purchased from moneylenders were priced above market; and (3) farmers sold their corn harvest at below-market price to brokers. One indebted villager half-heartedly joked, "We villagers may be sleeping at night, but the interest rate is still awake." Moneylenders, on the other hand, in effect won thrice: (1) farmers paid high interest rates on the principle and the interest for unpaid loans per month; (2) brokers sold CP corn inputs at a significant markup; and (3) brokers purchased farmers' harvests at below market prices at the lowest price time of the year, and then resold it at market price, and often later in the year as prices rose.

Turning moneylenders and state-backed villagers into landlords

The relationship between broker and client, which itself has been informed by the politics and history of place and race, also unequally affected outcomes for different socio-economic households in a village. This section will demonstrate how ethnic identities and cultural familiarity between broker and client influenced the making of the geography of dispossession. Severe debt repayment problems and subsequent land loss was restricted to study villages in the north where poor households relied almost exclusively on ethnic Chinese moneylenders.

As Chapter 4 illustrated with rubber, northern Burma's contemporary agrarian political economy arose out of the specific political histories of war, drugs, and migration in different parts of Shan State. Likewise, a geography of debt exists that is also in part a reflection of armed political histories and capital flows attached to certain ethnic identities. The close relationship between Burmese military rulers and the national and provincial Chinese governments, coupled with many cross-border trade opportunities, have acted as contributing factors encouraging in-migration of ethnic Chinese from mainland China and from inside Burma (predominately Kokang Region and via Muse) into northern Shan State over time.

Kokang Chinese in Kokang Special Autonomous Region—as profiled in the rubber case studies in Chapter 4—have migrated further into northern Shan State during different periods

of hardship in their region. Further migrations of ethnic Chinese into towns and larger villages throughout northern Shan State have given rise to a new group of brokers who are more urban based and generally rely on familial ties in mainland China, at least initially, as their primary source of capital. They also operate under different cultural terms than those of their loan recipients who are not ethnic Chinese, as explained to me by non-Chinese ethnic minority villagers taking out loans from ethnic Chinese brokers.

Loss of land from debt was much more common in northern Shan State based on village-level data collection and key informant interviews for this study.[60] In all of the study villages in the north, the majority of poor households temporarily or permanently transferred some or all of their land to their broker or wealthy village households to pay off their debt from CP corn production.[61] Ethnic Chinese brokers in northern study sites seemed quite eager to obtain land along transportation and trade routes, according to farmers — and this correlates with their lending to poorer farmers for CP corn cultivation. This eagerness would help explain why loans were continually being given to poor households who, year after year, were having a hard time paying them back. For a broker who aspires to be a landowner, lending to these high-risk households makes sense as a farmland acquisition strategy.

Recognizing a growing problem in CP corn-growing villages, headmen of several study villages went so far as to enact new rules restricting land sales to people from outside the village. The wealthy villagers who were thus able to accumulate land from households under duress were village founders, military-nominated headmen, police officers, and civil servants, all of whom maintained access to political and economic power via the military state. Household interviews, however, revealed the ulterior motive behind the decision: wealthy local villagers wanted to eliminate outside competition so that they alone could acquire indebted households' land at below market prices.

The geography of dispossession is further revealed by comparing broker-client relations in northern and southern Shan State. The relationship between broker and client is very different in southern Shan State than in the northern section of Shan State. In the south, brokers were the same ethnicity as those they lent to.[62] Brokers also came from a nearby village of the same ethnicity as the village they lend to, and had what was explained by the clients as established, more familial and long-lasting relationships with borrowing households. Thus, importantly only one southern village reported land as being used for loan collateral in just a few cases. Rather, in all other cases in the study villages in the south, arrangements entailed a longer payback grace period, or in a few reported cases even loan forgiveness.[63] It should be noted, however, that such arrangements were not without their own serious repercussions,

[60] Since the research team did not conduct quantitative surveys, systematic data on levels of debt among and across households is not available. The data only shows the prevalence of debt among households in a village.
[61] Using land as loan collateral — with or without official land titles — is an increasingly common trend among ethnic Chinese brokers in northern Shan State. The trend is expected to increase with state-sponsored land titling and an emerging legal land market.
[62] Although this was not always the case; for example, in a few of the southern study sites Shan and Pa-O brokers had clients of different ethnic identities.
[63] It should be noted, however, that such arrangements were not without their own serious repercussions, such as household labor out-migration and a resurgence in poppy cultivation to help pay off debt.

such as household's managing their debt through on-farm wage labor for other wealthier households, labor out-migration, and engaging in the poppy economy. As one poor farmer in a study village in the south explained: "We cannot survive growing CP corn; we become farm laborers for other [wealthy] farmers."[64] But in the north broker-client relationships were explained by clients as more a business transaction with less payback leniency. The culture of lending in the north with ethnic Chinese moneylenders created the conditions under which CP corn contract farming caused land loss through debt-induced sales, unlike in the south.

Accumulation from Below and the Making of Poverty

Smallholder CP corn production caused significant and rapid redistribution of wealth at the village level, especially in areas without sufficient coping mechanisms available (such as the poppy economy) and where brokers demanded prompt and full payback. The manner in which poverty and landlessness resulted from corn production thereby follows the influences of the localized agrarian political economy, which is informed by ethnic-based armed politics, migration histories, and illicit economies.

Before CP corn cultivation started, villagers and key informants explained that a typical upland village's wealth distribution resembled an inverted u-shaped bell curve, where the majority of households had 4-7 acres of land and owned livestock, and with just a handful of households considered poor or wealthy (in relative terms). In the study villages in the north, in just three to five years after village households committed to cultivating CP corn, village wealth (livestock and land) had been redistributed away from "average" households to the few elite households within the village (2-3 per study village) and to outside moneylenders (one per village). This created impoverished households with little to no land for the first time in the village's history, while the few elite households and moneylenders gained even more land wealth.

Elite wealthier households connected to the military state had the necessary available capital to engage in growing CP corn *without* the need for loans from brokers, according to household interviews and FGD in both northern and southern villages. They were able to purchase optimum levels of agro-chemicals, plant more acres of corn, and purchase more wage labor to work their corn farms. This situation allowed these households to obtain optimum yields and maximize profits from growing CP corn. Compiled survey data from the four study villages in the north are presented below.

Non-wealthy households, on the other hand, did not have enough cash to purchase inputs on their own, and so had to take out high-interest loans. These households could not afford hired labor, nor purchase optimum levels of agro-chemicals even with loans, and so did not obtain optimum yields as they had hoped. This situation culminated in much lower incomes per acre of CP corn grown for average to poor households compared to wealthier ones, as demonstrated by the survey data presented below. Moreover, elite households were able to maximize profits by delaying their sale of corn harvests until market prices increased, as they had a capital reserve to draw from. This strategy was not available, however, to low-

[64] Interview by field research team, southern Shan State, February, 2014.

and some middle-capital households as they needed the quick infusion of cash, sometimes living on very high-interest loans to purchase foodstuffs until the corn harvest was sold.

Production costs per acre in the four study villages in northern Shan State in 2013 averaged 223,000 MMK (about USD $223 at time of the study) for lower-capital households, compared to 352,000 MMK (about USD $352) for higher-capital households, *a difference of nearly 60 percent*.[65] This difference in costs can be explained by higher-capital households being able to purchase and apply more agro-chemicals and hire more labor more often to maximize yields. Lower-capital households do not have enough loan capital to purchase and apply enough chemicals to achieve high yields. *Average corn yield* per acre across study villages in northern Shan State was 813 viss[66] (1,328 kg) for low-capital households, compared to 1,775 viss (2,898 kg) for higher-capital households, *a difference of about 120 percent.* The market price for CP corn in the 2013 harvest season at the time of the study was the highest ever, at approximately 450 MMK (about USD $0.45) per viss, nearly 30 percent higher than 2012 — although the farm gate price for farmers who sold to brokers was significantly less.[67] *Net income* before repayment of loans for lower- and some middle-capital households was 107,000 MMK (about USD $107) per acre, and for high-capital households was 369,000 MMK (about USD $369) per acre, a *difference of nearly 250 percent.*

Low- and some middle-capital households then had to repay high-interest loans, leaving them to break even or lose money. Elite families, on the other hand, did not have loans to pay back. This also meant they were able to fetch a higher harvest price by selling later in the year, and on the market rather than to lower-paying brokers. These conditions for wealthy households resulted in much higher take-home profits. Moreover, as these figures are per acre, total profits for wealthy households were even greater, as they cultivated 10 acres or more per household, whereas all lower- and about half of middle-capital households only had a few acres of corn to cultivate. **Table 4** and **Figures 23 and 24** summarize these different opportunities and risks for low- versus high-capital households for the four northern Shan State study villages.

[65] For the 2013 corn planting season in Shan State, CP corn seeds doubled in price compared to the year before due to high demand and shortage of supply.

[66] A Burmese measurement that is equal to 100 “tical” (a type of coin from the colonial era) which is equivalent to 1.63293 kilograms or about 3.6 pounds.

[67] It was not possible to take into account the variant below-market prices poor households received for their corn harvest from their brokers across villages. Therefore, calculations on profit used the same market gate price for all households. This means that poor households would have even lower reported incomes than depicted here.

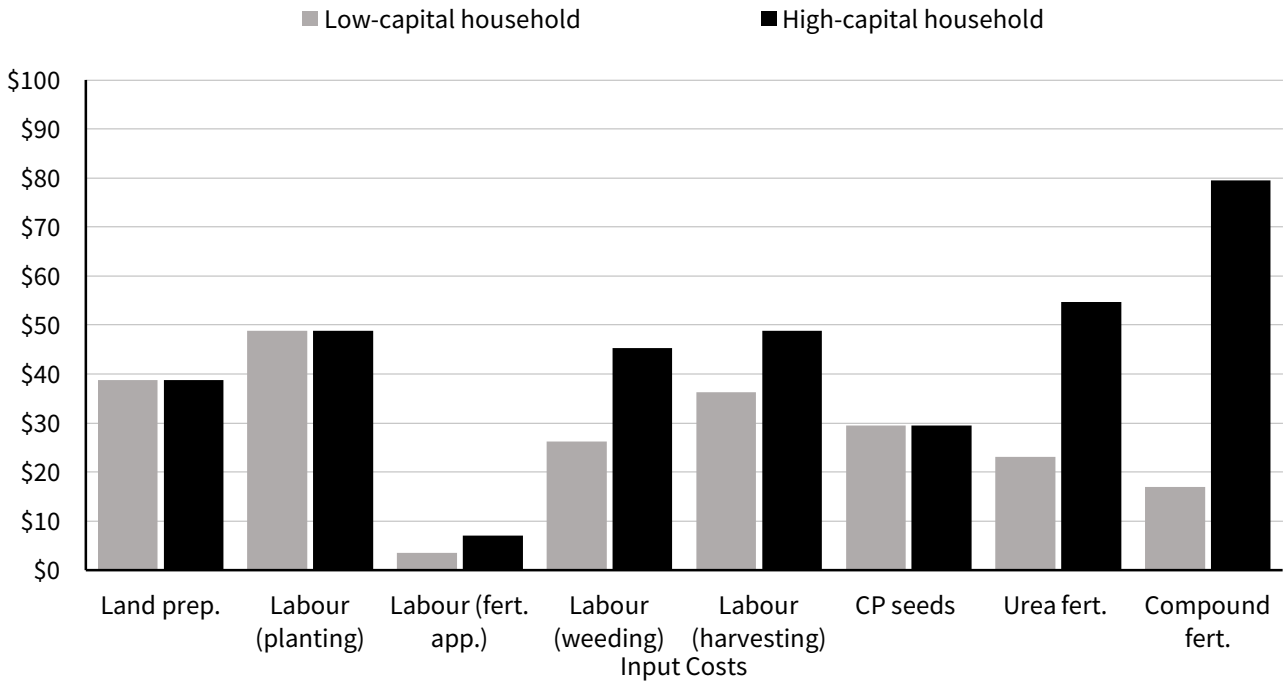

Figure 23. *Average* expenditures *for CP corn production (per acre) for low- versus high-capital household across four study villages in northern Shan State, 2013.*

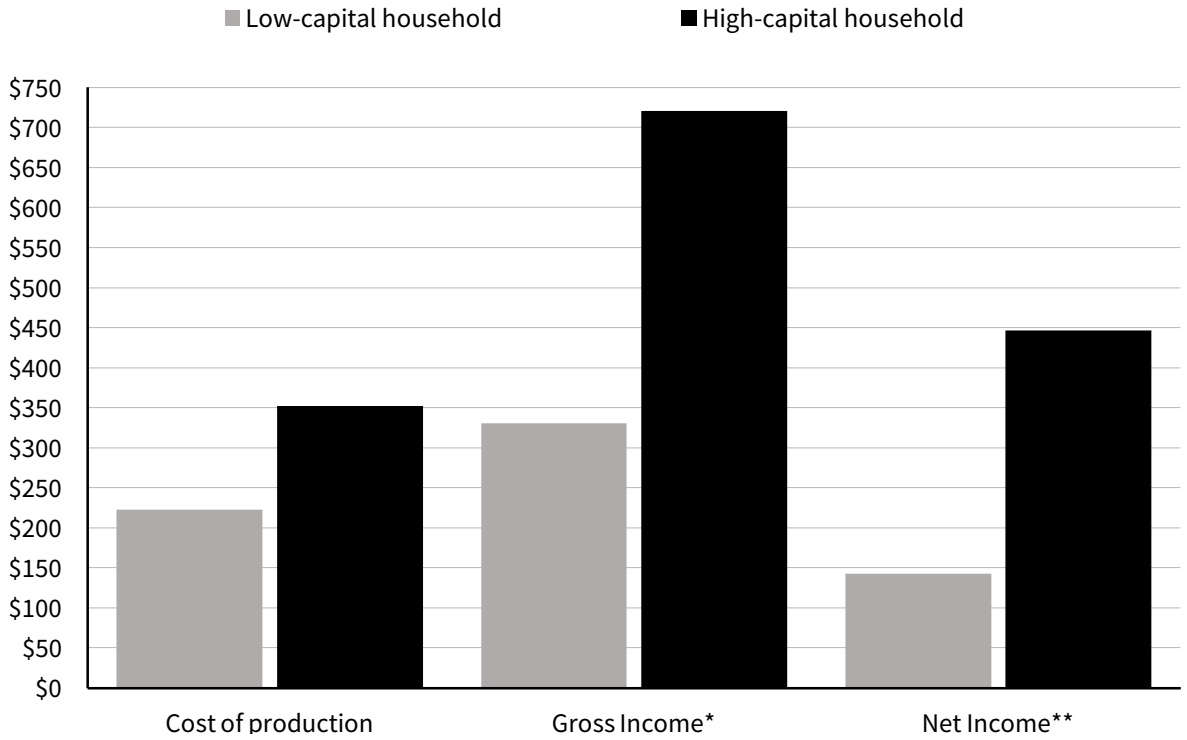

Figure 24. *Average benefit for CP corn production (per acre) for low-versus high-capital household across four study villages in northern Shan State, 2013.*

**Gross income is total income from sale of corn harvest before deduction of production costs*

***Net income (profit) is income after deduction of production costs but before loan repayments, which significantly decrease poor households' profits, if any, even further.*

Table 4. *Average expenditures, yields, and income for CP corn production (per acre) for low- and high-capital households across four study villages in northern Shan State, 2013.*

Expenditure (per acre, in USD)	Village 1, Kutkai	Village 2, Lashio tsp.	Village 3, Lashio tsp.	Village 4, Kyaukme	Average Expenditure
LOW-CAPITAL HH					
Land preparation	40	35	35	45	39
Labour for planting	60	45	45	45	49
Weeding	30	25	25	25	26
CP 888 seeds (5 kg bag)	29	27	32	30	30
Urea fertilizer (50 kg bag)	23	24	23	23	23
Compound Fertilizer (50 kg bag)	16	19	18	15	17
Labour for fertilizer application	4	3	4	4	4
Harvesting & threshing	40	35	35	35	36
Cost of production	*242*	*213*	*217*	*222*	223
Gross Income	*374*	*273*	*315*	*360*	330
Yield/acre (viss)	900	700	750	900	813
NET INCOME	**132**	**61**	**99**	**139**	***107***
HIGH-CAPITAL HH					
Land preparation	40	35	35	45	39
Labour for planting	60	45	45	45	49
Weeding & hilling	48	45	48	40	45
CP 888 seeds (5 kg bag)	29	27	32	30	30
Urea fertilizer (50 kg bag)	60	60	57	42	55
Compound Fertilizer (50 kg bag)	105	84	45	84	80
Labour for fertilizer application	7	7	7	7	7
Harvesting & threshing	50	55	50	40	49
Cost of production	*399*	*358*	*319*	*333*	352
Gross Income	*789*	*722*	*714*	*660*	721
Yield/acre (viss)	1,900	1,850	1,700	1,650	1,775
NET INCOME	**390**	**364**	**395**	**327**	***369***

Despite these numbers, high-level government agricultural officials in Shan State's capital office in Taunggyi rejected the validity of my preliminary field data findings, and insisted that there were only positives for CP corn-growing farmers.[68] In their view, everyone who planted CP corn was getting high yields and high profits, if not in one outlying year then in all others. "If there is low corn production, farmers could have debt," the head of Shan State's Ministry of Agriculture and Irrigation conceded to me. "But next year they can get higher yields, so they can pay back [the loan], so there is no problem. There is no problem with land loss from

[68] I assumed, based on the work culture of the chain of command in Burma, that the official had never visited CP corn producing villages, except maybe those staged for their government visit.

debt from [CP] corn. It is not happening."[69] He ended our discussion with reassuring me: "The farmers are all happy."[70]

Other variables that were not only marked by a villager's access to military and state administration and power were found to have influenced the socio-economic differentiation between households from cultivating CP corn.[71] Regional geography is of particular importance. Different areas of Shan State have been subject to different armed political histories and migration patterns, which in turn have shaped villagers' relationships with brokers, as discussed in the previous section and in the earlier chapters with Kokang Chinese and the Kokang rebel group. In addition, a villager's willingness to engage in cash cropping, and a broker's eagerness to lend money to households, were more pronounced at the village level when located closer to transportation routes and towns, closer to the China border, and in more accessible valleys (versus more remote uplands). This meant that the greater the access villagers had to markets and brokers, the poorer farmers in those villages were at risk of losing their household assets, particularly land, from loan defaults to their brokers.

Agricultural production management strategies also influence wider socio-economic outcomes. Most households in the villages studied, apart from the few wealthy households who had the opportunity to cultivate paddy in limited flat land, switched all their customary upland rice fields into CP corn production. Such households had to rely fully on income from their corn harvest to purchase rice and other supplemental foods for the year. But since profits from CP corn cultivation were very low for poor households as shown above, this meant little cash with which to purchase food. Especially during the monsoon season before the corn harvest, most poor households lacked sufficient cash to purchase foods, and many of these took out high-interest loans from their moneylender to purchase low-quality rice. Many villagers complained to me and my research team about their food insecurity during many months of the year, as well as their nutrient-poor diet. One villager expressed the deteriorating food security situation in local terms: "We still have some rice, but no more curry,"[72] referring to the part of the meal that contains vegetables and sometimes meat.

Related to the agricultural management of where households planted CP corn and the high-input requirements, a commonly cited problem in the study villages was nutrient-poor soil. According to villagers, the dual properties of industrial agriculture and repeated plantings on marginal hillsides soon rendered land unsuitable for continued cultivation across all villages.[73] The loss of previously productive uplands hit poor households especially hard as they only had a few acres to cultivate. Villagers explained that the lack of soil fertility and poor soil structure was the main reason given for why indebted CP corn farmers did not – or could not – switch back to traditional rice production. Villagers claimed that the soil was no longer able to support the cultivation of subsistence, low-input rice as before. But in no reported cases

[69] Interview by author, Lashio, January, 2014.

[70] Interview by author, Taunggyi, August 2013.

[71] See also Mallec (2013) for highlighting the role of geography, agro-ecology, culture, and migration histories in animating trends in socio-economic differentiation in the Delta region versus the Central Dry Zone in Burma.

[72] Interview by field research team, southern Shan State, February, 2014.

[73] No soil studies were conducted, however, to more accurately understand how soils had been compromised by repeated plantings in corn using chemicals and without off-season cover crops.

did farmers plant a cover crop in their CP corn fields during the off season, or do any legume intercropping, to supplement soil nutrients and improve the soil fertility overall.[74] High-capital households, on the other hand, reported not being overly concerned with soil qualities, as they could afford to purchase manure, or collect it from their own existing cattle herds in villages that still maintained them.

Villages who were located in areas with some flat lying land, more favorable growing conditions, or more plentiful land across the village) usually exhibited more diverse and multi-use agricultural practices. In these villages, in addition to cultivating CP corn, some part of a household's land would also be planted in another cash or subsistence crop, which would subsequently decrease economic and food insecurity risks. For higher elevation villages, forests were often nearby; poorer households relied on forests for wild foods and other non-timber forest products (NTFPs), both to offset food insecurity and to generate supplemental income to help pay off debts.

One of the most influential variables in determining the degree to which vulnerable households were exposed to risk from CP corn production was whether or not the household participated in the opium economy. The relationship between CP corn production, the opium economy, and poverty is therefore where we next turn.

The Intersectionality of the Opium Economy and Corn Cash Cropping

In my meetings with Shan State high-level agricultural officials and CP Group head managers, there was one topic that I did not feel comfortable bringing up in conversation. More than half of the villages I studied were involved in the opium economy. Although CP corn was framed as a poppy crop substitution opportunity, many non-poppy households who initially cultivated CP corn and who were living in areas where poppy was cultivated (especially but not only in the south) eventually returned to grow opium. The particularities of the drug's mode of production (smallholder, low inputs) as well as the wider agrarian political economy compelled vulnerable indebted households to fall back on the opium economy. But how exactly did CP corn cash cropping as an opium substitution program push poor households back into growing poppy?

As discussed in Chapter 3, Shan State has been the regional production and trade hub for illicit drugs (namely opium and its heroin derivative, as well as methamphetamines), since the 1960s.[75] While some armed groups tolerate — or in some cases even encourage — the production and trade in drugs for rent seeking purposes, others have pushed for its eradication within their territories of influence. For example, the KIO during the 2014 winter poppy planting season committed to full eradication in Kachin territories they administered, with swift and

[74] It is not clear to me why this otherwise widespread soil enriching strategy in other parts of mainland Southeast Asia is not used by households, especially by those who complain of soil fertility depletion. One clue may lie in the fact that most households had no experience with high-input industrial agriculture before CP corn cultivation.

[75] McCoy, 1973

severe punishment for those caught.[76] Yet despite on-and-off eradication and substitution efforts by the Burmese government, US government, and some ethnic insurgent groups, poppy production has persisted. Actually, since the mid-2000s — the same time that private rubber estates and CP corn cultivation started to take off — poppy cultivation has actually grown in volume and geographical reach.[77] Even in the face of forced relocation of communities away from poppy cultivation areas controlled by rebel groups, poppy has endured. The continued and rising prevalence of poppy is due to poppy's potential to provide relatively high returns with minimal inputs in very marginal agro-ecological environments: the perfect storm for impoverished farmers falling into debt and being evicted from their lands.[78]

Historically, the opium economy has intersected with agricultural industrialization in multiple ways, one of which is through the role of brokers. The informal opium economy provided the historical model for the broker system, as poppy-growing households needed middlemen (in this case, "opium agents") to purchase their harvests. But households who have transitioned away from opium over the past decade or two have struggled without their mainstay income. These ex-poppy households have thus had to rely even more on moneylenders to meet their financial needs, whether for unexpected household expenses or to purchase agricultural inputs to engage in the legal cash crop economy. The historically important middlemen in Shan State have undergone a shift from being agents for opium to agents for Asia's largest agro-feed corporation. In areas where both poppy and CP corn were cultivated, some brokers played both roles.

The Thai government and CP Group advertised CP corn cash cropping as their own type of poppy substitution program back in the mid to late 1990s, in accordance with the wishes of the Burmese military government.[79] But it was the Americans who were the first to actually implement it. During World War II, the famous "American 101" US troops and their ally Kachin soldiers were based in Kachin areas (alongside the "Kachin Rifles") to fight the advancing Japanese forces.[80] Veterans of American 101, who had Congressional funding to implement development assistance for the Kachin as a meager token of appreciation for their service during WWII, were the first to promote CP corn cultivation in northern Shan State as an opium substitution program.[81] The area targeted was in Kutkai township; the town of the same name

[76] KIO's anti-poppy crackdown can be explained by their desire to appear as effective moral rulers to Kachin civilians, Burma's military government, and the international community, especially during a time when war efforts and effects challenged KIO's political authority.

[77] Refer to Chapters 2 and 3 for more detailed information on the intersection of armed politics and drugs in Shan State.

[78] Of course, a good poppy crop depends on variable factors, such as weather and detection by eradication authorities. Pending a good harvest, poppy cultivation or wage labor on a poppy farm can provide nearly year-round cash income, subsequently boosting food security through higher food purchasing power.

[79] Interview, state-level agriculture officers, Taunggyi, Shan State, March, 2014.

[80] For one well-written narrative account of flying the "hump," and Merrill's Marauders and the British Chindits pushing out the Japanese along the Old Burma Road corridor that connected Lashio to Kunming, see Webster (2003).

[81] The relationship, if any, between American 101 agricultural outreach and that of CP Group is unclear, although close US and Thai relations certainly raise suspicions. One should also recall the history of CIA-linked

has produced many of the KIO's leaders and so is well known and regarded amongst Kachin. This is the same township targeted by what would have been the country's largest agribusiness concession for China's biofuel market profiled in Chapter 4. The KIO's own tough stance against drugs made this area a prime target for opium substitution projects.

Under the auspices of the American 101 branch in Burma operating as a post-Cold War agriculture development outfit, US Government tax dollars fully subsidized, and later partially supported, inputs to cultivate CP corn for resettled Kachin communities around Kutkai. Since American 101 provided free inputs, this eliminated the need for households to take out loans from brokers, making this an initially very attractive legal livelihood strategy. The skewed market for growing CP corn with American 101 assistance led to the spread of the crop in surrounding Kachin villages, as households were able to turn a profit in this poor environment.

The initial success and subsequent spread of CP corn cultivation among villagers quickly halted in 2012, however. The US Congress pulled American 101's funding in 2012 at the same time when Burma's government declared the country a democracy.[82] Without these subsidies for inputs, Kachin farmers turned to the only other source of capital they had—local brokers. Since 2012 Kachin villagers cultivating CP corn around Kutkai soon joined the ranks of other poor vulnerable farmers who fell into a debt trap from the CP corn economy. The lack of poppy cultivation opportunities in the KIO controlled area exacerbated debt problems.

But American 101 was not operating alone in these Kachin hills dotted with poppy. China's national government also framed Chinese companies' investment in corn production in northern Burma as an opium substitution development program.[83] Chinese companies that qualified under China's national opium substitution program received subsidies, including tax-free import quotas for harvested corn, just as for rubber and other agribusiness crops. By 2009—three years after China's program was liberalized—a total of five Chinese companies formally operated under different corn production models (joint operation, concession, and cooperative). According to the limited data available, Chinese national authorities recorded a total of 17,767 planted acres of corn by 2009. They further allowed some 9,200 tons of harvested corn to be imported tariff and tax-free into China.[84]

"development" interventions in northern Burma, including for opium eradication and substitution that targeted ethnic insurgent areas.

[82] Interview with the head of the American 101 program in Burma, Kutkai, northern Shan State, 2014.

[83] Kramer and Woods, 2012

[84] See http://www.bofcom.gov.cn/bofcom/432921708320522240/index.html. This data also does not capture the full extent of cross-border Chinese corn cultivation projects, but rather only a subset of what data was available to me. However, it's not clear to me which varieties of corn this data referred to—whether CP or a Chinese manufactured high-yielding seed variety that was also available in much lower quantities in Shan State. And according to one Chinese agricultural extension worker I interviewed in Kunming who has helped facilitate cross-border agricultural production from northern Burma, much of the CP corn that is imported across their shared border may not even fall under the China or Burma government's opium substitution program. He claimed that Chinese companies importing the bulk of corn harvest into Yunnan from northern Burma do not therefore qualify for receiving subsidies and tax breaks (Interview, Kunming, China, May 2014). But according to the data I retrieved above, a rather significant amount of corn production from northern Burma and imports into China clearly do fall under this program.

The smallholder mode of production for CP corn presented a potentially much more pro-poor livelihood option compared to private rubber estates with their forced evictions and limited wage labor opportunities. Yet despite the promises of "getting rich" from smallholder corn production, the highly unequal agrarian structures farmers worked within left them disheartened and indebted. Under these circumstances, and a political context that fostered growing leniency for the drugs economy, indebted CP corn households were incentivized to return to opium. The revival of the poppy economy over the past decade therefore needs to be understood from the perspective of rural poverty, debt, and alternative livelihood options.

Five of the eight village field sites (all four villages in southern Shan State and one in the north)[85] had households partaking, to varying degrees, in poppy production as smallholder producers or wage laborers. Household incomes derived from the opium economy had been shown in these village field sites to provide the cash needed to financially benefit from CP corn cash cropping. Again, cash generated from a decent poppy harvest allowed poor households to do without high-interest loans when purchasing CP corn inputs. One farmer engaged in both poppy and CP corn production explained the economic necessity to grow both crops: "If I only grow CP corn it is only enough to provide for my stomach. But if I grow poppy too then it is good for growing my household economy."[86]

The poppy economy intersected with CP corn production households in other noteworthy ways as well. Some ex-poppy households re-entered the poppy economy *after* engaging in CP corn cash cropping as a coping mechanism to pay off their debt. One CP corn farmer in a poppy growing village felt that there was just one solution to mounting CP corn debt: "Only poppy can solve our debt problem!" This suggests that as poor households find themselves further trapped in debt from CP corn cash cropping, more households could turn back to the poppy economy to better manage their finances. This dynamic has contributed to increasing numbers of acres of poppy cultivated in Shan State, year after year, as previously shown in UN data. With more farmers entering into and relying on the poppy economy to prop up their household's economy, any poppy eradication by armed groups, Burma's government, or development agencies would further jeopardize the livelihoods of the most vulnerable households.

Household avoidance of the CP corn debt trap from entering the poppy economy also significantly influenced village level socio-economic impacts. According to empirical data from study sites, villages involved in the opium economy had lower levels of economic inequality and less redistribution of wealth compared to non-poppy CP corn growing villages. This seems to be largely due to the poppy economy having acted as a sort of buffer against the debt trap from CP corn cultivation. Of course, there were also greater risks: poppy cultivation was illegal according to national law, although not necessarily according to local authorities.[87] In response

[85] Only the two village sites in *Pekong* township in southern Shan State were purposefully selected for their known involvement in poppy production. This selection allowed for an explicit examination of the relationship between CP corn and poppy production. Other village sites were not known at the time of selection to be involved in poppy production.

[86] Interview by field research team, southern Shan State, February, 2014.

[87] Arrest or eradication (or more probably, demand for a large bribe) could happen at any time. Poppy, like other crops, is of course sensitive to seasonal agro-ecological conditions, and so it's always a gamble on weather. In

to the legality issue, one villager retorted, "If the government wants us to stop growing poppy, then give us a better CP corn harvest price!"

It is not possible to isolate the poppy economy, household poverty, land grabs, industrializing agriculture, debt, or dispossession. I expect, given the current agrarian crisis in Shan State, that the opium economy will continue to expand as ethnic minority households fall further into debt and lose their household assets and eventually their land. The poppy economy is one of the few economic lifelines available to the growing class of the disenfranchised, especially as the natural resource base continues to be severely eroded. It appears then that illicit economies play a crucial function in subsidizing smallholders' high-input legal cash crop endeavors under these political economy conditions.

Debt Coping Mechanisms and Transfer of Capital

Engaging in the poppy economy offered but one buffer against household economic shocks. Poor households employed a range of other coping strategies to minimize costs and risks from cash cropping, with common tactics found across all study villages among poorer households.[88] Planting the previous season's harvested seeds was reported as a rather widespread practice among the poorest households to avoid the cost of purchasing seeds every year, despite the loss of hybridity advantages.[89] Another common coping strategy among low-capital households was to use collective share-labor in a village rather than pay for wage labor during planting and harvest times. Such "free" labor among households during planting and harvesting adopts a strategy often relied on in Burma for subsistence agriculture.

On-farm wage labor, predominately by poor households for wealthy households' CP corn fields in the same village, was a very common financial coping strategy. Off-farm wage labor appeared very uncommon, however, mostly because few off-farm jobs were available in Shan State. An exception from one study village was men employed in natural resource extraction, such as logging or charcoal making in nearby forests, although this seemed tied to particular ethnicities (Lahu), geographies (near more remote upland forests), and elevations (higher). In three study villages, "middle" households cultivated other agricultural crops such as black niger seed (*Guizotia abyssinica*) and tobacco on land that was used for corn except in the off season. These cases occurred in areas of lower elevations and where there was more land availability to the village in general and these households in particular.[90] These other crops provided crucial supplemental income that could be used to help pay off CP corn debt.

---

times of a poor or non-existent poppy harvest, a poppy household would thus be in an even more precarious poverty situation.

[88] One well-known study on Burma's agricultural sector found similar coping mechanism trends to pay off debts as found in my field study; see MSU and MDRI (2013:11).

[89] This means that even higher acres of CP corn are possibly planted than that reported by CP Group, as they calculate acres planted by number of bags of seeds purchased. CP Group agents I interviewed in Shan State refuted the possibility that second-generation CP corn seeds can germinate, however.

[90] However, in most cases farmers dedicated all their farm land to CP corn production.

Livestock, especially cattle which are culturally important throughout Shan State, have long been a household asset heavily relied upon to pay off debts.[91] When debt from CP corn started to become a wider, endemic problem, however, the practice of selling cattle to settle debts started to become unsustainable. This practice has been so common that in study villages very few cattle remained a few years after CP corn cultivation commenced. In fact, even villages known for being "cattle villages" no longer had any cattle, which in turn has affected the overall social standing of the village and their cultural and economic relationships with other villages in the region. When traveling along the main road that connects northern Shan State to China I would often end up behind a cattle transport truck. In fact, one of my main researchers I had worked with for several years in northern Shan State politely backed out of our project in order to become a cross-border cattle trader.

When coping mechanisms have been exhausted or proven insufficient, one young adult family member from an indebted household may migrate as casual wage labor to the nearest bordering country (Thailand or China) to send remittances back home. Remittances from abroad from able-bodied young adults — both men and women — became a very important and common household economic strategy in the villages studied. While potentially providing an economic lifeline, young migrant workers, especially women, were put at higher personal risk in their destination country, especially as almost no one had relevant language skills. It was such a common occurrence that these villages had few working young adult men anymore; if the men were not off fighting, they were probably in a bordering country working on farms or in construction.

After all other options were exhausted, the final desperate option left for indebted households was to sell their last valuable asset — land. Heavily indebted farmers sometimes resorted to renting out their farmland to their broker for a set period of time. In other cases, the land was sold outright to their broker or a wealthy household in the village.[92] In all the study villages in the north, most poor households became landless in just two to three corn cultivation seasons. In two study villages, villagers announced their intention to disband the settlement the following year, claiming that all the land was now owned by just a few wealthy households and outside brokers.

Concluding Remarks: Landscapes of Landlessness

The CP corn case study illuminates the far-reaching nature of the agrarian transformation underway. Poor ethnic minority villages and the assortment of villagers who inhabit the bamboo huts that huddle together alongside dusty roads have been caught between war and counter-insurgency for decades. Yet despite repeated resettlements, forced eradication of poppy, and relying upon an evolving set of livelihood strategies and coping mechanisms to deal with these challenges, villagers have muddled along. What is striking

[91] While cattle reign as cultural symbols of ethnic identity and rural tradition in Shan State, financially speaking they are used as on-the-hoof household savings (rather than for milk or draft power).

[92] As land titles become more common among households with permanent agricultural plots (as opposed to swidden plots which do not qualify for LUCs, see Chapter 4), the legal transfer of land titles from poor smallholders to moneylenders would be expected to accelerate.

about the situation for villages that have fully committed to growing CP corn is how rapidly the livelihood situation and land tenure security for many households, and even whole villages, has deteriorated *after* war. Instead of fleeing armed battles and forced portering on the frontline, ethnic minority villagers are losing their accumulated household assets and land to debt from engaging in the market economy. Many farmers who found themselves to have exhausted all known coping mechanisms told me they did not know where they would go or what they would do next, but they did know for certain that they would not be "servants in their own house." Families are now caught between legacies of war and landlessness.

The power of place and its entanglements with post-Cold War histories offer helpful guideposts to the intricacies of differential debt and dispossession. Every township, and even each village, was shown to be located within particular site-specific conditions that, in turn, are informed by larger political histories, conflicts, geographies, racialized migration patterns, and drug economies, among others. Despite differences in agricultural management practices, distance to roads, villagers' ethnic identities, and elevation, among other variables across villages, the patterns of dispossession for smallholders engaging in CP corn cultivation were rather uniform.

One factor, however, was shown to significantly soften the trappings of debt. The opium economy in effect subsidized the high-cost inputs demanded by industrialized cash cropping, sidestepping the need for a broker's high-interest loans. And as households continue to fall further into debt from CP corn cash cropping, some have decided to go back to the poppy economy as the only lifeline. All the more tragic is that the CP corn contract farming system was designed and advertised as a poppy crop substitution program and the only contract farming system known to be available to upland smallholders in Burma. For decades poppy has provided poor households throughout northern Burma with a cash crop to potentially escape from severe economic hardship during times of war.[93] Poppy cultivation takes on new meaning and importance to poor farmers who are trapped in debt by their own endeavors to accumulate capital, escape poverty, and enter into the legal agricultural economy.

The production of legal industrial crops (such as corn) that rely on "accumulation from below" has produced outcomes similar to extra-economic means of pursuing "accumulation from above" (as with rubber). Just as armed strongmen worked with Burma's military-government and Chinese companies to secure by force large-scale rubber concessions, moneylenders and elite villagers in Shan State have obtained land parcels from debt-ridden smallholders. Despite different means of production—land grabs for rubber, smallholder cash cropping for corn—both have resulted in the transfer of land from poor ethnic minority upland farming households to elites with access to military-state power. While relying on entirely different forms of violence, the two commodity production schemes have led to similar dispossessions. The reason for this becomes clearer if we recall that both found articulation in the same long conjuncture of war, drugs, racialized geographies, and state building.

[93] But even this last hope is becoming a distant dream as poppy production also undergoes industrialization. The recent re-emergence of poppy estates has raised high cost barriers to entry, leaving some farmers with no work option other than as poppy wage laborers for armed strongmen — sometimes with the same militia groups that grabbed land in the area for rubber estates.

CHAPTER 6

RULE OF LAW AS THE WAR TO RULE: THE FIGHT FOR FORESTS

Introduction: Law as War

In mid-March 2013, on a dry and scorching day – like most days in Burma's Central Dry Zone – a different sort of political revolution took place. A heated farmer-led protest had been brewing against a well-known copper mining project in the Burman Buddhist heartland, just a few hours' drive from the country's second largest city, Mandalay. This opening vignette captures the discursive power of the rule of law in Burma, and the new forms of violence enacted from its implementation during the current reform period.

One of the most contentious national land deals since President Thein Sein's government took office has been a large copper mining venture jointly owned by the Burmese military's conglomerate and a Chinese weapons manufacturing company.[1] Feeling empowered from their country's recent political opening, local villagers persistently protested against the mine expansion as an illegitimate and illegal land grab with forced displacements and environmental damage. This prompted President Thein Sein to distance himself from the politically explosive project by appointing Daw Aung Suu Kyi, recently released from house arrest and a new member of parliament, to lead a commission tasked with deciding whether or not the copper mine should be expanded. The whole country read in local papers, thanks to newly-found press freedoms, how poor villagers joined arms across the dirt roads to physically block advancing bulldozers. And later, how police shot to death a protesting female villager, and then fired phosphorous-filled bombs at Buddhist monks who protested in solidarity with the Buddhist villagers. The violence displayed was horrific: monks with melted saffron robes, faces and limbs, ambushed villagers, police firearms shot against unarmed farmers. But these images were countered by others of exemplary heroism, mostly on the part of women, standing up to decades of violent oppression by the military. Poor Burman villagers and monks also stood their ground against Chinese capitalism: perceived as the force that had kept the military in power and heavily armed.

After some delays, Daw Suu Kyi made her ruling. The mine should be expanded, she argued, with the caveat that stronger social and environmental safeguards should be put in place and properly implemented.[2] Burma's Defense Minister warned during a Parliamentary

[1] It is important to note that the Burmese military's main financial and arms support has been from China, a fact not lost on civil society in their understanding of the copper mine's material politics.

[2] Daw Suu Kyi paid a visit to the protesting villagers at the mine site to explain her verdict. She stepped out of the air-conditioned, black-tinted window SUV into the dry, dusty area where villagers were protesting. Villagers were agitated by the ruling but tempered by their jubilance to address their "Aunty" in person to help her better understand their real, on-the-ground situation. As Daw Suu Kyi began to explain step-by-step her rationale for upholding the mining project, the crowd around her became increasingly hostile. The crescendo built until an older male villager, wearing a ragged t-shirt and the typical Burmese lungyi loosely tied around his waist, aggressively lunged at the "Lady of Law," who stood just a few feet away. Daw Suu Kyi was rushed into her SUV by her security personnel, and the vehicle peeled away back to the road to Mandalay, where she would fly back to her lakeside villa in Rangoon.

session that the influx of foreign direct investment would be deterred if contracts with foreign firms were cancelled. In the face of continued protests, Daw Suu Kyi — the "Lady of Law" who also chaired the aptly-named *Committee for Rule of Law and Stability* — orchestrated a show of police force to demonstrate what the rule of law must look like to move the country forward. This scene is pictured in Figure 1 in Chapter 1. The show of force broadcasted to Burmese what the rule of law really means in a country ruled by an elite cadre of military officers and government officials who fashion themselves as benevolent, urban-educated caretakers of their poor rural farming brethren. The picture captured what the rule of law as the war to rule looks like.

This chapter adds the rule of law to the arsenal of violent state-making techniques. As the last of three tactics in the craft of state-building examined in this dissertation, I explore how the rule of law conjoined with violence is exercised within forested rebel territories as yet another state strategy in the war to rule. This chapter presents an in-depth case study on the politics of "illegal" logging and timber trade in Kachin State.[3] It compares the processes and outcomes of military state-making and associated forms of state forest governance during the KIO ceasefire period (1994-2011) to the period after war broke out again between the Tatmadaw and the KIO in 2011.

The application of the rule of law by a post-colonial state may not be exceptional in and of itself; such application partly defines what a state is of course, at least in a Weberian sense. But what about the function of rule of law in a context where the state does not enjoy a monopoly over violence? How does the rule of law conjoined with violence get deployed in a place beset by different armed groups vying for territorial control with and against the state? Legality, in this context, becomes a tool to be used to reward those working on behalf of the military state, while concomitantly punishing those who challenge the lawmakers. "Legal" timber concessions, in this sense, get awarded to strongmen and cronies, while rebels and those civilian populations aligned with rebels are branded as national forest destroyers who "illegally" extract and tax timber. The implementation of the rule of law under these circumstances provides another supportive element to the workings of ceasefire capitalism, war, and military state-building.

The case study of the fight for political forests informs debates on how "resource wars" also need to consider the ways in which natural resources (in this case, forests) act as theaters of rebellion and counter-insurgency due to their ecology (tree cover), spatial configurations, and strategic locations. For scholarship examining the politics of natural resource formalization, my case presented here adds the context of war and counter-insurgency. For example, a 2015 special journal issue in *Society and Natural Resources* listed a litany of situations and contexts in understanding the winners and losers of legalizing resource access, use, and trade regimes, yet war and armed conflict actors were neglected in any of the

[3] Burma's forests and prized teak have enticed foreign governments and merchants since colonial conquest two centuries ago (Keeton, 1974; Bryant, 1997). Stretches of northern Burma today contain some of the country's — and the whole mainland Southeast Asia region's — most expansive remaining natural high-value forests. Kachin State in the far north of the country is home to some of the Mekong Region's last old growth forests, in this case sub-Himalayan semi-deciduous and pine forests.

scenarios.[4] Likewise, for scholarship addressing war and counter-insurgency in resource-rich environments, such as Peluso and Vandergeest's study (2011) of Southeast Asian state forests to be considered as "theaters of insurgency,"[5] this chapter's case study takes up their call by examining how the politics of resource formalization and the rule of law get mobilized in counter-insurgency war zones.

Since the Cold War, forests in Burma have been constructed as political for the purposes of war and counter-insurgency. Since the 1960s, Burma's state forests have acted as sources of timber rent-seeking by military agencies, rather than as scientific, sustainable endeavors as conceived by the colonial British.[6] State forest reserves also have acted as excellent operational territory for numerous insurgent groups. The CPB's headquarters in the Pegu Yoma forested mountains proved very hospitable to hiding from military-state agents.[7] The KIO, as illuminated in Chapter 3 and Chapter 4, relied on hill forests in their territories to launch guerilla warfare against the Tatmadaw, a habitat Burmese soldiers are not accustomed to effectively operating in. Foreign investment in the forestry sector during this decade, much like for agribusiness, has reanimated these legacies of counter-insurgency war and forests.

The politics of state formalization over forests showcase two main ways that the rule of law is rendered to achieve counter-insurgency aims in armed, forested territories. First, co-opt ex-rebel strongmen into a more politically favorable arrangement with the military as para-military militia outfits in part by awarding them "legal" logging permits. Second, declare "illegal" any timber rent-seeking activities that involve armed groups fighting the military state. In this manner, the state both financially weakens the armed political opposition and legitimizes attacks on rebel hotspots by naming the operation "illegal" logging. In effect, rebels are ambushed along timber trade routes and flushed out of forests.

Politics and patronage in forests are rooted in, and give expressions to, the violent places where guerrilla insurgencies are born. My political ecology approach to the study of violence, relational power, and law takes seriously the "place" — territory, forests, people — and the politics that emerge from it. Building on warlords to landlords from the effects of rubber concessions (Chapter 4), and moneylenders to landlords from the effects of corn cash cropping and "accumulation from below" (Chapter 5), this chapter considers how legal formalization regimes employ complimentary techniques of racialized, place-based military state-building. This chapter will demonstrate how during the ceasefire period, the law was applied to logging in ways that reflected the changing political relationship between the military state and the KIO, and the degree of military state-building achieved in forested areas. When the Tatmadaw and the KIO went back to war in 2011, the legality of logging and formalization of timber rents changed to reflect their war footing: Burma's military state appropriated international legal and environmental discourses to justify attacks on the KIO. The forests and logged trees, in a way, began to resemble the spatialized political relations between the state and rebels. To study the fight for forests is to tell a story of how rebel forests

[4] Putzel et al. 2015

[5] Peluso and Vandergeest, 2011:588

[6] Bryant, 1997

[7] Lintner, 1990

and timber extraction became sites where law and violence were deployed as key techniques in state formation and capital accumulation.[8] War makes states and states make war,[9] but not without law.

Law, Violence, and State-Making

EP Thompson described the functioning of the rule of law in 18th century England, during its forest enclosure movement, as "what shall be property and what shall be crime."[10] Thompson saw the development of law as an instrument of rule by and for the ruling class over their subjects.[11] He viewed law's function as to mediate and reinforce existent class relations; it also served to legitimize the rule makers. But crucially, Thompson argued that the rule of law could only legitimize class power *if the law was seen as somewhat impartial and just* by those being ruled. In other words, there was a difference between arbitrary, extra-legal power — let's call this "rule by decree" — and the rule of law.[12] This section will demonstrate how the rule of law deployed by Burma's military state in the making of state forests and legalized timber was not seen as impartial or just, nor entertained consent in either its intentions or functionality.[13] Liz Alden Wily's scholarship on land theft and land grabs in Africa demonstrates the ways in which the rule of law, in this case property law, aligned with class privilege and power to justify legal manipulations that transferred indigenous customary tenure to private property for elites.[14]

A century after England's legal forest enclosure described by EP Thompson, the idea of state territorial sovereignty over a category of land cover called "forests" emerged in Southeast Asia. Peluso and Vandergeest defined these "political forests" not in terms of class warfare, but as "territories that have been legislated, zoned, mapped, and classified as permanent forest, and managed by professional, 'scientific' government agencies."[15] Nonetheless, Peluso and Vandergeest remind us that the delineation of state forests relied on *law* to institutionalize state property and power, not unlike how Thompson described the process in England.[16]

The deployment of statutory law, institutions, and administration over forestlands in colonial South and Southeast Asia subsumed forest dwellers' customary rights, laws, and practices.[17] In Burma, state forest enclosure and the subsequent criminalization of villagers who used and accessed forests got underway during the late British colonial era with the

[8] For an incomplete list of exceptional studies on the role of law and violence in state-making through land and natural resources, see Briquet and Favarel-Garrigues (2010); Banner (2005); Volkov (2002); Comaroff and Comaroff (2008); and Grajales (2015).

[9] Tilly (1985) is credited with insight on war making as state-making.

[10] Thompson, 1975:259

[11] His specific case was the Black Act, which Thompson details how it was engineered by the landed gentry to enclose forest commons (Thompson, 1975).

[12] Thompson, 1975:265-266

[13] On the role of coercion and consent in the art of being ruled, see Gramsci (1971).

[14] Wily, 2012

[15] Peluso and Vandergeest, 2011:588

[16] Peluso and Vandergeest, 2001:762

[17] Guha, 1990; Sivaramakrishnan, 1999; Agrawal, 2001; Peluso and Vandergeest, 2001

advancement of scientific tropical forestry management.[18] Raymond Bryant, in his book on the political ecology of forestry in Burma, writes "…the state was the unrestricted owner of the forest and all that is contained."[19]

Statutory laws that enclosed forestlands were exercises in forms of governance over the population, meaning here the imbrication of people and forests. From the late 1800s to the mid-1900s, all three components of Foucault's governmentality were upheld to varying degrees in the making and maintenance of political forests in Burma. Political forests (1) targeted populations, (2) were based on knowledge in the form of political economy, and (3) were enacted through the apparatus of security.[20] After independence, Burma's forestry ministry and military were the two most powerful institutions of government.

But after militarism, socialism, and insurgency took over the country in the 1960s, the nature of rule and "environmentality"[21] changed course. Segments of the population from various ethnic minority groups living in mountainous forests, some of them already demarcated as state forests on government maps, took up arms against Burma's Armed Forces. During the second half of the twentieth century, Burman communists and ethnic minority rebels launched repeated guerrilla attacks against state forces from within state forests around the country. Since insurgencies swept the nation, the state has become much less concerned with, as well as incapable of enacting, the "imbrication of men and things." The military state instead focused on flushing insurgents out of forests. When armed guerrillas took over state forests in Southeast Asia – Burma no exception – states refashioned political forests to "realiz(e) nation-building projects through violence, militarization, resettlement, and other territorial practices in counter-insurgency operations."[22] Since the 1960s Burma's political forests have thus become less about *disciplining* populations through structural violence, and more about deploying acts of state-backed *physical violence* to forcibly reinstate state territorial authority and control. More apropos to this chapter's argument, counter-insurgency and securitization relied on legal regimes to justify and normalize military interventions in the remaking of political forests as state territory.

Political violence, not discursive and diffuse power, purged "rogue" ethnic minority populations from state forests during the Cold War. The military state first "cleansed" an area of certain segments of the population through physical force. The state decided which populations were allowed within certain state spaces, and only later chose the forms of disciplinary rule to be applied in the fine tuning of state subject-making. The production of "governable spaces" involved a complex assemblage of many forms of relational power exerted through a mixture of violent force, law, and discipline through political economy. This was not Foucault's oft-touted well-oiled machine of a "post-territorial" governance apparatus.[23] This chapter's case study details yet another war to rule method and commodity through which the state constructs political territories, after and upon which state subjects are

[18] This important initial phase in state forest enclosure has been examined by Bryant (1997).
[19] Bryant, 1997:59
[20] Foucault, 1991
[21] On "environmentality" see Agrawal (2005).
[22] Peluso and Vandergeest (2011:588).
[23] Rose and Miller, 1992; Watts, 2003

molded.

The thread that ties together the messy back-and-forth in the war to rule over territory, forested land, and populations is the rule of law. The rule of law, as a tool of state, has been shown by Foucault to be an important element in early forms of state power, bolstering expressions of sovereignty and territorial authority.[24] More modern forms of government, he argues, downplay the role of state law and instead rely more heavily on political economy as the principle guiding knowledge.

The writings of the well-known British Burma colonial officer turned academic, John Furnivall, attests to the rise of political economy as a device for ruling over territory and Burma's "plural society" during its late colonial and early independence periods.[25] But the significance of the rule of law as an element of statecraft also stood strong and persistent during this British colonial period. The British regime obsessively made laws to govern every facet of life in their colony. But as the post-colonial country dovetailed into military authoritarianism, political economy became much less a guiding principle of government. Post-colonial authoritarianism and military state building latched onto the colonial edifice of "rule of law" the principle agent of state order.

But the rule of law in Burma since the 1960s is not exactly the concept of rule of law advanced by EP Thompson's or Foucault. The deployment of legality in the logging and timber trade case study presented in this chapter is somewhere between the rule of law and rule by decree. The rule of law as applied to commercial logging licenses and the making of state forest reserves does not function as a socially legitimated set of rules over which to govern populations, as spelled out by EP Thompson and Foucault. This chapter demonstrates how the military state dresses up arbitrary extra-legal actions in the garb of rule of law to achieve two discursive goals: (1) legitimize state political power in rebel territories, and (2) institutionalize state political patronage. Through the instrument of legalization, political patronage tied to resource accumulationist strategies becomes normalized, and violence rendered more invisible.

The fight over forests between the military state and rebels showcases how the application of the rule of law serves, in effect, to displace the political into the seemingly objective letter of the law. Claiming to follow the rule of law, such as when cracking down on "illegal" logging and timber trade, serves to "authorize the authorizer"[26] and normalize state-backed violence against populations deemed unfit for state forests.[27] Explicating the rule of law and the role of different forms of violence in remaking political forests from the period of ceasefire and back to war is a study in contested forms of state- and territory-making in rebel forests.

A Political Ecology of Ceasefires: Forest Frontiers of Accumulation

[24] Foucault, 1991

[25] Furnivall, 1960

[26] Sikor and Lund, 2009

[27] For a cogent case of normalizing political patronage between the state and non-state armed groups in Colombia, see Grajales (2015).

The rag-tag town of Myitkyina gets its Burmese name, “Next to the Big River," from its place beside the very upper stretches of the Irrawaddy (Ayeyarwaddy)—the cultural and ecological artery of the nation. A visitor may take the 30-hour British-era train trip from Mandalay to this nondescript provincial capital of Kachin State. The town inhabitants no longer dress in traditional garb; increasingly, they are ethnic Chinese and Burman migrants looking for work. The only signs of a vibrant ethnic Kachin culture around town are the many Christian churches that dot the roads and dusty neighborhoods.

But more immediate impressive to a casual visitor are the British-era planted dipterocarps that soar skywards along the town’s few paved roads. The remarkable trees shelter green and brown painted government offices from the tropical heat and monsoon rains. But it is not their towering size, or the epiphytic ferns that climb the massive trunks, that makes them stand out. Their grandeur, if that is the right word, is in their political embodiment of a colonial edifice, a testament to historical attempts at marking this place into colonial territory under the aging British Empire. It may be no coincidence that the Burmese government selected these few roads to shelter various department offices, in the hopes that their own tenuous existence in this insurgent landscape would withstand time as admirably as the majestic trees.

Political negotiations between the Tatmadaw and the KIO in the early 1990s eventually led to a ceasefire deal in February 1994. In fact, the ceasefire had little political substance; it simply led to a cessation of fighting, and turned bullets into briefcases. But one aspect that was not carefully considered or regarded as important has had tremendous political influence. Both sides agreed that the Burmese state would have authority over major towns and transportation routes in the valleys of Kachin and northern Shan States. Consequently, to this day, state authority stretches more thinly with increasing distance from transportation routes radiating from Myitkyina and its wide valley. As one heads out in any direction from this northernmost of the country's provincial capitals, these offices are some of the last government structures one encounters. Government officials are quickly replaced by Burmese soldiers as soon as you cross the town’s striking Balaminhtin Bridge over the Irrawaddy. As we crossed the bridge on one of my first excursions from town, a Christian Kachin friend pointed out the nearby fake gold-painted Buddhist stupa, and remarked disparagingly on its prominent position on an outcrop on the far side of the bridge: a symbol of Buddhist state occupation in his Christian Kachinland.

By the early 1990s, the KIO was increasingly politically isolated. One of the most prominent and united rebel groups in the country, they were also one of the few remaining armed holdouts against the military government after the CPB crumbled. Several conjunctural events triggered a change in the KIO’s political and ideological stance towards the Burmese state, however. The group had lost their strategic trade-access partnership with Khun Sa and his Shan rebel group at the Thai border after the UWSA surrounded Khun Sa’s rebel territory. The KIA also had less reliable access to arms after the Burmese communists fell. China's pressure on the KIO to sign a ceasefire with the Burmese military government eventually led to the agreement.[28]

[28] Lintner, 1999:405

Perhaps the most significant blow to the group, however, was losing their near monopoly over the world's only source of jadeite, the highest quality form of jade, in an area called Hpakant in western Kachin State. The Burmese military moved in to license mines to ex-rebel groups (who had already signed ceasefire agreements) as lucrative rewards for their political allegiance to the state.[29] A KIO official explained to me how the Burmese military took over the jade business from KIO leaders: "In Hpakant, after the ceasefire, local people don't have a chance to mine. The miners are now Burmese because the Burmese government controls the mines and contracts Burmese companies."[30]

The first and most prominent ceasefire group to receive jade mining licenses from the country's military leaders was the USWP/UWSA, in exchange for their counter-insurgency services against Khun Sa and his MTA Shan ethno-nationalist rebel group. The KIO necessarily relied on jade (and to a more limited extent opium) to fund their armed political struggle. They needed funds to administer large areas of territory, thousands of soldiers, and social and economic development programs as a proto-government. The KIO's loss of control over jade was very significant, financially and politically, and no doubt played into their decision to sign a ceasefire agreement soon afterwards in 1994.[31]

In 1998, a decade after China normalized relations with the Burmese government and just a few years after the KIO's ceasefire that opened their forested territory for business, China implemented a partial logging ban (the "Natural Forest Protection Program"). China's exceptional economic growth led to increased processing and domestic consumption of forest products. Due to timber plantation undersupply, this demand could not be met domestically. Meanwhile, international demand for low-cost processed tropical wood products — a manufacturing demand easily met in China — was on the rise.[32] Very soon after their partial domestic logging ban in 1998, Beijing announced a national "Go Out" (and "Go West") policy designed to encourage Chinese companies to conduct business and source industrial materials overseas (see Chapter 3). Chinese logging companies quickly lined up on Burma's border, ready to turn the timber shortage into an opportunity to implement Beijing's new policy. As part of the Yunnan provincial government's transition to making business deals rather than supporting communist rebellions across the border, Pianma Township (a provincial-level border checkpoint in Lushui County, Nujiang Prefecture) was marked as a Special Economic Zone (SEZ) in the late 1990s. By the early 2000s, it was one of the busiest border trade towns in the entire country, with timber the main commodity.[33]

---

[29] Interview with ex-KIO leader turned state politician, Myitkyina, Kachin State, March, 2015; interview with head of KIO's agricultural and forestry department, Myitkyina, Kachin State, March, 2015. See Global Witness (2015) for more information on the political economy of conflict with the jade industry in Kachin State.

[30] Interview, Myitkyina, June, 2003.

[31] Interview with ex-KIO leader turned state politician, Myitkyina, Kachin State, March, 2015; interview with head of KIO's agricultural and forestry department, Myitkyina, Kachin State, March, 2015.

[32] See Kahrl, et. al. (2004); White et. al. (2006).

[33] Across the border from China's Pianma town lies Burma's Datainba town in Kachin Special Region 1 (SR 1). Datainba is under the territorial authority of Zahkung Ting Ying's militia, the New Democratic Army-Kachin (NDA-K), with various ceasefire logging concessions administered in the region (see cases in this chapter and in Chapter 3 and Chapter 4 for more details on the NDA-K and resource extractivism).

To maintain their proto-government, the KIO needed to replace significant lost jade revenue. They thereby turned to the main natural resource over which they still had territorial control – timber. According to a KIO development official I met in Myitkyina several times: "The KIO taxed border trade and collected taxes on rice and other items to help fund the insurgency. They mostly funded themselves through jade; but after the ceasefire agreement they took trees instead.[34]

By the late 1990s, the Sino-Burma borderlands had become a global hotspot for logging.[35] **Figure 25** illustrates a map of the border area where cross-border timber trade was concentrated in the 2000. Only four years after the KIO ceasefire, the World Resources Institute (WRI) estimated that the rate of deforestation in Kachin State had more than doubled.[36] An estimated 800-950 sawmills were located along the China-Burma border by the early 2000s,[37] and Global Witness estimated that up to 1 million cubic meters of logs were being trucked across the border into Yunnan every year.[38] But according to Burma's national Forest Department, nearly all of the cross-border timber trade was marked "illegal" since it did not cross through government-controlled checkpoints.[39]

The booming logging industry did more than just log village forests and state reserves. Chinese logging deals facilitated a shift in power, authority, and access to forests and timber rents. As an integral process of, and outcome from, ceasefire capitalism, forest control and use rights shifted away from customary authority, laws, and practices and towards state administration, state-like agents, and statutory laws. Philippe Le Billon, in his account of the "political ecology of transition," summarizes a similar shift in patronage and resource control in Cambodia after the Khmer Rouge stepped down:

> *The illegal character of logging shaped this ordering and reduced the share of profits for many of the less powerful groups, as people in positions of power — high ranking officials and military commanders — were able to extract large benefits for turning a blind eye, protecting, or even organizing these activities.*[40]

[34] Interview, Myitkyina, June, 2003.
[35] Global Witness, 2003, 2005; Woods, 2011(b)
[36] Brunner *et al*., 1998
[37] Kahrl *et al.,* 2005
[38] Global Witness, 2005. By 2003, China imported 1.3 million cubic meters Round Wood Equivalent (RWE) of timber from Burma, more than a six-fold increase from the just over 200,000 cubic meters imported in 1997.
[39] Ninety-six percent of logs and sawn wood from Burma arrived in Kunming from across the border with northern Burma, rather than from Rangoon ports. In 2001-02, China recorded imports of just over 0.9 million m^3 RWE of Burmese timber. In the same fiscal year, the Burmese recorded only 0.02 million m^3 RWE of timber exports to China. This represents a disparity of over 0.8 million m^3 RWE, suggesting that around 98 per cent of timber exports from Burma to China were "illegal."
[40] Le Billion, 2000:791-92

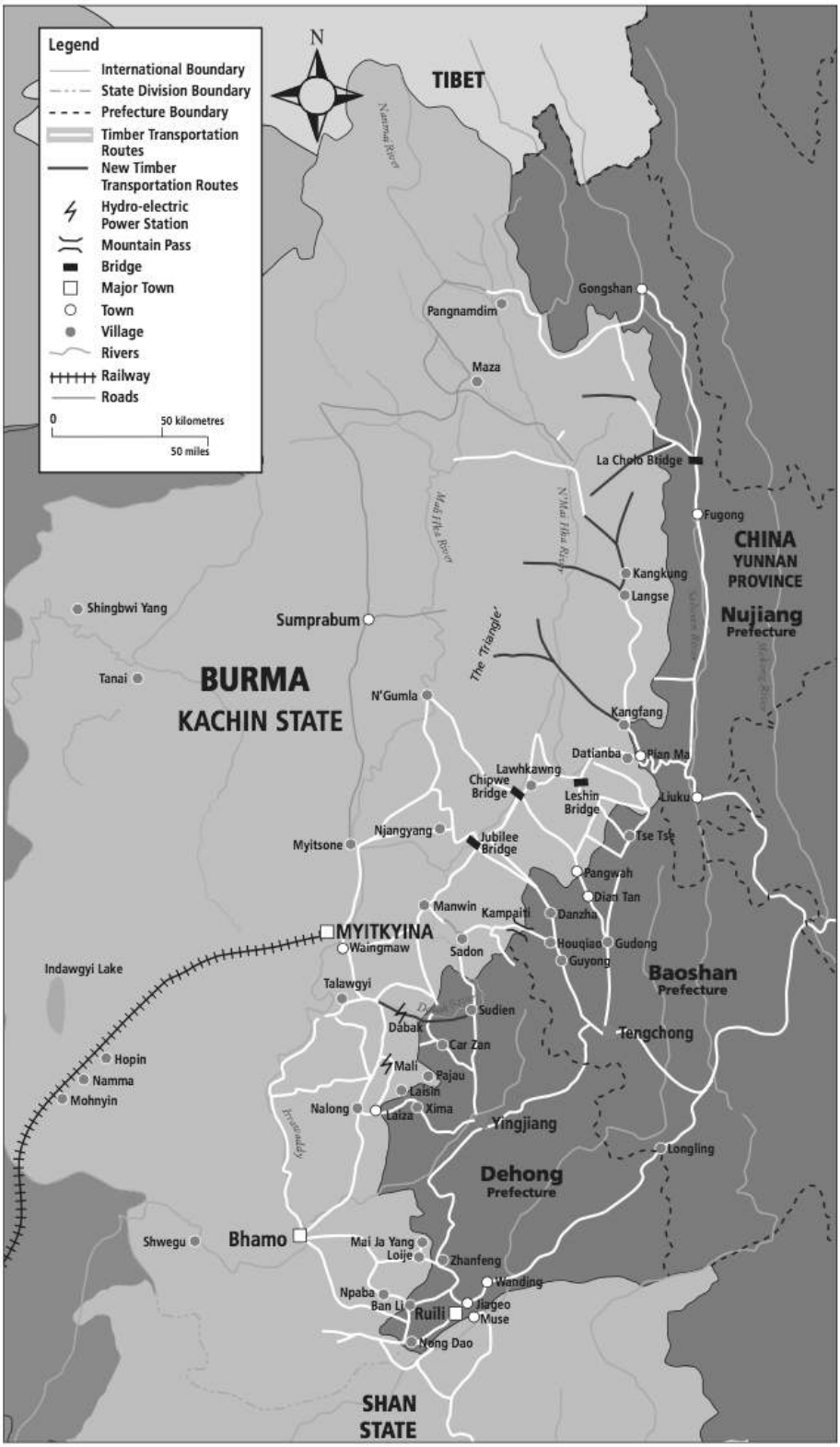

Figure 25. *Cross-border timber trade routes on the Sino-Burma border, late 2000s. Source: Global Witness (2009).*

Over the course of the 2000s, military state officials, strongmen, and national cronies effectively pushed Kachin customary authority and Kachin elite businessmen out of orchestrating resource extraction contracts. Burmese national and Kachin State military and government officials were quick to cash in on their expanding territorial and administrative power and authority. A Chinese academic, who studied the Sino-Burma cross-border timber trade in the mid-2000s, poignantly summarized the state-building trends as we warmed ourselves over Pu'er tea and noodles in a Kunming City alley: "Before there were no relations between the Chinese government and the Burmese government to deal with the border's 'min jian mao yi' [unofficial small-time trade]; but the more the central governments on both sides increased power, the closer they got to the border."[41] In the early 2000s, Yunnan authorities in Gongshan County along the Kachin State border, for example, signed a 15-year contract with the Burmese North Military Commander for timber from Kachin State's isolated interior, known as the "triangle." This vast forested area lies in the inverted triangle-shaped area formed by the state's two main rivers (Mali and N'mai), which empty into the Irrawaddy confluence just north of Myitkyina.[42] The KIO claimed the unpopulated territory was under their authority.[43]

It was during the frantically-paced yet delicate maneuverings to cut and transport timber to China that I and my local Kachin colleagues wound up being reminded that forests, even when cut down, are indeed rendered political. My closest research confident at the time, who became over the years my first Kachin "uncle," was eventually reprimanded by military officials for his close attention to how the timber trade operated. Only later did I realize that this was the reason he suddenly broke off all communications with me. The military-state officials were getting sterner with those sharing information on the forests being sold off and timber hauled across the border. It was possible, although not easy, to watch the pillage of these ancient forests from both sides of the border. Forest conservationists and environmental activists from Burma and other countries started to document the plunder, publish reports, and connect with exiled media.[44]

Only after unwelcome international publicity did the Burmese government, Kachin rebel leaders, and Yunnan and Beijing officials begin delicate efforts to forge agreements as to what constituted "legal" logging and timber trade. The rest of this chapter more carefully considers what "legal" timber according to the Burmese state means in the context of rebel forests. The answer to this question shifted over the course of ceasefire capitalism, and especially after war returned to the Sino-Burma borderlands. Tracing the shifting politics of timber legality provides a template for how power relations and enactments of violence between the military state and armed groups were transformed, from war to ceasefire and back to war again.

[41] Interview with a Chinese professor at the Chinese Academy of Sciences in Kunming, Yunnan, China, 2006.
[42] Global Witness, 2003
[43] It is unknown if KIO leaders were also paid off as part of the logging deal.
[44] Awareness was raised and publicized by Global Witness (2003, 2005), but also more quietly by Chinese scholars and other "activists" who worked under the radar and therefore were often uncredited for playing crucial role.

Rule of law as relational state power

One morning about halfway through my dissertation fieldwork, I discovered that all my US cash was missing from the hiding place in my flat, a decaying colonial building in downtown Rangoon.[45] It was money I had saved up from short-term research consultancies, which was then to subsidize ongoing dissertation research. I decided to go to the township police station just down the road to report the crime — more as an act of testing political reforms and government accountability, as encouraged by my Burmese friends, then in the hopes of actually finding my stolen money. The next two days in the police station became an ethnography of rule of law as relational power, in this case configured by ethnic and religious identities.

I sat in a one-floor concrete building with the police officer who oversaw my case. After hearing only a few minutes of my story, he claimed to have figured out who the culprit was. "I know who it was. It was that Muslim man. Go cleverly fetch the Muslim man and bring him here." The "Muslim man" was one of my closest friends in the neighborhood, who I'd gotten to know over the year from his help in fixing things around the apartment on a more than monthly basis, as was needed in a one-hundred-year old building with no structural upkeep. I fired back, "But he is the only one I really trust, and I did not describe him as the 'Muslim man.' I said his name is Mohammad." After refusing to further identify and bring in my friend, the other person who had access to my apartment, my once-per-week cleaner, volunteered to come to the station to tell her side of the story after I informed her of the incident. After less than an hour of questioning behind a curtain, the same police officer declared confidently that it was indeed "that Muslim man" who must have stolen the cash. The officer, who I was to learn identified as a Bama Buddhist, used his authority and the rule of law to uphold what he thought was justice in solving the crime. The cleaner—who was never referred to as the "Bama Buddhist" woman despite her identity as such — was declared innocent. The Muslim man on the other hand was quickly accused, despite a lack of evidence either way. At the time, my predominately Muslim neighborhood — where this police station was also located — was on high alert. Just weeks before, the anti-Muslim violence that was bubbling up around the country had engulfed a town only a few hours away.

This harrowing experience taught me how the rule of law is expressed through what can be called "relational power." The implementation of the rule of law is not an objective exercise between two parties devoid of power relations, whether mediated through politics, religion, ethnicity, gender, or class.[46] Rather it is a reflection of power between the lawmaker and the ruled. Back at the protest scene at the copper mine site that began this chapter, the difference

[45] In a country that has had banks collapse several times in the past few decades, where all banks are owned by crony companies or the state, the vast majority of people — even in Rangoon — do not deposit their money in banks, but instead rely on their residence as the "safe" place to keep their cash. I was simply following local "custom," and also was not keen to put my US cash in a crony-owned bank.

[46] EP Thompson certainly understood this, as the earlier passage from him reveals. Antonio Gramsci (1971) wrestled with the relational power of rule with the difference between coercion and consent between the state and "civil society." Michel Foucault (1991) similarly articulates how diffuse power relations define how rule operates.

in relational power between the poor rag-tag collection of farmers and the country's most powerful political elite was palatable.

The analytics of relational power can help to navigate the politics of timber legality fought between a military state and a rebel group. A declaration of what is to be considered "legal" logging and timber trade can be used by the state to reward its allies just as easily as to punish its enemies. The implementation of the rule of law during the ceasefire period, in terms of who is and is not allowed to take part in the "legal" wood sector, is defined in relation to the state. An armed group's timber rent-seeking capabilities are more a measure of their political compatibility with the Burmese military state. This section will explore the shift in political patronage between the KIO and the military state over the course of the ceasefire period, 1994-2011. Cases will reveal how KIO leaders put down weapons and at first cashed in on the timber trade without much interference from the Burmese state. But with incremental levels of military state-building, the Burmese government redefined "legal" logging and timber trade. "Legality" was defined as concessions allocated by, and timber trade that only passed through, the military government, para-military militia strongmen, and select Chinese companies directly tied to the Yunnan provincial state.

The battle lines were not so starkly drawn, however. Well-established elites with considerable business acumen — strongmen, cronies, moneylenders — had politically positioned themselves as "state patrons." As the state carved out power and authority in Kachin State through ceasefire capitalism, state officials started to apply statutory law within their sovereign domains. Customary authority and law thereby no longer ruled over areas where the military state rolled out their state craft, at least in theory, and oftentimes in practice. Potential state patrons needed to be on the "right side" of state law in order to receive logging concessions.

Chinese companies' timber business partnerships shifted multiple times over the course of ceasefire capitalism: Kachin headmen in the 1990s; Chinese, KIO leaders, and Kachin elite businessmen in the early 2000s; and predominately regional military commanders, para-military militia leaders, and national crony companies since the mid-2000s. Even in territories under KIO authority, a Chinese company often needed permission from the central government or regional military commander in order to more reliably gain access to a logging concession. A sergeant in the KIA in 2006 summarized this shift in political patronage:

> *In the past, before the ceasefire, KIA or KIO had their own positions and whatever decisions they had to make, they made themselves, and they didn't need to ask anybody about the trading. But, since after the ceasefire, whatever they want to do, they need to ask the Burmese generals for permission. The Burmese military government made the logging illegal. If you have a good relationship with the generals, the military government, it's still legal. But if you don't have, its illegal. And from the KIO side, it's the same as the Burmese. If they get a kind of tax, then they issue the permission to the trader.*[47]

[47] Project Maje, 2001:1-2

Reflecting the degree of military state-building in Kachin and its growing economic alliance with the military state, the KIO released a statement that redefined what they consider "legal" logging.[48] The letter declares it illegal, starting from 1 June 2002, to log any forest and transport the timber without the national government's explicit permission:

> *All illegal logging must be stopped other than concessions legally approved by the Central Government, to be used by the KIO for raising funds for various development projects…all other logging must be stopped and any illegal logging will be confiscated and the illegal loggers and their parties will be dealt with in accordance with the law.*

"Legal" timber became defined in relation to the Burmese military state, rather than just according to KIO authority previous to the declaration. How timber legality became defined mirrored the politico-business alliances in Kachin State at that time. For example, Burma's Ministry of Border Areas and National Races Development (or Na Ta La, see Chapter 3) allegedly carried out a logging project in the north of Kachin State jointly with the KIO, with logs trucked across the border.[49] A year after the letter was released, I asked top KIO forestry and agriculture officials about the veracity of reports that they were cooperating with Burmese military officials on logging deals. They framed their relationship with the military state as one of desperation due to their diminishing relational political power. Left no choice but to agree to the military's allocated logging concessions, they said that they might as well try to benefit from the deals.[50]

The collusion among government officials, KIO leaders, and business elites over logging that straddled both sides of the border illuminates the dynamics of ceasefire capitalism. State-building trends manifested through logging deals are demonstrated by changes in who Chinese businesspeople turned to in Kachin State to secure logging concessions. "Lao Ying," the Chinese businessman from Yunnan Province who I introduced in Chapter 4 on rubber deals, first started out in the logging business in Kachin State after the KIO's ceasefire. He initially went exclusively through KIO leaders. Logging (and mining) deals with KIO leaders led Lao Ying to coordinate other business opportunities with them. In cooperation with the KIO's own Buga Company, Lao Ying used his finance capital to build modestly-sized hydropower plants to generate electricity for KIO's headquarters at Laiza as well as for other Kachin towns.[51] Over time, though, Lao Ying began to go through the Burmese military's North Military Commander, who presided over Kachin State, to obtain logging concessions and permits to transport timber across the border. At the same time, Lao Ying also had to cooperate more closely with the provincial and prefecture governments in Yunnan as Chinese officials tried to get in on the action.

KIO rebels-cum-businessmen were not the only armed leaders making logging deals with Chinese companies in Kachin State, however. Two high-level KIO leaders separately

[48] A copy is on file with author.
[49] Sherman, 2003
[50] This line of argument was often repeated to me years later when looking at agribusiness deals.
[51] *KNG*, 2009

mutinied and signed individual ceasefire agreements right after the Burmese communist party collapsed and before the KIO signed their ceasefire. One of the KIO's regional leaders, Zahkung Ting Ying, broke from the KIO in the 1960s to side with Burma's communist party in what is now Special Region 1 (SR 1) in northeastern Kachin State along the Yunnan border. His militia, called the New Democratic Army-Kachin (NDA-K), then signed a separate ceasefire with the Burmese military in 1991 — several years before the KIO.[52] Like other ceasefire groups (and ex-communists), he became an astute businessman. His strategic resource-rich border territory, marked by the militia capital Pianma, served him well.[53] Zahkung Ting Ying and his family members, who have strong familial ties across the border, have received many logging concessions in cooperation with Yunnan-based companies, with permits from the Burmese government's township Forest Department.[54]

It was not just a matter of the NDA-K getting a piece of the pie, either. In some cases, the North Military Commander granted logging concessions to the NDA-K in territories that the KIO claimed to have authority over. For example, in the mid-2000s the NDA-K expanded its logging activities into the southern "Triangle" region. This was done with the regional commander's consent, and reportedly with the cooperation of Yunnan's Tengchong County government. The KIO asserted that NDA-K's logging activities in the triangle were partly located in their territory, and were therefore seen as an antagonistic move against their authority and their own timber rent-seeking activities.

I lived in Myitkyina at the time NDA-K was shoring up logging concessions, teaching environmental studies to Kachin Christian youth in their after-church programs. This was in the early 2000s before cell phones, or really even email, had made their way to this valley (or much of the rest of the country). It took two days to learn that Zahkung Ting Ying had survived a bomb attack while traveling along the road just outside Myitkyina on the other side of the Irrawaddy River from where I stayed. The KIO and NDA-K have long been at odds with each other: Zahkung Ting Ying was labeled a traitor to the KIO, both for the ceasefire his group signed and for engaging in resource deals that infringed into KIO territory.

As the military state gained more territorial power and authority in Kachin State, crony companies joined the crowded field of organizations running timber rackets. By the mid-2000s, Rangoon-based cronies were able to capitalize on the North Military Commanders' expanding territorial power, which enabled him to grant logging concessions to preferred business

[52] Since ex-President Thein Sein's government took office in 2011, the NDA-K has become what is known as a Border Guard Force (BGF) as part of the Burma Union Army, and so technically has since shed its NDA-K namesake.
[53] Across the border from NDA-K's SR 1 is Pianma town, which is under Yunnan's Gongshan County government; Gongshan government officials reportedly maintain friendly relations with Zahkung Ting Ying and his relatives who operate businesses under the NDA-K flag. This is in part because Zahkung Ting Ying was born in Baoshan prefecture in Gaoshan County. He later migrated across the Burma border and eventually even became a Burmese citizen and developed a Kachin identity. When Gao Liang was the director of the finance division for the NDA-K, with a representative office in Yunnan, he had reputedly brokered NDA-K contracts with Chinese logging companies.
[54] Interview, Kachin community development worker, Myitkyina, March, 2014. Companies such as Golden Myanmar, Well-Being Myanmar, and Chan Yin Ku all have direct links to the former NDA-K leaders and their relatives, and have all received agribusiness and logging concessions in different areas of Kachin State, financially backed by Chinese businessmen.

partners.[55] Just as with local ethnic strongmen, forests were used as a currency of exchange to reward cronies for their loyalty to the state. The logging concessions granted in the Hukawng Valley Tiger Reserve and the overlapping agribusiness concession (see Chapter 1) demonstrate how expanding military state power and administration led to crony companies receiving massive land concessions, which then begot further military state-building.

State-sponsored schools, Buddhist pagodas, approved NGO livelihood projects, road building, and military battalions were all manifestations of military state-building. But in this rebel forest frontier, the military state was also born out of, and in turn shaped, patron-clientism over land and forests. The ceasefire period enabled battlefield enemies to become business partners, putting down guns in exchange for profits from resource extraction. Over the course of ceasefire capitalism, this transition to expanding military-state power and its attendant rule of law regime was demonstrated in the state's ability to establish itself (in state forests and elsewhere) as the rule maker.

Transforming trafficked into nationalized timber

As state-building accelerated under the tenants of ceasefire capitalism during the mid-2000s, timber transformed from a trafficked commodity into a state-sanctioned, legal, national one. “Legal” state timber had to originate from, or be transported through, areas under the authority of the state or a “politically compatible” organization. One glaring example reviewed above: in 2002, the KIO declared timber legal only when approved by the military state. But as the 2000s wore on, and ceasefire capitalism became more advanced, forests and timber rents became increasingly nationalized, both in degree and spatial reach.

In 2005, a few years after the KIO upheld state law in how they defined legal logging and timber trade, Kachin State got a new North Military Commander. This post was the most lucrative in the country, thanks to the hundreds of millions of dollars in jade and timber rents that could be appropriated by a skillful commander.[56] The position was rumored to be a stepping-stone to even higher positions if the “big boss” — Senior General Than Shwe, the dictator — was paid off well enough from the commander’s resource-rent commandeering. Soon after the North Military Commander Major General Ohn Myint took office, he declared a temporary moratorium on the cross-border timber trade. The international community was quick to praise the ban.[57] Rather than a cause for celebration, I saw the move as a way for Ohn Myint to gain time to position himself and his political allies within the timber trade. As it turned out, less than half a year after his order — supposedly on environmental grounds — eyewitness reports from the border described "dust thick in the air" from logging trucks resuming their cross-border timber trade. As the axing of forests and timber caravans resumed at what turned out to be an even higher rate, it was clear the commander considered timber “legal” if he

[55] Jones, 2014:153

[56] Ohn Myint was previously the South Military Commander over Tanintharyi Region, where he was responsible for forced land confiscations for the purpose of allocating oil palm concessions to regional and national crony companies (see Woods, 2015(a)).

[57] Global Witness at that time was arguing that their previous advocacy targeting that border’s timber trade had paid off with the temporary moratorium (personal communication with campaign leader).

financially benefited. The Burmese Forest Minister Brigadier-General at that time publicly stated that timber was crossing the border into China "without official government permission." What he meant was that timber was going through KIO transportation routes and checkpoints without kickbacks to the Burmese military or Forest Department. The minister, in response, "called on timber entrepreneurs to cooperate with the government to prevent illegal timber extraction, smuggling, and trading in the country."[58]

A violent episode against Chinese loggers working in Kachin State in 2005 led to even more widespread concern in the international community — and even within the ranks of the Forest Department itself — to the massive logging and timber volumes crossing the border. The military's state timber board (the Myanmar Timber Enterprise, or MTE) granted a logging concession in Bhamo District on the Yunnan border in southeastern Kachin State to one of their preferred national crony companies, Htay Za's Htoo Trading. But only after the concession was awarded did Htay Za realize that the area had already been deforested by Chinese loggers, supported by a Chinese company across the border. Htay Za's anger over his lost timber profits — which would have undoubtedly been shared with those who granted the concession — led the military government to retaliate. Hundreds of Chinese loggers in the area and in other parts of Kachin State were arrested, and several even murdered. Sino-Burma relations suffered a significant, if only temporary, setback as a result.[59]

The tense situation led to a closed meeting between respective governments to discuss the specter of the cross-border timber trade.[60] The Burmese government requested the Chinese national and Yunnan governments to support only the logging that passed through conduits of the central government. They further asked "Chinese companies and individuals to abide by local laws and regulations" in Burma. What this meant, of course, was forbidding Chinese companies to trade with the KIO. More subtly, these talks reflected the Burmese military's success in state-building through ceasefire capitalism.

By the end of March 2006, just a few months after the bilateral meeting, the Yunnan provincial government, in cooperation with the Chinese People's Armed Police Force for Border Affairs, officially declared it illegal for Chinese companies and their associated loggers to go across the border into Burma for logging (or mining) purposes:

> *Every border checkpoint and workstation will stop transacting the approval for Chinese labour and transportation to Burma on the purpose of logging and mining. The timber, minerals being transported from Burma to China and the illegal action of leaving the country will be stopped as well.*[61]

Subsequently, the Yunnan provincial government authorities began to clamp down on a few of the major border crossings further south, mostly along the northwestern part of the northern Shan State border, where a lot of timber was leaking across the border in pockets of territory

[58] Xinhua News Agency, 2006
[59] Global Witness, 2009
[60] Noam, 2006
[61] Xinhua News Agency, 2006

controlled by the KIO.[62] In June, as the logging season was coming to its normal end because of waterlogged forests and flooded roads, thirteen Burmese border-trade officials were arrested at Muse town in northern Shan State, the country's most lucrative and only official cross-border checkpoint with China. The Northeast Military Commander ruling over northern Shan State charged them with corruption.[63] Many of the areas around Muse District and the surrounding hills are inhabited by Kachin villagers, some of whom claim the KIO as the governing authority.

The decision was based largely on political geography: Muse was the only border town that the government had firm control over and where it could thus collect taxes. State authorities excluded Laiza, the KIO's headquarters, as a legal border checkpoint, however. At that time Laiza was a thriving timber-trade hub. According to my interviews with Kachin timber trade researchers and confirmed by international investigators, the military government allowed some other areas of the border to remain open to legal timber trade under a quota system.[64] Only one Chinese company would be eligible for legal contract with the Burmese state to import logs. Likewise, the military state granted legal rights to just one Burmese company, Awng Mai, to export timber across the border to China.

The company held close connections to the North Military Commander Major General Ohn Myint.[65] Just before these bilateral negotiations, Ohn Myint awarded Awng Mai Company a substantial teak logging concession along the Kachin State border to last until the completion of his term in 2009. His successor, Maj. Gen. Soe Win, accepted a very high-value bribe in early 2010 from a group of Chinese timber businessmen. The bribe gave Awng Mai the right to cut and transport teak across the border from Bhamo District. Bribes were also reportedly paid to various Burma Army infantry battalions and checkpoints to get over 100 Chinese logging trucks with Chinese workers full of teak logs across the border.[66]

Only crony companies tended to transport their cut timber from Kachin State to Rangoon for "legal" export by ship, as per the military government's wishes to maximize revenue. Cronies from Rangoon didn't usually have the wherewithal to get their timber across the Yunnan border, or were forbidden by the person who authorized the concession. After the partial implementation of the 2006 ban, crony companies were more favorably positioned to comply since they did not exclusively rely on border trade to sell their timber. After 2006, cronies under sub-contract with the military's MTE continued to direct their cut logs from

[62] This was confirmed by two different and credible Kachin sources and a foreign news reporter based in China in May 2006. Despite those legal enforcements, some of the border checkpoints further north of Ruili remained active during the initial clampdown, according to Kachin informants. Chinese official customs data showed these measures mitigated the timber trade for a few years, with only 270,000 m^3 of logs officially crossing the Sino-Burma border in 2008. Yet this reduction was not to last. By 2013, trade in timber products between the two countries reached a record level of 1.7 million m^3 (of which 938,000 m^3 were logs), worth US $621 million. Of this total, 94 per cent was registered entering China via the Kunming customs office in Yunnan, meaning the wood was transported overland across the border. It is presumed to be predominately in contravention of Burma and China's own 2006 bilateral timber trade regulations as outlined above (Forest Trends, 2014).

[63] Noam, 2006

[64] Interviews, Myitkyina, 2006; EIA, 2015:7

[65] Interviews, Burmese timber trader and Kachin community development worker, Myitkyina, 2006; EIA, 2015:7

[66] *KNG*, 2010

Kachin State to Rangoon, and then exported them legally to China's eastern seaboard — although at much higher cost to Chinese timber traders.[67] While the cross-border timber trade in the latter part of the 2000s substantially decreased,[68] timber exports from Rangoon shipping ports simultaneously increased.[69] The redirected timber flows through Rangoon steered all rent-seeking opportunities to military state agencies, officials, and cronies rather than through any KIO controlled tax points.

Definitions of "legal" timber evolved over time as the military state gained more power and authority in Kachin State. As the Chinese and Burmese states manifested more of a presence in the borderlands, Sino-Burmese bilateral agreements that catered to both states' desire to capture timber rents could be more successfully carried out. The Burmese state hoped to assert a monopoly over timber rents, as both a territorial expression of their power over former rebel forestlands, and a source of massive sums of money at a time when the military was cash-strapped due to international sanctions. The attempt at enforcing the rule of law to redefine "trafficked" timber as "legal" nationalized timber also proved effective in diverting potential timber profits towards state-backed militias and cronies, and away from the KIO.

The ceasefire capitalism that the timber trade and agribusiness expansion emerged from, and contributed to, constructed political forests as "relational legalities" based on political compatibilities. The resource-rich landscapes and armed political territories that swarmed with timber extraction and industrial agricultural production changed rather dramatically in 2011, however. Immediately after the country's first civilian-run (but military-backed) government took office, the Tatmadaw annulled the ceasefire with the KIA, and war quickly resumed. During the ceasefire period and the commercialization of counter-insurgency, deforestation and timber trade were materialized expressions of armed political relationships. But during the war period, the same rule of law discourse was put to an altogether different use, although the outcomes were notably similar. That is where we next turn.

A Political Ecology of War in Rebel Forests

After nearly a full day's ride in the back of a KIA truck in May 2014, dodging potholes and landslides along a sketchy dirt road, my companions and I descended from the patchy mountain forests under KIO control down to the Taping (Daping) River. Stretches of the river demarcated political territory among the Burmese government, the KIO, and China, representing a slice of territory that is part of the armed sovereignties in these borderlands. Just over on the other side of the river that marked China's national border stood a newly built, and still unused, official cross border trade check point building, pictured in **Figure 26.** The structure sent a strong message to the KIO who relied on their border check point in Laiza just

[67] Woods, 2011(b)

[68] Global Witness, 2005

[69] This analysis comes from conducting research in Kachin State and Rangoon, 2008. See also CSO (2007); Milieu Defensie (2009).

several miles away past the Hkaya concession (Chapter 4): Burma's government, not the KIO, will capture resource rents with China in these parts.

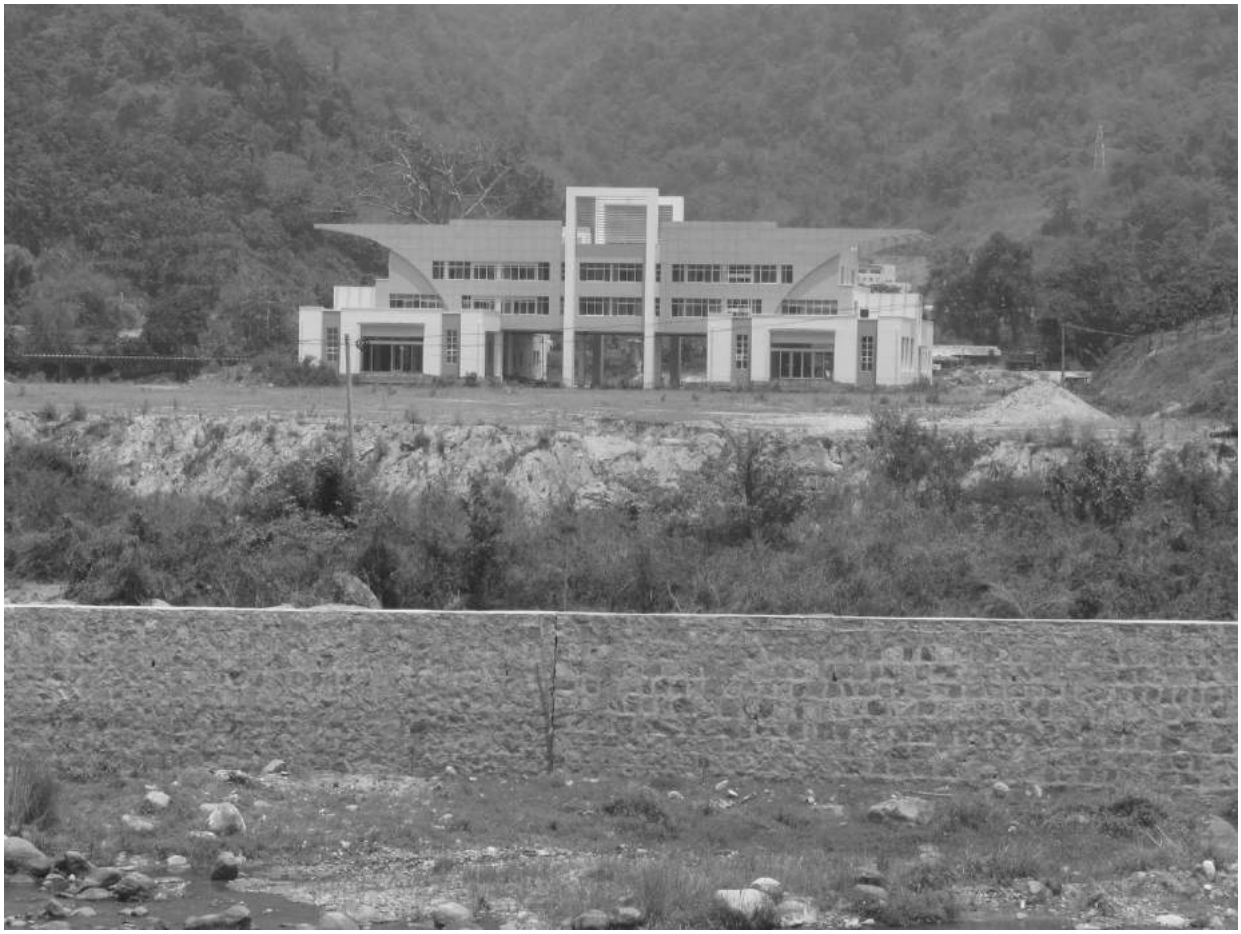

Figure 26. *The future official China-Burma border trade check point on the Taping River (behind wall) where Burma and China state territory meets that of the KIO. Source: author, 2014.*

People in the borderlands knew the river also for the recent two hydropower dams that had been built with Chinese investors. The first of which that we came upon, and which was still being built at the time, is shown in **Figure 27**. At the second working dam a few kilometers further upstream but was hidden around a bend in the river, we got out of the truck as we crossed a nearby bridge to stretch our legs and absorb the site's imposing political and economic symbolism. The dams were financed and built by China, a country which has been the crutch of the Burmese military regime since the end of the Cold War, and were located in territory under the control of the anti-communist KIO. All the power they generated would be exported to China, despite the total lack of electricity in the regions where it would be produced and through which the transmission lines would pass. These imposing dams reminiscent of Leninist-style development were part of the "development for peace" discourse espoused by the Burmese state. And indeed, the KIO started to follow suit; they pointed to the massive concrete structures as one justification for their ceasefire. Kachin villagers in the area,

however, would be the first to tell KIO and Burmese government leaders alike that the dammed river offered no electricity or other benefits to them.

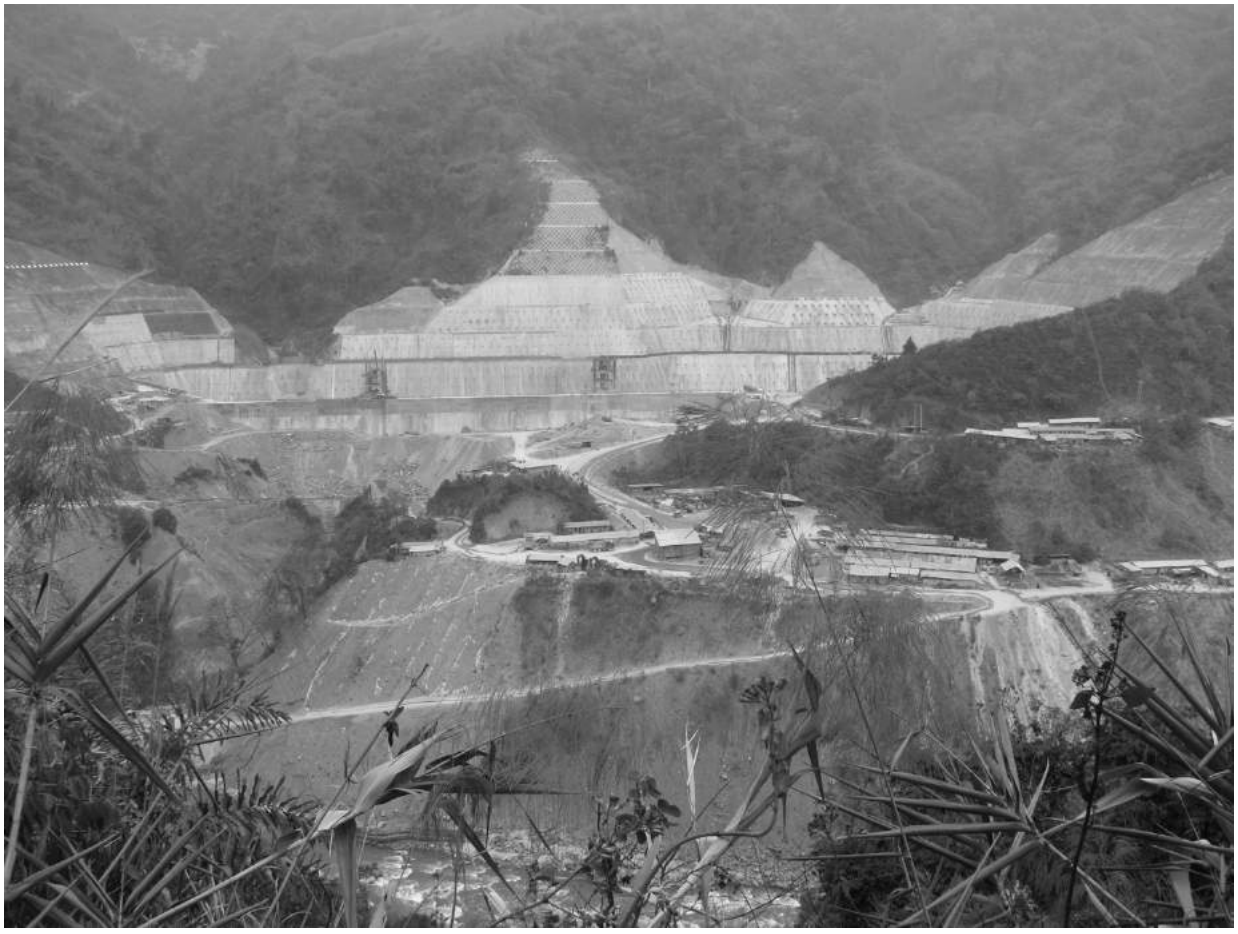

Figure 27. *One of the dams being built on the Taping Dam on the China-Burma border. Source: author, 2014.*

The second of the dams, just upstream from the KIA-manned bridge we crossed, was the embodiment of the next political transition: from cooperative plunder to war. As I chatted with a KIA soldier stationed there, I learned firsthand just how the 17-year ceasefire with the KIO came to unravel in 2011 at this exact dam site. The next day at the KIO's headquarters in Laiza, I interviewed at length the KIA officer in charge of the unit stationed at the second dam site. He recounted in overwhelming detail how the war resumed at the Chinese hydropower project site and later spread throughout Kachin State and northern Shan State where KIO hold territory.

The dam site, like other resource extraction points, led to militarization around the perimeter by Tatmadaw troops. KIA soldiers stationed in the immediate vicinity were suddenly sharing opposite sides of the river bank with Tatmadaw soldiers. The KIA soldier joked with me how they knew what kind of curries the Tatmadaw soldiers ate for dinner by the smells that wafted over the river. After the new civilian-led government took office, however, tensions between the military government and the KIO escalated (see below). As the monsoon season

descended in this valley in June 2011, a KIA soldier stationed at the bridge just down from the second dam site claimed to have heard gun fire from the other side of the river bank. He jumped into action and shot back across the river. The war had resumed.

As the country was preparing for President U Thein Sein's government to take office in 2011, the military presented an ultimatum to armed groups who were under a ceasefire agreement but had not yet abandoned hopes of political revolution. The new military-backed but civilian-led government made it clear how national peace would be achieved: either become part of the Union Army as a "Border Guard Force" (BGF), without political aspirations, or be at risk of attack. The push to become a BGF offered an opportunity for the KIO to review what had been gained and lost during their ceasefire period. Among the losses were extensive land and resource grabs, a deteriorating natural resource base, Burmese militarization, contentious Burmese state-building, some KIO leaders living in mansions, a lack of physical or energy infrastructure, and a burgeoning heroin and HIV/AIDS epidemic. Even by the early 2000s Kachin civil society leaders started to complain about the lack of positive developments for Kachin people. "It is difficult to consider the KIO as good leaders for us, because they made an agreement with the SPDC; but no benefits from the agreement have come to our community," whispered a prominent Kachin Baptist pastor to me in private in the back halls of a church in Myitkyina.[70] These missing development benefits were consistently mentioned to me when talking with Kachin youth activists, farmers, Christian pastors, community development workers, and non-KIO Kachin political leaders now able to run in state elections.

With the approaching transition to quasi-civilian rule, the KIO were up against a wall: they could either join Burma's Armed Forces as a BGF or face the prospects of war once again. The renewed threats of political violence led KIO leaders to more seriously listen to their Kachin civilian constituency, realizing that without the latter's support they had no power. The collective experience of Kachin civil society has been one of disillusionment and disappointment in the promises of "development for peace," the phrase espoused by the Burmese military and the KIO alike at that time. Wide disenfranchisement galvanized broad support for the KIO to ultimately reject the BGF proposition.[71] Tensions ran high between leaders in Naypyidaw and Laiza, and enemy soldiers, often stationed within earshot of each other.

By the time I embarked on my dissertation fieldwork to study the workings of ceasefire capitalism, my field site had already been engulfed by war again. Instead of the ceasefire period's cooperative plunder, the area was overtaken by foot soldiers engaged in guerrilla fighting. Both sides had buried land mines around territorial strongholds, and Burma's Armed Forces was dropping bombs on KIA holdouts on the front line. The transition back to war presented an "opportunity" to study the next phase in the political ecology of legacy violence. Hill forests — as both rebel guerrilla habitat and sources of lucrative timber — were again rendered political, this time by running rebels out of forests and attacking rebel-held timber trade checkpoints. Northern Burma thrown back into war was not just marked by armed

[70] Interview with Kachin Baptist pastor, Myitkyina, 2003.
[71] TNI, 2013

attacks, but also by the state finding a new use for an old tactic: the rule of law as the war to rule.

The politics of timber legality during the ceasefire period — at least in terms of state-backed elites capturing rents — is not dissimilar to the post-2011 war period. I have already explained how legality is defined relationally; this practice continues. "Legal" timber hinges on a concessionaire or taxing agent's political compatibility with the military state. The difference this time is that the KIA is marked as an illegal insurgent group at war with the state. As detailed in the previous section, the Burmese state in the mid-2000s used diplomacy and business deals with China that diverted timber rent-seeking opportunities away from the KIO. During the war period, however, *military offensives* against the KIA have attempted to achieve the same result, but this time legitimized by the discourse of fighting "environmental crime" and clamping down on insurgent organizations' "illegal" activities against the nation and its citizenry.

The return to war between the Tatmadaw and the KIA has had profound implications for the political economy of resource conflict in Kachin State. It has underscored highly contested rights over land and natural resources. Forests and associated timber trade flows have become defined by the war itself, just as during the ceasefire period, but with different political relations and power dynamics. When the Tatmadaw attacked KIO-taxed timber convoys in the "name of conservation," the Burmese state was able to kill three birds with one bullet: cutting off the KIO's source of resource rent-seeking, halting the KIA's territorial movements throughout nearby forests, and gaining wider territorial control over strategic areas that incrementally would facilitate military defeat of the KIA.

Conflict resources

The financial costs of the war continued to grow over the years, making resource rents — in this case jade and timber — ever more central to the KIO's financial survival, especially as their military costs had soared. It did not take long before the military government realized just how much jade rent was going to the KIO. In 2012, the national government therefore enacted a two-year jade mining moratorium where in Kachin State.

As the state had hoped, the KIO's jade rents plummeted. Although It is not clear the degree to which the KIO's jade rents were curtailed during the moratorium. The KIO was able to continue to tax unofficial jade mining and trade, although presumably at much lower volumes and values compared to before.[72] Much as when the KIO lost their monopoly over jade mines in the early 1990s (which in part precipitated the ceasefire), timber once again became a prioritized resource for the KIO. According to KIA's Vice Chief of Staff, jade rents continued to be a more significant source of revenue to the KIO during the war period than for timber, even during the moratorium. However, timber did start to become an important revenue-generating resource again nonetheless. [73] The importance of timber rents to the KIO after the jade moratorium partially explains the spike in cross-border timber trade values during that time.

The cross-border timber trade soon rebounded after the war started, its reported value more than doubling in just a few years. Smuggling of rosewood logs across the border surged

[72] Interview with KIA's Vice Chief of Staff, Chiangmai, Thailand, 2014.
[73] Interview, Chiangmai, Thailand, 2014.

to 220,000 m^3 (US $300 million) in 2013.[74] Timber was being cut in government-controlled areas in northwestern Shan State, southeastern Kachin State, and northern Sagaing Region (west of Kachin State), according to informants. Logs were then transported through territories controlled by both the Burmese military and the KIO to pass overland into China, with both parties engaging in timber rent-seeking behavior.[75] In the chaos of war, all sides took advantage of the Forest Department's inability to regulate the trade. The department's officers complained that they could no longer enter most forested areas for fear of attacks and land mines. Temporary lulls in fighting, on the other hand, presented windows for safer logging and timber transport. For example, between March and September 2013, a pause in fighting led to an unprecedented export of logs across the border.[76] A national log export ban, announced in 2013 and implemented a year later, also led to a rush to get logs out before it came into effect.[77]

During this war-period surge in cross-border timber trade, the 2006 timber trade regulations between China and Burma were still on the books. The only legacy of that clampdown was the demand by Chinese border officials for paperwork showing that imported timber was considered legal by the Burmese government. The 2006 bilateral timber trade regulations and the 2014 log export ban clearly indicated that the burgeoning trade was illegal in both countries. But according to undercover investigations by an international environmental organization, traders clarified: "So long as the required taxes are paid on the China side of the border, the shipments are deemed legal, irrespective of whether the wood came from illegal logging operations."[78] This meant that no export documents from Burma were required to arrange the import documents in China.

Even as the battles were being fought, the increased volume and value of timber crossing the border was significantly captured by the KIO, which still held most areas along the border. After the government tried (rather unsuccessfully) to strike at the KIO's financial heart by blocking its jade rent-seeking, it attempted the same tactic with timber. This time, though, timber legality was to be defined and implemented by military-led operations. Since no ceasefire was in place, the Burmese military fell back on armed attacks to take greater control over political forests and timber supply routes. The rule of law transformed into a war of military maneuver.[79]

Flushing out the insurgents

Armed conflicts between the KIA and the Tatmadaw increased along the roads leading out from Myitkyina. The highest concentration of armed conflicts was perhaps along the route connecting the provincial capital to the second largest town in Kachin State, Bhamo, in the far southeast of the state near the Yunnan border. This transportation corridor, less than 100 miles

[74] EIA, 2014

[75] Interviews, Myitkyina, 2014 and Sino-Burma border, 2014.

[76] *KNG*, 2013(a). I personally witnessed high volumes of large-diameter logs crossing overland into Yunnan through an official Chinese customs checkpoint at the Chinese border town of Nangdao in 2014.

[77] O'Toole, 2013

[78] EIA, 2015:9

[79] I borrow the term "war of maneuver" from Gramsci (1971) to mean of a similar sort, that is to say, open conflict between the military state and the "revolutionary" Kachin group.

long, is the main route connecting timber (and jade) in western Kachin State and northern Sagaing Division to the KIO's Laiza town on the China border. The Tatmadaw targeted this main transportation corridor in order to gain control over this key trade and tax route. The battles also helped the Tatmadaw gain control of strategic KIA outposts, effectively surrounding KIO's capital city.

The Hkaya rubber and banana agribusiness concession, as described in detail in Chapter 4, became a literal battle ground during the war period because of its proximity to Laiza and clear-cut hills. During the 2014 dry season — when offensives are most common because of the ease of mobility and absence of common monsoon illnesses — long and intense ground battles took place in and around this concession along the Laja Yang-Hka Ya-Shadan Pa Road, just west of the Myitkyina-Bhamo Road, and just miles from Laiza.[80] The Hkaya case study typified the transition from ceasefire to war. An agribusiness concession in a region of hill forests brought together KIO leaders, the military state, Burmese cronies from Rangoon, and Chinese companies, all to make money off the resources and ceasefire. But the very process of making the concession — the logged-out hills, new roads, and militarization — created a strategic launchpad for repeated attacks against Laiza when war resumed.[81]

Gaining control over strategic transportation and supply routes is a common military strategy. But Burma's Ministry of Defense claimed that the orchestrated attacks in 2014 along the road to the Hkaya concession were actions against "illegal" logging and timber trade.[82] According to Presidential Spokesman Ye Htut, the army attacked the KIA in Mansi township around the same time because "the Tatmadaw is conducting an operation to arrest illegal logging in that area and some KIO troops are preventing this operation because they are involved in [the] illegal trade."[83]

The events that immediately preceded the spokesman's announcement shed further light on these trends. A week earlier, a Burmese Army major died in KIO-controlled territory in Manwainggyi, and the Tatmadaw blamed a ruthless attack by the KIA. Seeking to understand the event, I spent some time with a high-level KIA official in Laiza, who claimed that the Tatmadaw major drove recklessly drunk and unannounced into KIO territory that night. After he refused to cooperate with KIA officers' orders to surrender, he was shot.[84] Immediately, the Tatmadaw announced that it was launching an operation to gain effective control of the Manweinggyi-Kaunghmuyan route in the area where the major was killed. The Tatmadaw spokesman claimed, however, that the military offensive was "to preserve the state resources and to protect the livelihood of villagers in those areas."

Several further attacks were launched the following week, in southeastern Kachin State around Mansi Township, and in northern Shan State around Nantkan Township where the KIO also had territorial influence. The offensive resulted in the Tatmadaw gaining control of

[80] *Kachinland News*, 2014; *KNG*, 2014

[81] The attacks were especially prevalent during the 2013 dry season (Nyein Nyein, 2013).

[82] *Eleven Media Group*, 2014a. For example, attacks were carried out along the routes between Mansi-Momauk, Simbo-Bhamo and Simbo-Manpi roads.

[83] Hinshelwood, 2014

[84] Interview, Laiza, May, 2014

Nongdao, a KIO-operated border checkpoint on the China side.[85] "Their border gate [was] situated in China-Myanmar border and we seized the gate as they were doing illegal works there," explained a military official from the North Military Command headquarters in Myitkyina.[86] The border gate was indeed an entry point for high volumes of timber, taxed by the KIO on the Burma side while checked and marked by Chinese customs on the Yunnan side. I had observed this trade (pictured in **Figure 28**) when I visited the checkpoint from the China side. In Burma, the checkpoint was still under KIO control the year prior to the attack.[87] But in fact the string of attacks during Buddhist New Year in mid-April 2014 was about the military state gaining control over that checkpoint so timber rents would accrue to the state rather than the KIO. Without control over trade routes and cross-border checkpoints, the KIO cannot tax "trafficked" resources, and therefore cannot generate the financial resources needed to prolong their revolution.[88] The KIO are repeatedly reminded that the same transportation routes that allow natural resources to be transported and taxed can also serve to replenish Tatmadaw troops on the frontline.

In early 2015, during the most active timber trade period in the cool season, the Director of the Investigation Division of Burma's forestry ministry explained how "security has been tightened on these routes" that lead to the nearly fifty "non-legal" border checkpoints.[89] Yet again, just as the hottest and driest period of the year got washed away in the onset of the monsoon in early May 2015, the military government used the discourse of "illegal" logging to justify attacks on a new and unforeseen level: they deployed *airstrikes* against KIA posts in a national effort to stop "illegal" logging.[90] The areas covered by the airstrikes were in the same townships as the Buddhist New Year attacks the year before. The 2015 offensives were not just the result of recent of military advances, however. The attacks and military advancements were an outcome of ceasefire capitalism, whereby agribusiness and logging concessions laid down the territorial groundwork and militarization to further enable flushing insurgents out of forests.

[85] *National Geographic*, 2015
[86] *Eleven Media Group*, 2014a
[87] These observations are consistent with EIA investigations as well (see EIA, 2015).
[88] In particular, the transportation routes targeted have been the Mansi-Pankham-Manwainggyi and the Bhamo-Moemauk-Seinlon-Lwejei roads.
[89] Nyein Nyein, 2015. In this sense "non-legal" means not controlled by the Burmese government.
[90] Shwe Aung, 2015

Figure 28. *A long line of Chinese timber trucks that had just crossed through China's border trade check point at Nongdao. Source: author, 2013.*

A different but equally dramatic event in early January 2015 again portrayed the significance of the political landscape in which the rule of law operates. The Burma Army arrested over 150 people, all of them reportedly Chinese nationals, in a high-profile illegal logging bust.[91] The arrests occurred in Waingmaw Township, not far from Myitkyina on the other side of the Irrawaddy River close to the China border. General Gun Maw, the Vice-Chief of Staff of the KIA, explained to me in an interview that those arrested indeed had a KIO-issued logging permit, but the permission was for logging to take place in KIO's 1st Brigade area. This was not, however, where the Chinese loggers were arrested, or where the logs were cut — which was presumed to be from government-controlled areas in northern Sagaing Region or the west of Kachin State close to Nagaland.[92] It wasn't until late July that the Chinese nationals were handed their sentences for illegal logging. All but two teens were given jail terms for life, a punishment condemned by Beijing.[93] Residents in Rangoon, however, expressed praise on social media for the Burmese government "acting justly" to "save their nation's forests" — an

[91] Sun, 2015
[92] Interview, Chiangmai, Thailand, February, 2015.
[93] Aung Hla Tun, 2015

unheard-of response until just a year or two before. The extreme sentences and positive civil society responses marked the measure of anti-Chinese sentiment in Burma, but also the rising nationalist tide in civil society.

The actual story of the arrests, I was to discover, involved much more than just the state clamping down on logging and timber trade through KIO channels, or the nation winning against insurgents tarnishing their nation and national resources. The *territory* the loggers were arrested in — more than who was arrested, or the fact that it was a move against the KIO — reveals the deeper politics that remade political forests during the war period. As in the ceasefire period, legalizing resource rents was as much reward as punishment; what mattered was which side of the battle lines you were on. To dig deeper into the territorial politics behind the arrests, we must turn once again to armed strongmen and cronies.

Strongmen, cronies, and war booty

The territory in Waingmaw Township where the Chinese loggers were captured was under the control of the Lasang Awng Wa (aka Lawa Yang) militia — which is now a Border Guard Force (BGF) under the tutelage of the Tatmadaw. In 2005 the Kachin armed leader Lasang Awng Wa split off from the KIO. His para-military militia had been engaged in logging and mining deals since he signed a peace deal with the military government.[94] His BGF had also applied pressure on the KIO to surrender. The BGFs were able to engage in logging and timber-trade activities with impunity because of their para-military status; but the KIO, once more an insurgent group, was excluded from such state privileges. Chinese loggers operating with a KIO permit were in effect intruding in "enemy" territory when caught in Lasang Awng Wa's BGF territory.

The political compatibility of militia strongmen with the Burmese military state has taken on new meaning during the current war period in Kachin State. The confidence and power of Zahkung Ting Ying's BGF grew over the 2000s during the ceasefire period because of their close political relation to the military state. The NDA-K cashed in on their para-military militia status during the 2000s by orchestrating logging concessions, sometimes even in territories claimed by the KIO.[95] NDA-K even implemented a major hydropower dam project near Chipwe in their Special Region 1 (SR 1) territory in cooperation with the late Lo Hsing Han's crony company Asia World, a former narco-militia Kokang Chinese leader from northern Shan State who became one of the countries' infamous national crony companies.

During the war period, while the state got tough on the KIO for "environmental crime," Zahkung Ting Ying and his BGF continued to cash in on logging and the cross-border timber trade. My research assistant and I uncovered supposed reforestation and infrastructure contracts in the BGF's SR 1 territory that were in fact a cover for logging, with no intention to develop the area for its intended purpose.[96] A colonel in the NDA-K who oversaw extensive resource extraction and agribusiness projects in Kachin State received a road building contract in Saw Law area in SR 1 from Zahkung Ting Ying, with permission directly by the North Military

[94] *KNG*, 2013(b)
[95] Global Witness, 2003
[96] This information has previously been published in Woods (2015(a)).

Commander. A seasonal road with little utility to anyone, the road was widely suspected to have been a cover to log wide swaths of the high-quality forest on both sides of the road, with permission given from the local government's Forest Department.[97] Another company whose owner was an official in the NDA-K received a 25,000-acre concession for "reforestation" in a heavily forested border area in SR 1. Permission was again given directly from the local government's Forest Department, who themselves apparently received a nod from the capital, Naypyitaw.[98] The timber from this area was sent to China via Panghwa, the NDA-K's administrative headquarters on the Yunnan border.[99]

Crony companies have also positioned themselves within the remit of "legal" logging during the war period, just as BGFs and military-favored militias have done. Crony companies tied to Burma's military continued to gain greater access to land and natural resources in Kachin State throughout the 2000s. Htay Za and his Htoo Group of Companies was one of the country's most famous national companies, with direct ties to the former dictator Than Shwe, through whom it acquired the logging concession in Bhamo where the arrest of Chinese workers occurred. After the new war began this decade, Htay Za expanded his business projects into Putao District in the far north of Kachin State just south of Hkakaborazi as the only snow-capped mountains of Southeast Asia, which form the border with Tibet. His firm has reportedly been granted a concession to selectively log within a 300,000-acre forested area and to explore gold mining within a 600,000-acre area along the Mali River in northern Putao.[100] The Htoo Group of Companies has also been setting up ecotourism package tours in the area for its exceptional and rare ecology, and runs the only commercial airline that reaches Putao.

The Rebellion Resistance Force (RRF) is a para-military militia that operates, by design, in the Putao area in opposition to the KIO. The militia is composed of ethnic Rawang, who often don't identify themselves as part of the "pan-Kachin" community. The RRF's leader, Tanggu Dang, launched several attacks against the KIA's Battalion 7 in Putao to secure the territory for Htay Za's projects, according to journalists.[101] Afterwards the KIA's General Gun Maw privately met with Htay Za in Rangoon to discuss the KIO's security concerns with his logging concessions and expanding "eco-tourism" ventures.[102]

State-confiscated logs from non-sanctioned traders, in this case those with permits issued by the KIO, are transferred to the logging arm of the forestry ministry (the MTE), who in turn sells the timber to foreign buyers. According to published government data, government and military-led confiscation of "illegally" felled and transported wood has been on the rise since the civilian-run government took office in 2011.[103] Many of these missions have taken

[97] Contract on file with the author.
[98] Contract on file with the author.
[99] Interview, Kachin researcher, February, 2013.
[100] I could not verify the very large concession areas.
[101] Saw Yan Naing, 2013
[102] Lin Thant, 2013
[103] The ITTO reports (based on Burmese government data) the following volumes of confiscated illegal wood across the country: 30,000 cubic tons (2011-12), 32,000 cubic tons (2012-13), 45,465 cubic tons (2013-14) and 61,000 cubic tons (2014-15), for a total of 168,465 cubic tons confiscated during President U Thein Sein's term. See ITTO TTM Report, 16–30, June (2015:5-6); and Nyein Nyein (2015).

place in northern Burma (and to some degree the Sagaing and Tanintharyi Regions), so these reported confiscated volumes can be significantly accounted for by hauls in Kachin State (and to a lesser degree, northern Shan State). The first part of 2015 saw about 10,000 cubic tons of confiscated illegal timber, most of it from Kachin State, according to a deputy environment minister.[104] Between September 2013 and March 2014, according to Burmese media sources, just over 5,000 cubic tons of illegal timber were seized in Kachin State along the militarized transportation routes mentioned above.[105] At the end of 2013, 3,000 cubic tons were confiscated, harvested in the Sagaing Region west of Kachin State, but on route to China through KIO-controlled territory and checkpoints. The confiscated logs were transported to a nearby camp for war refugees in government territory in Kachin State. The logs were reportedly guarded by Tatmadaw soldiers until taken to a government-run log depot in Bhamo, close to the Chinese border.[106]

The remaking of political forests during the war period has involved more than just soldiers and air raids. Attacks against KIA bases and timber trade routes became touted as heroic efforts to save the country's last remaining forests from anti-state "greedy" rebels. The nationalist rhetoric arose from a more legitimized state body, approved this time by Western democracies who supported and funded Burma's liberal political economic reforms. As the global economic community welcomed the Burmese state, the country's political forests began to be cast as the embodiment of the Burmese Buddhist polity, and therefore by definition not the home of insurgents or ethnic minority populations sympathetic to political revolution.

Conclusion: Legacies of War and International Forest Regimes

The material politics of the rule of law as the war to rule over political forests in armed territories is more than just a discursive exercise in relational power. An analysis of the political ecology of ceasefires and war in frontier forests offers a helpful perspective on the current phase of political forest-making. International market-based forest law and governance regimes have quickly followed the arrival of the global development aid industry to Rangoon. Western development aid, rather than "business as usual" when Burma was still a "pariah" state, now directs national forestry reform in the country. Political forests have once again materialized out of multiple conjunctures: in this case, Burma's national peace process, Kachin revolutionary politics, and Western legal timber trade reforms. Forestry and security agencies in Burma now couch their efforts to control political forests and timber rents in "modern" forestry discourse. The mantra of "good governance" and the "rule of law" have become the hollow calls of forestry reform, and mainly serve to help feed Western consumer timber markets. Yet the international-led reforms enact so much more.

Global resource governance standards are being brought into the upland forests as a new tool of statecraft, helping the military state and para-military elites to further consolidate power and authority over forested territory. The lack of any sense of a Weberian state system

[104] Aung Hla Tun, 2015
[105] *Eleven Media Group*, 2014b
[106] *KNG*, 2013(c)

— in this case, one wherein the state cannot exert full control over the country's sovereign territory, nor exercise a monopoly over violence — carries significant implications for international forest management and governance regimes. What does it mean to implement market-based global forest governance mechanisms within such a legacy of armed politics?

The United States and the EU have rewarded the Burmese government's democratic reforms this decade by rescinding all financial and trade sanctions. Burmese timber is one commodity that is no longer under Western trade sanctions, sparking renewed interest by international timber traders and consumer groups to gain legal access to the country's famous old-growth timber, especially teak. Rather than illegally procure Burmese wood through third-country exports (China, Hong Kong, Taiwan, Malaysia, Thailand) as has been the case for the past two decades, EU member countries and the US have started to directly import small volumes of Burmese timber from Rangoon's ports. Such trade is expected to increase since the state's timber association has been taken off the US State Department's Specially Designated Nationals (SDN) sanctions list in 2014, despite having the same military links that originally got it placed on the SDN.

To enter Western timber markets, wood products from Burma must demonstrate compliance with new regulatory requirements for all imports under the EU's 2013 Timber Regulation (EUTR), the US Lacy Act (as amended in 2008), and the Australian Illegal Logging Prohibition Act (ILPA). In addition, Burma's forestry ministry and the European Commission (EC) have been working towards a Voluntary Partnership Agreement (VPA) under the EU's Forest Law Enforcement, Governance and Trade (FLEGT). Alongside FLEGT, Burma has also been moving towards a framework for Reducing Emissions from Deforestation and Forest Degradation (REDD+), jumpstarted by the UN's REDD-Readiness roadmap. The UN's roadmap has since been complimented by multi-donor-funded initiatives to streamline REDD+ into domestic natural resource and land reform, which often means land and resource grabbing. In addition, the Burmese government has signed on to the international Extractive Industries Transparency Initiative (EITI), which provides benchmarks for governance of the oil/gas and mining sectors operating in the country, worth billions of dollars. Earlier in 2017 Burmese civil society groups and the government decided to include the forestry sector in the EITI as well, a move that only Liberia has yet done. What these different international regulatory regimes have in common is the centrality of global legality standards in streamlining "good governance" and "international best practices" in the forestry, land and extractives sectors.[107]

The beginning stages of these international resource governance mechanisms involve reaching some sort of consensus on who has the legal and legitimate right to conserve, extract, tax and trade the country's resource wealth. For the case of FLEGT partner countries with a VPA, the EU requires verification of the legality of traded timber. Timber producing countries must legalize or formalize domestic timber production and trade.[108] The specification of the principles of timber legality, however, is left to the participating countries as a show of respect for state sovereignty. One study on VPA negotiations for a different FLEGT partner country found a slippage between design and in-country realities: "With regard to sustainable forest

[107] Wiersum et al., 2013

[108] Wit et al., 2010; Putzel et al., 2015

management . . . the imposition of homogeneous legal frameworks by the state does not take into account the diversity of local realities and often neglects the existing working rules for forest resources use adopted by smallholders and communities."[109] How EU-manufactured principles are operationalized in the implementing country depends highly on how the rule of law is conceived and implemented.[110]

Yet Western donors and INGOs approach the application of the rule of law as an attainable absolute, applied universally across a nation-state's (presumed homogenous) sovereign territory. This absolutist notion of the rule of law sits at odds with the practice of authority and territory in Burma. Global treaties and international governance and trade regimes often base reform benchmarks on a sovereign state's national legal framework, as is the case for the natural resource sectors, forestry included. International resource governance regimes are mandated and applied as if legalities are unbounded, with no adherence to place. Grounding this empirical study in both place and the embedded structures of relational power demonstrated how the state of territorial governance invariably shapes the manner in which law is interpreted, applied, and enforced in those locales.[111]

Legal regimes are not abstract systems of rules.[112] They are dependent on and inculcated by political structures and relational power exercised across class, race, gender, and geographical scales. The Burmese state is not characterized by Weberian notions of the rule of law, since they do not have absolute control over sovereign expressions of territorial control nor a monopoly of legitimated violence within the nation-state. Nor do these divergences from the absolute present mere sticking points or misunderstandings to be ironed out in further meetings. Instead global forest regimes are appropriated by the Burmese state to advance its own political agenda in locales operating under armed sovereignties. In this way, I recognize military-state official's agency in the way they choose and manage to implement global resource governance norms in Burma's forest frontier.

The manner in which the rule of law is presented and carried out has been a consistent platform upon which all parties have fought over forests. The goals, however, have been very different, and often at odds. The fights over state forests and the populations residing in them have changed this decade, becoming framed as fights over carbon capture and "cleaning" timber export supply chains to meet due diligence standards and importing countries' legal timber trade policies.[113] The newly-emerging political forest, in other words, is being transformed from state paper forest parks, guerrilla hideouts, and Chinese logging concessions into future sources of global carbon and legalized timber exports to the EU and the United States.

A national government applying international resource governance mechanisms in a place where the state does not have a monopoly over the exercise of sovereignty or violence presents several dangers. The state's rule of law in rebel forests becomes one more tool of

[109] Pacheco et al., 2008:3

[110] Van Heeswijk and Turnhout, 2013; Obidzinski and Kusters, 2015

[111] Betts and Orchard, 2014:18

[112] Chimni, 1998

[113] These global regimes regulating timber trade and carbon capture will be explored more in the concluding chapter, which looks ahead and considers why the armed-conflict context matters.

state-building. During the 2000s, the process of defining “legal” timber was intended to circumnavigate rebel taxation and thus defeat insurgent groups financially. After war returned to these forests, the rule of law was used to justify military attacks against the KIA in the name of fighting “environmental crime” and for the protection of the nation’s natural heritage. As Burma remakes its political forests, new governance norms that lean heavily on the rule of law are being built on legacies of political violence.

CHAPTER 7

THE WAR FOR PEACE

Introduction: Repertoires of Rule

Burma's colonial legacy of racialized rule has never been too far below the surface of the present. Burmese lives, identities, and institutions are organized by race and religion. Racial fractures have structured political geography, violence, and state-making since the colonial era, as I have shown. But the same legacies of the war to rule have also given life to farmers' own regional and national agrarian visions, as well as their resistance to state-led dispossession. Burmese are bound in two senses of the word: constrained by legacies of racialized rule, but also tied to their socio-cultural identity group in such a way that has the capacity to transform the war to rule into peace-building.

I first learned the lesson of environmental concern as peace-building back in the mid-2000s during an exchange at a workshop hosted by the Burma Centre Netherlands (BCN) in Amsterdam. At that time, the military still retained total control over the country, war still continued with the Karen, Kachin were suffering from the consequences of ceasefire capitalism, and there was zero tolerance by the military regime for open dissent. BCN brought together environmental "activists" (used loosely here) who represented different ethnicities (including Burman) and political persuasions. Humor and nice meals with alcohol helped smooth the obvious tensions from putting people from such a mixed bag together for a few days. Ethnic minority environmental justice activists who had fled the country viewed "environment" as an entry point into race, politics, and war, whereas others, such as the Burman retired senior forestry officer, only spoke of the environment as a degraded ecology without mention of people and politics.

But people genuinely listened to each other, with lots of laughter to punctuate awkward moments. After the workshop's concluding remarks on the last day, some participants volunteered to give testimony to their experience. A loaded comment has stuck with me to this day. The statement of a younger Karen woman that I knew well had some of us in the room hold our breadth: "At first when I got here, I was really scared to see Burmans in the room. I have not been in the same room with a Burman since I fled my village. So, I have been very nervous and skeptical." I was motioning to the facilitators to do something; we didn't want to end on this point! "But…," she hesitantly continued, despite the nervous looks around the room "…after these days together, I realize they are not *all* evil bad people, and some of them we can say are even on our same team." A collective breath followed by laughter and clapping engulfed the attic space. I like to recall this moment because it was the first time that I realized organizing on environmental justice issues in Burma was tantamount to peace- and trust-building in a country torn apart by war and racial violence.

The politics of possibility, I argue, are located within these same legacies of racial and political violence. This dissertation's findings admittedly paint a rather gloomy picture for the future lives and livelihoods for poor, upland ethnic minorities in Burma. But it would be wrong

to think what I have captured is their slow, invisible death. This concluding chapter aims to show that out of the ashes of war grows the possibility for a new politics of resistance and a more hopeful future for Burma and its diverse citizenry – but not in the way that the mainstream international donor and development community believes. Pro-growth economic reforms, foreign investment, nor liberal development projects are likely to uplift those I write about from their poverty and misery. I have demonstrated how development projects operate as war by other means while civil society acts of disobedience and organizing have led to incremental positive social and political transformations. Social and political mobilization along lines of racial (and religious) identity – themselves based on legacies of rule – have the ability to fundamentally repudiate these forms of hierarchical exclusion and distrust. The political register of my dissertation is to therefore highlight how legacies of war and violence sustain the old as much as their ability to propel to create new bridges to peace.

This concluding chapter re-examines the dissertation's findings with the optic of political ecological view at play within the "repertoire of rule." The repertoire of rule is stocked with state tools to control territory, land and resources, and populations, as well as equipped with society's own weapons of the weak. The previous chapters demonstrated how land concessions and deal making brought together state soldiers and police, strongmen and cronies, moneylenders and village elite, and laws and policies to remake frontier landscapes in the image of the state. Physical violence transformed into the process of production itself when turning land into capital. Market transactions, business leaders, and development projects helped to make significant inroads into transforming rebel territory and populations into those of the central state where the military and counter-insurgency failed. By the same token, these state-making successes on the backs of economic reforms also enable new societal relations and political formations that compromise and retard the advancement of a predatory state and its violent authoritarian repertoire of rule.

It is upon a territorialized backdrop of a transformed nature and reconfigured population that the state indoctrinates its subjects. The making of governable subjects does not take place on a clean slate. The state relied on violence to set up its territories, defined how to manage land and resources, moved some people out and others in, and established laws to make it legal. Physical force and forms of capital accumulation transformed nature in the frontier into a racialized capitalist space over which the state presides. The agrarian transformation I have described here is a result of ceasefire capitalism. Agricultural labor contracts, land tenure regimes, formation of new political identities, and consumer market behavior are the new main currents of the new repertoire of state rule.

The same structures that have ruled Burmese people are also responsible for opening up new possibilities for change. While the workings of race and space across state and society constructed many barriers to organizing and mobilizing in defense of the smallholder farmer, these schisms have also simultaneously built communities of solidarity in some corners while also breaking them down in others. Ethnic enclaves with strong cultural affinities presented opportunities to cultivate social movements *within* each ethnic category. Common agrarian grievances across rural society regardless of racial identity also built solidarities *across* varied racial communities.

The findings of this dissertation reviewed in this chapter have as much to say about the past as the future. The topic chosen to study in this dissertation came out of the desire to understand the present and give caution to the wind of the future. Ceasefire capitalism took a new turn in 2011 when the new government under President Thein Sein took office, and a national peace process (mostly funded by international development agencies) got underway. As discussed earlier, many KIO leaders were fed up with what ceasefire capitalism offered them (or failed to offer) over the years. The result was the KIO and the Tatmadaw soon went back to war once again. Meanwhile, the main Karen armed political opposition organization, the KNU, signed a ceasefire agreement and became the main ex-rebel group backing the national peace process led by the new government. The KNU and KIO have since effectively switched sides: newly-elected KNU leaders wanted a piece of the action in ceasefire capitalism, whereas KIO leaders surmised they had lost more than they had gained from it. Since the KNU leaders agreed to their ceasefire, they signed many land deals with domestic and foreign investors in their controlled territories in southeastern Burma[1] – starting an iteration of ceasefire capitalism, part two.

Since Burma's new government set political and economic reforms into motion this decade, and top officials rebooted a national peace process, legacies of racial violence and the war to rule have continued. Economic counter-insurgency continues much as it has since the 1960s; para-militaries, some of whom are now formalized into the BGF system, have received land deals and other lucrative business licenses in return for their "security" services. As the legal and institutional aspects of turning land into capital get more firmly established, militia leaders' opportunities for business will no doubt consequently flourish. I suspect that the period of ceasefire capitalism from the 1990s until now will pale in comparison to the years ahead in terms of the quantity and extent of land deals. One of the main differences I note between the first round of ceasefires after the end of the Cold War with those signed in 2012 is the global political economy within which ceasefire territories become inserted. The regional and global investment interest in land, agriculture, and other natural resources today is substantially greater than just after socialism ended. Meanwhile, the new government signed most major international governance treaties, particularly for natural resources (such as the EITI described in the conclusion of the previous chapter). Part of my motivation to study this phenomenon came from the concern of what is yet to still fully come.

The war to rule does not just encompass economic counter-insurgency, however. Military-led counter-insurgency carried out by Tatmadaw troops and para-military units remains a crucial aspect of military state-building. While the policies and deployment of para-

[1] Naypyidaw handed out "peace gifts" to those rebel groups who signed the NCA, especially including KNU leaders who were granted luxury vehicle import permits, which many people saw as little more than lucrative bribes (Saw Yan Naing, 2013). KNU leaders signed an agreement to build a large-scale dam in their territory through Burma's central government (Saw Yan Naing, 2016). The leaders also signed an agreement to begin construction of the long awaited ADB-funded Asian Highway, which would connect Rangoon to Bangkok and onwards to Cambodia (Karen News, 2015). This has led to an economic jump with plenty of speculation in the Thai border town of Mae Sot where the KNU has their de facto headquarters. On the rise of land and resource grabs in Karen State since the KNU's ceasefire, see Karen Human Rights Group (KHRG, 2013) and Human Rights Watch (HRW, 2016).

militaries as part of the "people's war" have varied, they have nonetheless remained the hallmark of counter-insurgency until today. This is especially true this decade for militias operating near to KIO controlled areas, who have been called upon to assist the Tatmadaw to launch offensives against KIO units active in their area. Despite the hundreds of millions of dollars committed from foreign donors to finance the national peace process since 2012, para-militaries – of which there are hundreds, maybe thousands, just in the north alone – appear to be politically off limits to even criticism. In fact, the Tatmadaw gave further credence to the prominence of militias in safeguarding national security in a rare recent speech that acknowledged the militia program. In a commemoration speech on Armed Forces Day in 2015, commander in chief of the Defense Services Senior General Min Aung Hlaing confidently claimed, "The national defense strategy of our country has been accepted as the militia strategy."[2] The role of militias in the country's national affairs have not been rendered a historical footnote as Burma enters yet another phase of ceasefire capitalism. A white paper issued by the Tatmadaw in early 2016, just as the NLD took the reins of government with declarations of a renewed peace process, listed one of the Tatmadaw's objectives as "to further strengthen the strategy referred to…as 'national defense with the people's war'."[3]

Legacies of violence continue to guide pathways to war and development, and to new possibilities for peace-building. To the western development community, avenues for emancipation from military repression is through liberal capitalism. The case studies presented in the previous chapters demonstrated the fallacy of this liberal dream in the context of Burma. As for the last part of this chapter, I present ethnographic material on the country's diverse makeup of civil society engaging in land reform to offer insight into the politics of possibility that arise from social movement building that operate *within* the confines of legacies of racialized rule. There is so much more at stake now, politically and economically. But it is entirely possible that the diverse collection of people in Burma will rise to the occasion and collectively push their country into a more positive and peaceful direction.

An Agrarian Political Ecology of Violence and State-Making

This dissertation showcased different aspects of an agrarian political ecology of violence and state-making in northern Burma's rebel frontier. I studied the production of three resource commodities to shed light on the commodification of nature as an embodiment of the politics of racial violence. The chapters examined the turning of land into capital in places under siege by drugs and designated for efforts to turn "battlefields into marketplaces." The field case studies on rubber, corn, and timber profiled three state techniques of postwar rule that were made all the more effective when coupled with market-based reforms and capital investment. Territorialization, racialization, and the rule of law have become the fundamental weapons in the state's war to rule after the Cold War and an end to socialism.

My field study explores three overall research questions pertaining to the statecraft of rule in resource-rich rebel landscapes. I sought to capture the political economy of postwar agrarian transformations and landscape changes in these rebel borderlands. These agrarian

[2] *Global New Light of Myanmar*, 2015

[3] Maung Aung Myoe, 2016

transformations began as counter-insurgency using direct violence against ethnic minority populations during the Cold War era, and morphed into an economic counter-insurgency using a combination of physical force and market reform during the ceasefire era. By studying opium substitution projects and timber legalization as postwar development schemes, this dissertation broadened the examination of coercion and structural forms of violence in market-mediated transactions.

Chapters 2 and 3 explored this dissertation's first question on how market-based reforms reanimated legacies of political violence. Since the drug trade began to mushroom in the 1970s and 1980s, counter-insurgency against rebels took on a more economic bent. The military enticed rebel leaders to side with the state in return for unfettered tax and trade in the opium economy. Then military generals applied these counter-insurgency strategies to the context of market experimentation after the end of the Cold War and socialism in the late 1980s. Land and natural resource concessions, not just the drug trade as before, offered financial rewards to national cronies and provincial strongmen for their service to the military. Turning to land deals to entice ex-rebel strongmen and cronies to work as (sometimes de facto) counter-insurgency agents effectively commercialized counter-insurgency. These two history chapters pointed to the origins of these military and economic counter-insurgency measures: first starting with building the new post-colonial nation-state, and then becoming more commercialized with the booming Cold War drug trade and other natural resources that soon followed.

My study broadens the scope of what should be considered counter-insurgency. The case studies demonstrated how types of rural development and agriculture and forest management interventions can perform acts of counter-insurgency akin to military-led ones. The sweeping economic reforms in Southeast Asia that facilitate foreign investment in land and resource sectors the past two decades, and the subsequent reemergence of boom crops, must also be examined from the perspective of political governance and security studies.

This led to the second question of this dissertation project, which explored how turning battlefields to marketplaces manifests in natural resource governance regimes and efforts in state control in armed territories. As the Cold War came to an end, Thailand and China came to treat ethnic rebel groups and their leaders less as a buffer between Burma's military regime, and more a conduit to access natural resources. The political violence and racialized rule that defined the rebel frontier gave definition to the emergence of resource extraction along the Thailand, and then the China, borders. Militarism and markets worked together in surprisingly effective ways to outsource state-making to Burma's nascent entrepreneurs. The commodification of nature – profiled here as turning farm fields into rubber estates and smallholder corn enterprises, and forests into timber yards – operated in such a way as to carve out state territories and put future state subjects in place. Chapter 4 highlighted the two land laws that rolled out in 2012, which effectively carried the paddy nation into the upland forest frontier. The laws legally turned the colonial-era category of "wastelands" into rubber estates and upland cultivators into squatters. In Chapter 5, we learned how these same "wastelands" transformed into smallholder fields of corn, but with starkly different economic effects among households in a village. Many poor households in northern Shan State who did not have cash

from their poppy fields to essentially subsidize their corn production lost their land to their ethnic Chinese brokers and state-backed elites in their village. The last field case study detailed in Chapter 6 compared the making of political forests in Kachin State during the ceasefire period compared to during war. Rebels lost their guerilla forests from the military granting logging and agribusiness concessions and road construction permits to business partners on both sides of the national border and enemy lines. The three case studies collectively illustrated how the repertoire of rule enlisted state-like elites, Chinese capital, and the rule of law to turn land into capital and subsequently push rebels further into the forested mountainous margins.

The last of the three research questions looked more closely at how commodifying nature and turning land into capital opened new pathways for violent forms of state-building and subject-making. This dissertation studied state-making and associated enactments of violence by how land deals carried out methods of state territorialization, racialization, and the rule of law – the identified means and measures of frontier state formation in my field site. Chapters 2 and 3 pointed to the legacies of racialized rule in how the military state governed land and populations in the lowland paddy nation comprised of majority Burman Buddhists compared to the non-Burman, predominately Christian populated upland forested frontier. Rubber estates profiled in Chapter 4 presented a detailed account on how they contributed to state territorialization and subject-making. Military and government officials granted rubber concessions to provincial armed strongmen, most of whom profited from the drug trade, in areas cultivated by poor farmers who were often more sympathetic to rebel groups. The newly demarcated property under these strongmen erased any customary use and rights' claims to the area, and instead marked the concession area and its vicinity as state territory protected by statutory (land) laws. Concessionaires built roads, and police forcibly removed villagers who were thought to be associated with rebel groups; sometimes they were resettled into new model roadside villages. Burman Buddhist landless migrant laborers moved into the area instead, seeking to work on the plantations. The roads, para-military landlords, state property, removal of ethnic minority villagers, and monocultures cultivated a landscape that made it easier for the military to ambush rebel positions. Commercialized counter-insurgency as a repertoire of rule relied on private capital and military-backed elites to enforce Burman Buddhist state rule. Only with enlisting foreign capital and liberalizing the land and resource sectors has the state made progress in enclosing the rebel frontier.

I tracked these various statecrafts of rule in how they worked through the commodification of nature and foreign (in this case Chinese) investment. Chapter 4 detailed how para-military narco-militias have forced ex-poppy upland farmers off their swidden fields to make way for rubber plantations, backed by Chinese investors. Ex-rebel armed strongmen who rose in power as counter-insurgency agents during the Cold War capitalized on their Chinese connections by making land deals with Chinese businesses, subsidized by China's opium substitution program. "Accumulation from above" did more than turn farmers into landless migrants and warlords into landlords. The rubber estates demarcated state territory and private policed property, as well as exchanged ethnic minority farmers favorable to rebel

rule with predominately Burman (or ethnic Chinese) migrant landless laborers often put into company housing.

Some of the same farmers who had not been evicted from their upland rice fields seized the economic opportunity to convert their food fields into corporate corn for livestock feed in China, as reviewed in detail in Chapter 5. But poorer households who did not also grow poppy had to rely on moneylenders who offered high-interest loans, and above-market input prices and below-market harvest prices. Wealthy households connected to the military and state in various ways were able to avoid the brokers since they had enough cash in hand, and as a result did exceedingly well from corn cash cropping. Poor households, on the other hand, quickly fell into a debt trap. Poor households fell back on several coping mechanisms: on-farm labor for the village's rich households, their kids migrating abroad, and cultivating poppy. In the end, poor non-poppy households in the north often ended up selling their land to their broker or rich households in their village to service their loan. "Accumulation from below" made state-supported village elites and moneylenders into landlords. Turning land into capital, in this case upland swidden fields into rubber estates or smallholder corn cash cropping, turned Cold War narco-militias, (ex-) opium brokers, and wealthy villagers into the new landed class of the northern borderlands. They traded their increasingly precarious political and economic positions in a rapidly changing country for land – the universal valuable asset – located in China's backyard.

From agricultural fields to forests, Chapter 6 presented the final case study on the fight over political forests. The state awarded logging concessions and road building contracts to cronies and strongmen, which simultaneously declared rebel forests as state forest reserves while also leveling them into large open agricultural fields connected to dirt roads. These "development" and "conservation" endeavors joined military offensives that pushed rebels out of their guerilla habitat and bombed timber trading check points manned by rebel units. Rebel forests turned into state forests provided timber revenue to Burmese military commanders, state Forest Department officials, and state-like crony companies and para-military leaders. These efforts fortified state political forests, which laid the groundwork to export certifiable "sustainable" timber to western countries. In the making of state political forests, the rule of law politically and socially legitimized attacks against rebel-controlled timber depots and tax check points, which the government justified as getting tough on "environmental crime."

I use these different case studies to explore how nature and territory work through and define the repertoire of rule after war and socialism. Political histories and the nature of each resource and the mode and means of its spatial production contributed to the making of state territories and furthered racialized rule and securitization within the borderlands' armed sovereignties. This is the arena of postwar frontier state-making. This dissertation examined the effective role and outcomes of Chinese capital and global markets operating in zones under both ceasefires and renewed war in two particular ways. First, how political violence embedded within legacy structures became integral to the nature of capital accumulation. Second, how turning land into capital can act as its own sort of battle on behalf of the military and its statecraft. The three case studies taken together reveal how turning land into capital

has nationalized natures and consolidated state territorial power and authority in the rebel frontier.

Despite differences in commodities and accumulation mechanisms, similar patterns emerged across the three cases. First, marginalized minority highland communities who have been caught between the state and rebels have lost their customary farmlands and village forests to elites who are backed by the Burmese military. Second, turning land into capital and warlords into landlords required a continual mix of both direct physical force and structural forms of violence. Third, land deals to military-backed elites can be best understood as being borne out of Cold War politics, the drug trade, and counter-insurgency measures targeting ethnic-based rebel groups and its civilian support base. Fourth and final, Chinese investments – influenced by China's Cold War legacy in the region – gave rise to these transformations.

While landscape changes offered a window into the region's changing political economy and postwar repertoire of rule, research and analysis also kept in focus those populations who fell under rebel governance and who have been largely targeted and excluded from these state-making spaces. Studying the transformation of rebel frontiers into nationalized natures uncovered which populations are removed and forgotten and how, and which ones are reinserted and why. These violent agrarian changes have set the stage for the workings of governmentality. Exclusions from the post-colonial state based on racialized identities have pushed certain populations outside the state's imaginary of the nation.

Hybridity, Grounding Governmentality, and Making State Subjects

Multiple overlapping layers of territorial authority compete and cooperate to rule. Rulers (and proto-rulers) rely on the same repository of tools to bolster their power and control over territory, land, and populations – whether military or state officials, para-military strongmen, or rebel leaders. Hybridity, and what can be called "hybrid governance,"[4] describes well the nature of the war to rule and the stock of statecraft applied within Burma's armed sovereignties. I also use hybridity to describe the blurred boundaries in making governable spaces between the concoction of physical force and structural violence, capital accumulation and the code of conduct, and territorialization and political economy.

To be clear, physical violence – not Foucauldian diffuse power – expunged ethnic minority populations associated with rebel groups out from highland rebel settlements. The repertoire of rule worked through the political economy – as demonstrated in the case studies with turning land into capital – and manifested through state territorialization of resource-rich areas, racialization, and the imposition of an authoritarian rule of law. Direct violence and capitalist production regimes constructed state territory and national natures. This conjuncture of power and violence set the stage for making racialized state subjects under centralized rule.

Making state territories and subjects is an iterative non-linear process. I do not see the war to rule and rule by the code of conduct as entirely separate affairs, temporally or spatially, nor placed within altogether different repertoires. Populations are in some cases forcibly put

[4] On "hybrid governance" in areas of overlapping authority, see Jarstad and Belloni (2012), and for a case specific to Burma, see South (2017).

into place or taken out of others, as my cases showed, in order to select who will be disciplined (or not) as state citizens and consumers. Those newly constructed citizens are then subjects to discipline and governmentality in the more classical sense. They are, in effect, its instrument. Even though this dissertation did not study forms of discursive power in state formation and the making of its subjects, it did present a focused picture of what sorts of populations and in which places they will be privy to such type of governmental rule in the near future.

My findings on how territorialization contributes to violent state-making in the margins pushes us to think about the precursors to, and that which accompanies alongside, governmentality in the making of governable spaces. Donald Moore's "geographically robust analytic of governmentality" from his book *Suffering for Territory* offers an excellent deep ethnographic account of what it means to look at governmentality from a more territorial perspective.[5] We should not go by Foucault's conception of territory as possessing inherent natural properties, as Bruce Braun has pointed out.[6] Governmentality studies need to therefore be more grounded in the political construction of state territories and the social production of nature upon which discipline is ordered. This sensitivity to territorialization and socio-natures in the art of governance also demands attention to those people (and their practices) in a particular territory that were removed in favor of more politically complacent subjects, or a rebellious population that got forcibly inserted into a different territory to be made more accessible to the state. In other words, the *qualities* of the territories deeply matter to the politics of state making and governance.

The formalization of state territory, however, is not without its counter-movements and possibilities for alternative configurations. State territorialization in rebel frontier areas has, through its process of production, simultaneously opened new possibilities for civil society and rebel leaders to engage in alternative territorialization strategies. "Territorialization from below" in government-controlled areas has been led by civil society leaders as a kind of decentralized, bottom-up alternative territorialization process. They have challenged the state's categorization of swidden as wastelands and village forests as state forest reserves, for example. Different civil society groups who engaged in land policy reform in response to the 2012 land laws sought to refashion how agriculture policy reterritorializes the state, as touched on in Chapter 4. Likewise, for the forestry sector, community forests registered under the Forest Department have concurrently repelled and invited in the state.[7]

Rebel rulers, territories, and governance, on the other hand, have created alternative governable spaces and subjects that fall under full rebel authority (or partial, in the case of joint administration areas). For example, rebel land and resource policies have come online in these past few years for both the KIO and KNU that honor traditional customs, authority, and resource use practices for those populations within their territories of influence – encompassing all the rights denied by state legislation. Offering these rights where the state does not entice communities to side with the rebels rather than the state. As another example

[5] Moore, 2005

[6] Braun, 2000

[7] On this push-pull between state property formalization and community resistance against land grabs in Burma, see Woods (2010).

of new forms of rebel territory and governance being borne out of the war to rule, the KNU and Karen-based CBOs created Burma's first indigenous nature reserve located in KNU territory (but checkered with Tatmadaw outposts) in support of community-led conservation. Territoriality, law, and governance is thereby not the exclusive domain of the state, but one that the state tries to make so.

Democratic reforms underway in Burma since 2011 have redefined the parameters and expressions of hybridity in the repertoire of rule. The country's renewed national peace process and the growing movement for political federalism offer cogent examples in how the war to rule can also open the possibility to make alternative territorialities and governable spaces, and in so doing, new agrarian visions.

Territorialization from Below and Political Federalism as Peacebuilding?

These last two sections provide data and analysis on how the repertoire of rule embodies creative possibilities. In this section I approach the state's formalization over territories, natural resources, and land governance reform from the perspective of offering new opportunities to bring about political federalism and an end to armed political conflict. My intention is not to offer a review of the vast literature on the topic of post-conflict resource governance reform. Instead, I present different approaches to resource governance reform gaining traction in Burma, and how they resonate (or not) with political federalism. A Union Federal model has gained wide support among rebel groups and ethnic-based civil society organizations as the answer to the country's political stalemate.[8] While it's an uphill political battle, significant progress has been made at national and regional levels on advancing discussions on political federalism and resource governance devolution, and in a relatively short period of time.

The political and economic reforms have provided new opportunities for civil society to hold their government accountable in a way never experienced. Voting rights, national and sub-national political opposition parties and candidates, and a freer press are just some of the exemplary examples of new democratic freedoms Burmese now experience. Yes, the military-drafted 2008 constitution gives the military 25 percent of the seats in the parliament, effectively granting them the power to block any legislation they deem unfavorable to their continued political role in the country.[9] And yes, the military is still at war against several rebel groups in the north, paramilitaries have the license to rule, strongmen continue to expand their wealth and power, and the drug trade continues to flourish. But at the same time, civil society leaders

[8] For example, the United Nationalities Federal Council (UNFC), which represents the collective position of a consortium of rebel groups who are still fighting Burma's military, reached a united position in early 2015 on advancing a Union Federalism (Nyein Nyein, 2015). In mid-2017, more than sixty representatives of ethnic armed groups – both who have and have not signed the government's NCA – agreed what they called "basic guidelines" to establish a Federal Union in Burma (Khun Ba Thar, 2017). The idea of political federalism in Burma dates back to the time of Aung San in negotiating post-colonial regimes of rule with the country's leading ethnic minority leaders.

[9] To pass a law, over 75 percent of legislatures need to vote in favor; as long as military appointed parliamentarians continue to vote as a united block, the country cannot pass any laws that the military does not want to pass.

are helping to shape national policy, Burma has signed up to most international good governance treaties (especially related to natural resources), elected government officials are losing office for not responding to civil society concerns in their jurisdiction, and technocrats – for the first time since the military took over – hold some of the country's highest government positions. Political possibilities abound, even as they are constrained by the legacies of militarism.

One of the most hopeful political developments in terms of the country's armed conflict is the advancement of political federalism. What was once a dirty word that could not be mentioned in any official setting is now openly debated. The hopes for a Federal Union has become the potential framing architecture for the national peace process. Political federalism, while not yet clearly defined among those rebel groups championing it, would offer a political governance arrangement that goes much further to devolve power and decentralize decision making to the sub-national level, in this case ethnic states. Ethnic-based rebel groups and ethnic minority civil society leaders argue that political federalism would enable ethnic minority populations to have a greater say in their own regional state's development.[10] Political federalism is seen as the answer to curtail the central government's power to decide on the types of development projects and the ability to siphon off all revenue generated from such land deals at the sub-national level. A decentralized political governance model would offer, so the advocates argue, new possible political and economic pathways that would be more resonant with the local cultural traditions and local communities' development aspirations. Some regional politicians, in Kachin and Rakhine States in particular, support political federalism more for their interest in their state's government to capture the hundreds of millions of dollars generated from resource extraction.

Ethnic minority civil society leaders and rebel groups across the country have started to put natural resource governance reform more firmly within the remit of political federalism in their dialogue in the national peace process under Daw Aung San Suu Kyi's government. There is growing awareness among civil society in Burma and donor agencies based in Europe and North America that without significant decentralized governance structures for land and natural resource sectors, political and economic grievances will continue to give impetus for armed conflict. Grievances fueled by unresolved political conflict over how to govern land and resources has been at the heart of the continuation of war by the military and by other means through "development" since the initial round of ceasefires in the early 1990s. Had the KIO's ceasefire arrangement led to a political settlement on resource governance, it would have been much less likely that the KIO would have gone back to war earlier this decade.

In order to reduce this risk of a continuation of, or a return to, war, ethnic-based civil society and rebel leaders are demanding a greater say in the management of natural resources and the sharing of revenue (and other benefits) generated from their exploitation. On March 1, 2016, over sixty civil society groups gathered together in solidarity in Myitkyina to express their concern over natural resources fueling armed conflict in Kachin State. They collectively called to stop all resource extraction projects in ethnic areas until political conflict could be resolved

[10] See Burma Environment Working Group (BEWG, 2017) for a comprehensive report by ethnic minority Burmese environmental activists on how political federalism could be applied to the natural resource sector.

peacefully, and for the Union Government to honor federalism and self-determination that respects local people as the true owners of their land and resources.[11] Many ethnic-based civil society and rebel leaders have made co-management and revenue-sharing a critical demand in the ongoing ceasefire and peace negotiations. For example, in May 2016, a committee of Kachin political parties developed policies on natural resources that called for the Kachin State government to have independent management over natural resources, as detailed in the constitution.[12] Similar gatherings and calls from ethnic-based political parties have taken place in other ethnic states, especially Rakhine State (oil/gas), Shan State (mining, dams), and Karen State (mining, dams).

The rallying call for natural resources to be governed by sub-national and local government officials who are elected by citizens from those jurisdictions offer some promise for loosening the bond between resource wealth and armed conflict in the country.[13] The exact nature of resource governance reforms advocated for by different stakeholders in Burma is a contested terrain, however. The Union Government often talks of resource reforms in such a way as to mean "deconcentrating" resource revenue collection, or where responsibilities are transferred to lower levels of government but without any autonomy and still remains accountable to the center. The most common position, which most sub-national government officials from resource endowed states and some international organizations advocate, is revenue sharing from resource extraction. Also called wealth sharing, different branches and levels of the government negotiate a share of resource revenue to be distributed to the state from which the resource originated.[14] In government and even civil society fora I have attended in Burma, these debates often quickly dovetailed into a shouting match on percentage splits of revenue shared between the center and ethnic state governments. While it is certainly important for post-conflict countries with endowed resource sectors to have transparent fiscal data to help ensure more accountable resource management and less corruption, revenue sharing is only one side of the coin and certainly not the most important. The political matter that remains unresolved and which has aggravated armed conflict is *how* natural resources are to be governed, not the percentage of revenue to be shared. Revenue sharing, no matter the percentage, will not achieve what its advocates hope for without the political will and robust institutions (at both central and sub-national levels) to ensure revenue generated goes to the public good in a transparent and accountable manner. Otherwise grassroots grievances will continue to be generated with the possibility to be funneled into supporting rebel activity.

---

[11] To read the statement in English, see http://www.burmapartnership.org/wpcontent/uploads/2016/03/Statement-on-Kachin-State-NR-English.pdf

[12] For more information, see http://www.rfa.org/english/news/myanmar/kachin-state-political-parties-call-for-policy-on-natural-resource-extraction-05272016145812.html

[13] Of course, bringing decision making power to lower levels can also act to decentralize corruption and provide new institutional pathways for centralization measures (Ribot, Agrawal, and Larson, 2006; Larson and Soto, 2008); post-Suharto forestry decentralization reforms in Indonesia provides a cogent example (Barr et al. 2006). The best hope to mitigate this possibility is to strengthen regional and local governance institutions as best possible, preferably before devolution formally takes place.

[14] On resource revenue sharing models, see Wennmann (2012) for general application, and Thet Aung Lynn and Oye (2014) and Bauer, Shortell, and Delesgues (2016) specific to Burma.

Most ethnic-based civil society organizations and rebel groups articulate the third perspective on resource governance reform. They call for the *devolution* of power and control over resource use rights and management. This requires the central government to forego power over decision making, revenue collection, and development visions to lower levels. Civil society hopes that devolution will allow for local populations' cultural traditions to be respected, cultivation rights to be honored, and their communities to directly benefit from resource endowments in their vicinity. Rebel groups claim similar reasons for their support. This camp centers the political debate on indigenous rights, collective and individual resource and cultivation rights, and self-determination, which they see as best achieved through implementing political federalism.[15] I have never personally heard a rebel leader verbalize that this political arrangement would also conveniently open the best chance of their organization to morph into an official state political entity with the national right to rule, but this is certainly the case.

This political position was clearly demonstrated in the series of workshops I facilitated over several years first with the KNU and Karen civil society organizations on formulating the KNU's land and forest policies, and then with the KIO and Kachin civil society organizations for KIO's respective resource policies. These official rebel policies espouse, in the words of the KNU's head of the Forestry Department, "land to the people." The KNU resource policies honor "ancestral claims," which gives full management rights to communities – a right not recognized in the rest of mainland Southeast Asia. These rebel policies attempt to undo over a century of British colonial rule, and at the same time offer Burma a radically different agrarian vision of what is politically possible. The rebel groups have every intention to govern their citizenry within their territories of influence following their *own* laws and policies since they conduct themselves as proto-states with the mandate to rule. If this political aspiration is met, millions of marginalized farmers within their domain of territory could be offered territorial, resource, and human rights to a degree never before bestowed in the country, or others in the region for that matter. Yet these policies remain based in the same logic of racialized rule – a sort of "for Karen, by Karen" mentality. The looming questions are whether or not rebel groups will conduct governance in the manner hoped for by Karen living in those areas, if Naypyidaw will grant them the political mandate to do so, and what this means for those not identified as Karen living in KNU-controlled territory. While the national political scene is not entirely favorable at the time of writing, the fact that there is a political opening at all to speculate on these prospects is no small feat in a country beleaguered by the political trappings and weighty legacies of the war to rule.

The Power to Change: Agency in Legacy

Civil society draws from the same stock in the repertoire of rule to push the state in a direction more favorable to them, whether it is "state as protector" for Burman paddy farmers or "state as enemy" for upland ethnic minority swiddeners. Civil society has been pulled into – and in response has pushed back against – the orbit of the state and its techniques of rule. Out

[15] For an in-depth report that articulates this discourse, see BEWG (2017) from the civil society perspective and ENAC (2017) from the perspective of rebel groups in Burma.

of the hybridity, civil society engaged in territorialization from below, mobilized within racialized categories of belonging while also at times transcended them in pan-ethnic solidarity, and helped to reform rebel laws or the state's own laws related to governance of land and populations. These examples of creative resistance have gone on to form the germ of a new kind of state subject, with unclear yet possibly aspirational outcomes in governing Burma.

The full panoply of rural farmers' agrarian visions in Burma has been disjointed and divisive, quite expectedly given the country's mosaic of political territories, agro-ecologies, and customary practices. Farmers' voices are quite expectedly anything but uniform, largely mirroring the diverse racialized and politicized spaces within which communities live and labor in. The different experiences which farmers draw from has been largely shaped by the communities' relations to the military state, which can be remarkably divergent in different political territories of the country, from a state-centric paddy village to a rebel upland frontier and everything in between. Burma's diversity at first detracted from what could have been a more powerfully unified national agrarian vision and political voice. But over the years this decade, as political space opened to permit weekly exchanges across ethnic groupings, the country's diversity may still prove its greatest strength in the face of adversity.

The following several paragraphs showcase three significant gatherings of rural land rights advocates and farmer leaders that took place in Rangoon during each successive year beginning in 2012 during my dissertation field work. For all three workshops, I played a leading facilitating role. This set of workshops I review here started at the onset of political and economic reforms in the country during timid yet exciting times, with subsequent meetings espousing the rapidity and depth of democracy take root. The country's first national land symposium in 2012 proved a collective cathartic moment at the beginning of the reform period for representatives of farming communities and well-known national land rights activists. Many activists present had been imprisoned for their pro-democracy activism and only recently released on amnesty under the new government. They were given a national public space — for most, the first time in their lives — to air their common grievances against the previous military-government's human rights abuses committed against farmers and those that defend them.

After a heated exchange between a handful of land rights activists and high-level government officials, one of the country's most powerful state ministers captured the emotive exchange: "Even if the voices of the people are bitter, we have to listen." A prominent land rights activist repeatedly interrupted and verbally challenged the high-level state officials in attendance for the military government's past crimes committed against farmers and land rights defenders. Another Union minister joined the several other top officials in their public displays of affirming the changing political tide: "We are working for the people now." This activist then pushed his way yet again to the microphone after the minister's comment, sweat dripping off his face despite the overly air-conditioned packed workspace. The room fell silent, apart from hearing their own pounding hearts. How would one of the country's leading land rights activist respond to the welcoming remarks from the same state that had incarcerated him all these years for his activism. His hands trebled and voice cracked as he spoke the words,

“I welcome this and think we can build a beautiful future together, thank you.” The room collectively took a deep breath, and after a momentary pause to absorb the symbolic radical gesture between state and society, everyone erupted into applause, many trying clumsily to hide their tears, myself included.

On further reflection days afterward, some of my colleagues attending who were land rights defenders and exclusively worked in ethnic minority areas told me they felt uneasy about the racial biases at work in the seminar (my words). Most of the panel presenters and those from the audience who came to the microphone to speak were Burman Buddhists, they reminded me, which spoke to a particular set of political and agrarian relations with the military state. The high-profile affair that took place in the imposing national convention center in the nation’s capital attracted urban-based NGOs and land rights activists who predominately identified as Burman and Buddhist and worked in those same communities. When the state minister chirped in at the end of that politically powerful exchange, to standing applause, “We need people participation, we need to hear the voices of the people” …which people did he and the participants envision? At the end, the Union Minister added to the line of consolatory speeches that “people's voices must be listened to with these [agribusiness land grab] projects.” He concluded his inspirational talk that it is the duty of everyone to help “raise the peoples' voices to parliament and redo the [land and investment] laws to take these into consideration.”

I was left wondering how this exchange would have presumably been less congratulatory if ethnic minority activists were more in attendance, and subsequently spoke to the decades of war and targeted violence against them by the military. The elephant in the room for me was how at the time of this workshop, the Burmese military was attacking Kachin civilians and KIO soldiers alike. After the end of the conference and I got back to my apartment in Rangoon, a land rights activist friend of mine called and spoke to me in a hushed tone: “He’s back in jail again, they got him.” After the end of the workshop, the land rights activist who had that powerful exchange with the Union Minister went to the rescue of farmers who were protesting a land grab in a nearby province. But undercover police who had been watching him and his friends at the land conference followed him and his associates after they left the venue, and perhaps also bugged his room. As soon as they arrived at the protesting village in solidarity with the Burman villagers, he was arrested and immediately taken to jail and charged with disturbing the peace.

By the following year in 2013, more time had passed and political space opened to allow a growing network of land rights advocates and farmer leaders that hailed from nearly every state and region of the country. Nearly one hundred representatives of this growing social movement came together again to discuss problems pertaining to land grabs, this time representing a more diverse collection of its citizenry, in part in recognition of this shortcoming in the previous year’s conference. The workshop proceeded in a manner where participants mostly still wanted to air their hardships at organizing, or their own or friend’s personal experiences with dispossession. This time though we heard variations in the narrative, which included topics of war and militarism as well as on different agro-cultural practices.

Something quite revolutionary took place towards the end, and in remarkable contrast

to the previous one. In this workshop participants began to articulate a possible collective alternative agrarian vision, and which to some degree recognized the uneven terrain they were working on. Above all, participants repeatedly criticized the 2012 land laws, which by this time had received much more attention from civil society, as inadequate to address farmers' livelihood needs and land rights insecurity. Participants, who represented most of the country's main ethnic nationalities and geographical regions, reached consensus on recommendations to improve land governance in the country. A remarkable feat in and of itself, all the more so given that the points carefully considered the diversity of perspectives and experiences among the representatives. The organizing going on across the country since reforms had allowed for this political space fostered increasing solidarities across the bumpy terrain.

Different sorts of people were getting to know, and more importantly trust, each other and the political positions they respectively held based on their own contingent histories and experiences. Ethnic land rights advocates increasingly came together across ethnic territories — in hand with supportive Burman land advocates, many of whom were former communists — to politicize their economic grievances over land dispossession, focusing predominately on land grabs in ethnic territories that are still heavily militarized and covered in land mines. Ethnic land rights advocates relied more upon an explicit inclusive rights-based framework to articulate their marginalized positions within the country's development ethos. Land grabs and land rights discourses were also drawn upon to critique the on-going national peace negotiations with rebel organizations, fearing a repeat of dispossession and grievances that could refuel armed conflict in their communities. In short, the ethnic Christian periphery was brought more into the Burman Buddhist center.

Less than a year later in early 2014, a third meeting took place which again consisted of rural land rights advocates and farmer leaders from across the country representing most of the main ethnic nationalities. The mission statement was to expand the country-wide land defenders' network, share information on land-based struggles, and strategize for future collective work. The participant's articulation of their land-based struggles and their understanding of the larger agrarian dynamics within which their struggles formed a part were far more nuanced compared to previous workshops. Participants did not spend time to air grievances as in the previous gatherings. The time together focused instead to brainstorm and prioritize concrete action plans to address on-going land grabs, and to positively affect national-level land policy reforms. Several days of heated debate pursued over different advocacy strategies that largely pivoted between participants from lowland Burman Buddhist communities — most of whom were former communist revolutionaries — and upland ethnic minority populations struggling to build their communities from the ashes of war. For Burman Buddhists in the Delta Region where farmer associations were very strong, their united position was to work closer with the state. Their view of "state as protector" positioned them to hopefully benefit from strengthened statutory land rights protections since their farming systems provided the model upon which the laws were based. Debate ensued, however, because participants representing upland ethnic communities were more suspicious of the state cast as a benevolent actor. Instead, ethnic land rights defenders advocated more for

devolution of power over land and resource use and management. These participants unanimously called for the state to officially recognize the legality of upland farming systems and customary land use rights and management in the national laws and policies. Many of them wanted the new laws to be thrown out altogether.

Despite these stark state-society differences that cut along historically racialized lines, the different camps respectfully debated each other that led to openly acknowledge and work out these shades of agrarian visions rooted in peoples' relational views of the state. The deliberations resulted in the room wanting to commit to a declaration statement. The pan-ethnic statement of solidarity represented a set of different agrarian desires woven together into a single more inclusive vision that was supportive of the participants' diverse positionalities, histories, and political territories from which they came.[16] A collective group was formed from the forum to continue to build momentum for civil society's work on land rights issues in the country, whereby central members were from different states and regions in the country of various ethnicities representing the diversity of the country's agro-ecological zones and political territories.

National farmers' networks, which started out as exclusively representing lowland paddy Burman farming communities based in the Delta the year before, had since expanded to include representation from upland ethnic minority communities. Emerging national and regional farmers' networks increasingly forged links across ethnic lines and racialized spaces. "Environment" in the first example in the Amsterdam meeting, or "land grabs" for this set of three workshops in Rangoon, provided the common object around which different community representatives from around the country came together and collectively shared their grievances, and then strategized to resist in the name of positive change for the most people. Civil society resistance against land grabs across the country in part helped to overcome some of the heavy residual effects of post-colonial racialized rule. A diverse array of farmers' associations and CBOs stood up together to oppose land grabs, agro-capitalism, and state support solely for "business farmers" using a variety of methods available to them. Overall these civil society representatives came together to support the country's majority smallholder farming population, whether it be for Burman Buddhist paddy cultivators in state territories or for ethnic minority Christian upland swidden cultivators in rebel territory.

Despite these promising inroads on building trust and peace across historical divides, legacies of war, race, and space remain rather entrenched. Healing a highly fractured state and society that has been torn at so many corners takes time, even under the best of circumstances. Representatives of lowland Burman communities have generally articulated their desires to be more incorporated into Burma's nation-state, but on a terrain where they have more political-economic power so to economically benefit from the on-going land reforms. This is in contrast, however, to the positions taken by ethnic minority land rights advocates whose constituency of upland customary land users generally do not actively seek out the state to offer them a better lot in life. Instead, ethnic minority community and political leaders in general agree on moving towards political federalism, where they hope to achieve greater autonomy and self-determination in directing their own development and under the direction of leaders who they

[16] The statement is on file with author.

consider their own. The racialization of populations has detracted from a possible more united farmer's front for a national agrarian vision for pro-poor land reform. But strong racial affinities have simultaneously performed as a de facto uniting element within similar cultural groups. Finding common ground, such as "environment" and "land," led to some convergences to create new pan-ethnic political spaces that entertained a mutual respect for difference. These series of workshops, along with so many others over the years, demonstrated how certain forms of resistance from civil society can hack away at these violent racial legacies.

Concluding Remarks: The Politics of Possibility in Enclosure

The making of state landscapes is never complete or without the possibilities for resistance and renewal. The war to rule embodies state-making as it does resistance to the state. The blurred boundaries around the techniques of, and actors involved in, frontier state-making and the nature of its hybridity compels its counterparts into collective action. Postwar statecraft's reliance on the combination of territorialization, racialization, and the rule of law in turning land into capital produced new forms of resistance that relied on the same repertoire to overcome legacies of violence and racial politics. That which is suppressed rises back up…using the tools of the oppressor.

The messy spatial and temporal patchwork of overlapping political territories and multiple types of authority figures prevents any one entity from monopolizing power and violence over the region and its inhabitants. Chinese investment has brought on a game of push-and-pull within the mosaic of political territories, keeping back Burma's or China's governments, para-military organizations, or rebel groups from securing any absolute sovereignty or the full and legitimate right to rule. In this sense, "China" is not steamrolling over northern Burma to create some sort of feared Chinese sub-state. Nor has Burma's military conquered rebel territory and its civilians. Nor has the country's government been able to fully create neat, legible landscapes and complacent subjects that have been "put in their place." Militias and rebel groups likewise have not been able to funnel into their territories enough Chinese investments — or enough of sufficient quality — to fully realize their own dreams, wherever they are on the political spectrum. But they have cashed in on Chinese agro-investments as material and legal expressions of territorial claims. And crony companies have since joined the fray. Large-scale land acquisitions by state-like strongmen and crony companies have re-territorialized the undulating political landscape in a manner that supports state-building efforts in the frontier. The more "stately" territory in and around Chinese-financed agribusiness concessions have in some cases even proven to become army bases from which to launch attacks against old time enemies, a situation not unlike that of militia proxy during the Cold War. This is the uneven terrain that the country and its people are treading upon, but one that I hope gets worn smoother over time.

Historical contingency in the war to rule and the racial fractures it has constructed and been built upon have also generated the politics of possibility for alternative territorialities and governed spaces. Turning land into capital and battlefields into marketplaces enclosed the rebel frontier just as it spawned territorialization from below and pan-ethnic solidarities to resist the state and formulate new agrarian visions. On the backs of formalizing the state and

its property, rebel governance and political federalism have risen in stature and reach. Instead of funding “development” in Burma that operates as war by other means, the international community and Burma’s state should support territorialization from below in recognition of the hybridity of rule and in celebration of the country’s immense diversity. In war rises peace.

WORKS CITED

Adas, M. 2011. *Burma Delta: Economic development and social change on an Asian rice frontier, 1852-1941.* Madison, WI: New Perspectives in Southeast Asian Studies, University of Wisconsin.

Agnew, J. 2005. "Sovereignty regimes: Territoriality and state authority in contemporary world politics." *Annals of the Association of American Geographers,* 95: 437–461.

Agrawal, A. 2001. "Common property institutions and sustainable governance of resources." *World Development*, 29(10): 1649-1672.

Agrawal, A. 2005. *Environmentality: Technologies of government and the making of subjects*. Durhman: Duke University Press.

Ahram, A. and C. King. 2012. "The warlord as arbitrageur." *Theory and Society*, 41(2): 169-186.

Anderson, B. 2006. *Imagined Communities: Reflections on the origin and spread of nationalism*. New York: Verso Press.

Akram-Lodhi, A. and C. Kay. 2010. "Surveying the agrarian question (Parts 1 and 2): Current debates and beyond." *Journal of Peasant Studies*, 37(1-2): 177-202, 255-284.

Appadurai, A. 1996. *Modernity at Large. Cultural dimensions of globalization*. Minneapolis: University of Minnesota Press.

Arendt, H. 1958. *The Origins of Totalitarianism.* New York: Median Books.

Arjona, A., Kasfir, N. and Z. Mampilly (Eds.). 2015. *Rebel Governance in Civil War*. New York: Cambridge University Press.

Aung Hla Tun. 2015. "Burma sentences Chinese nationals to life for illegal logging." *Reuters*, 23 July.

Aung Myoe Maung. 2011. *In the Name of Pauk-Phaw: Myanmar's China policy since 1948*. Singapore: Institute of Southeast Asian Studies.

Aung San Suu Kyi. 2010. *Freedom from Fear: And other writings*. London: Penguin Books. Reprint edition.

Aung-Thwin, M. 1990. *Irrigation in the Heartland of Burma: Foundations of the pre-colonial Burmese state*. Occasional Paper Series (Book 15). De Kalb: Northern Illinois University.

Aung-Thwin, M. 2017. *Myanmar in the Fifteenth Century: A tale of two kingdoms*. Honolulu: University of Hawaii Press.

Aung Zaw. 2000. "Quiet coup in Pajua." *The Irrawaddy* 8(2), February.

Baird, I. and B. Shoemaker. 2007. "Unsettling experiences: Internal resettlement and international aid agencies in Laos." *Development and Change*, 38(5): 865–88.

Baird, I. 2011. "Turning land into capital, turning people into labour: Primitive accumulation and the arrival of large-scale economic land concessions in the Lao People's Democratic Republic." *New Proposals: Journal of Marxism and Interdisciplinary Inquiry*, 5(1): 10-26.

Baird, I. 2014. "Political memories of conflict, economic land concessions, and political landscapes in the Lao People's Democratic Republic." *Geoforum*, 52, 61-69.

Ballvé, T. 2012. "Everyday state formation: Territory, decentralization, and the narco landgrab in Colombia." Environment and Planning D: Society and Space, 30: 603-622.

Ballvé, T. 2013. “Grassroots masquerades: Development, paramilitaries, and land laundering in Colombia.” 50: 62-75.
Banner, S. 2005. *How the Indians Lost their Land: Law and power on the frontier.* Cambridge, MA: Harvard University Press.
Barney, K. 2014. “Ecological knowledge and the making of plantation concession territories in southern Laos.” *Conservation and Society,* 12(4): 352–363.
Beek, V.T. 2012. “Charoen Pokphand to invest US$550 million in Burma.” *Pig Progress News*, 26 July.
Bernstein, H. 2004. “Considering Africa’s agrarian questions.” *Historical Materialism*, 12(4): 115–144.
Betts, A. and P. Orchard (Eds.). 2014. *Implementation and World Politics: How international Norms change practice*. Oxford: Oxford University Press.
Blok, A. 1974. *The Mafia of a Sicilian Village, 1860-1960: A study of violent peasant entrepreneurs*. Cambridge: Waveland Press.
Borras, S.M. and J. Franco. 2012. “Global land grabbing and trajectories of agrarian change: A preliminary analysis.” *Journal of Agrarian Change* 12(1): 34–59.
Borras, S.M., Kay, C., Gomez, S. and J. Wilkinson. 2012. “Land grabbing and global capitalist accumulation: Key features in Latin America.” *Canadian Journal of Development Studies*, 33(4): 402-416.
Boutry, M., Allaverdian, C., Mellac, M., Huard, S., San Thein, Tin Myo Win and Khin Pyae Sone. 2017. *Land Tenure in Rural Lowland Myanmar: From historical perspectives to contemporary realities in the Dry zone and the Delta*. Of lives of land Myanmar research series. Yangon, Myanmar: GRET.
Brenner, N.1999. “Beyond state centrism? Space, territoriality, and geographical scale in globalization studies.” *Theory and Society*, 28: 38-78.
Breidenbach J. and P. Nyiri. 2010. “Concessions, sovereignty and development.” 11 February. Retrieved from http://savageminds.org/2010/02/11/concessions-sovereignty-development/
Briquet, J. and G. Favarel-Garrigues. 2010. *Organized Crime and States: The hidden face of politics*. The Sciences Po Series in International Relations and Political Economy. Basingstoke, UK: Palgrave Macmillan.
Brown, I. 2005. *A Colonial Economy in Crisis: Burma's rice cultivators and the world depression of the 1930s.* London: Routledge Studies in the Modern History of Asia.
Brunner, J., Talbott, K. and C. Elkin. 1998. *Logging Burma’s Frontier Forests: Resources and the regime*. Washington, DC: World Resources Institute (WRI).
Bryant, R. 1997. *The Political Ecology of Forestry in Burma.* Honolulu: University of Hawaii Press.
Buchanan J. 2016. *Militias in Myanmar*. Yangon: The Asia Foundation.
Burch, D. 2010. *Agribusiness Expansion in the Mekong region: A case study of the livestock / animal feed complex*. Hong Kong: Oxfam Hong Kong.
Burma News International (BNI). 2016. *Deciphering Myanmar’s Peace Process: A reference guide 2016*. Chiang Mai, Thailand.

Callahan, M. 2005. *Making Enemies: War and State Building in Burma*. Ithaca: Cornell University Press.
Campell, R., Knowles, T. and A. Sayasenh. 2012. *Business Models for Foreign Investment in Agriculture in Laos*. Winnipeg, Canada: The International Institute for Sustainable Development (IISD).
Central Statistics Organization (CSO). 2007. "Selected monthly economic indicators." Ministry of Forestry, Union Government of Myanmar, Naypyitaw.
Certo, B.D. 2014. "Focus on the food chain." *The Burma Times,* 24 March.
Chang, W.C. 2004. *"Guanxi* and regulation in networks: The Yunnanese jade trade between Burma and Thailand, 1962–88." *Journal of Southeast Asian Studies,* Vol. 35(3): 479-501.
Chang, W.C. 2014. *Beyond Borders: Stories of Yunnanese Chinese migrants of Burma*. Ithaca: Cornell University Press.
Chimni, B.S. 1998. "The geopolitics of refugee studies: A view from the south." *Journal of Refugee Studies*, 11(4): 354-374
Chin, K. and Zhang, S. 2007. *The Chinese Connection: Cross-border drug trafficking between Myanmar and China*. Washington D.C: United States Department of Justice.
Chouvy, P. 2010. *Opium: Uncovering the politics of the poppy*. Cambridge: Harvard University Press.
Chung, P. 2011. *Agribusiness Expansion in the Greater Mekong Subregion: Cambodia.* Hong Kong: Oxfam Hong Kong.
Clausewitz, C. von. 1976. *On War*. Ed. and translated by Howard, M. and P. Paret. Princeton: Princeton University Press.
Cohen, M. 1983. "Property and sovereignty." In: MacPherson, C.B. (Ed.), *Property: Mainstream and Critical Positions.* Pp. 153-176. Toronto: University of Toronto Press.
Comaroff, J. and J. Comaroff (Eds.). 2008. *Law and Disorder in the Postcolony*. Chicago: University of Chicago Press.
Coppel, C. 1997. "Revisiting Furnviall's 'plural society': Colonial Java as mestizo society?" *Ethnic and Racial Studies*, 20(3): 562-579.
Cotlua, L. 2013. *The Great African Land Grab? Agricultural investments and the global food system*. London: Zed Books.
Cotula, L. and S. Vermeulen. 2009. "Deal or no deal: The outlook for agricultural land investment in Africa." *International Affairs*, 85(6): 1233-1247.
Dapice, D., Vallely, T. and B. Wilkinson. 2010. *Revitalizing Agriculture in Burma: Breaking down barriers, building a framework for growth.* Cambridge, MA: Ash Center, Harvard University.
De Angelis, M. 2001. "Marx and primitive accumulation: The continuous character of capital's enclosures." *The Commoner*, 2: 1–22.
De Angelis, M. 2004. "Separating the doing and the deed: Capital and the continuous character of enclosures." *Historical Materialism,* 12(2): 57-87.
De Angelis, M. 2007. *The Beginning of History: Value struggles and global capital*. London: Pluto Press.
De Koninck. 1996. "The peasantry as the territorial spearhead of the state in Southeast Asia:

The case of Vietname." *Sojourn: Journal of Social Issues in Southeast Asia*, 11(2): 231-258.
De Koninck, R. 2006. "On the geopolitics of land colonization: Order and disorder on the frontiers of Vietnam and Indonesia." *Moussons*, 9-10: 33-59.
De Soto, H. 2003. *The Mystery of Capital: Why capitalism triumphs in the West and fails everywhere else*. New York: Basic Books
Dennis, P. and J. Grey. 1996. *Emergency and Confrontation: Australian military operations in Malaya and Borneo 1950–1966*. St. Leonards, Australia: Allen & Unwin
Department of Agricultural Planning (DAP). 2010. *Myanmar Agriculture in Brief.* Ministry of Agriculture and Irrigation (MOAI), Government of the Union of Myanmar, Yangon.
Department of Agricultural Planning (DAP). 2013. *Myanmar Agriculture in Brief.* Ministry of Agriculture and Irrigation (MOAI), Government of the Union of Myanmar, Yangon.
Diepart, J.C. and L. Schoenberger. 2016. "Concessions in Cambodia: Governing profits, extending state power and enclosing resources from the colonial era to the present." In: Brickell, K. and S. Springer (Eds.), *The Handbook of Contemporary Cambodia*. Pp. 157–68. New York: Routledge.
Dittmer, L. and G.T. Yu (Eds.). 2010. *China, the Developing World, and the New Global Dynamic*. Boulder, CO: Lynne Rienner Publishers.
Dwyer, M. 2013. "Building the politics machine: Tools for 'resolving' the global land grab." *Development and Change*, 44(2): 309-333.
Dwyer M. 2014. "Micro-geopolitics: Capitalising security in Laos's golden quadrangle." *Geopolitics,* 19(2): 377-405.
Dwyer, M. 2015. "The formalization fix? Land titling, land concessions and the politics of spatial transparency in Cambodia." *Journal of Peasant Studies,* 42(5): 903–28.
Dwyer, M. and T. Vongvisouk. 2017. "The long land grab: Market-assisted enclosure on the China-Lao rubber frontier." *Territory, Politics, Governance*.
Dwyer, M., Hirsch, P., Scurrah, N. and K. Woods (Eds.) Forthcoming. *Turning Land into Capital: Development and dispossession in the Mekong Region*. Seattle: University of Washington Press.
Earthrights International (ERI). 2008. *China in Burma: The increasing investments of Chinese multinational corporations in Burma's hydropower, oil and natural gas, and mining sectors*. Chiang Mai, Thailand.
Economy, E. 2004. *The River Runs Black: The environmental challenge to China's future*. Ithaca: Cornell University Press.
Egreteau, R. 2012. "The Burmese jade trail: Transnational networks, China and the (relative) impact of international sanctions on Myanmar's gems." In: Cheesman, N., Skidmore, M. and T. Wilson (Eds.), *Myanmar's Transition: Openings, obstacles and opportunities*. Pp. 89-118. Singapore: Institute of Southeast Asian Studies.
Ei Ei Toe Lwin. 2014. "Army to return 150,000 acres to original owners." *Myanmar Times,* 9 February.
Ei Ei Toe Lwin and Noe Noe Aung. 2014. "Failure of government to return farmland." *Myanmar Times*, 7 July.

Eilenberg, M. 2011. “Frontier constellations: Agrarian expansion and sovereignty on the Indonesia-Malaysian border.” *Journal of Peasant Studies*, 41(2): 157-182.
Eleven Media Group. 2014a. “Why conflict continues in Kachin State.” 21 April.
Eleven Media News. 2014b. “Myanmar seized 35,000 tons of illegal timber over past nine months.” 19 January.
Environmental Investigation Agency (EIA). 2014. *Data Corruption: Exposing the true scale of logging in Myanmar*. London, UK.
Environmental Investigation Agency (EIA). 2015. *Organised chaos: The illicit overland timber trade between Myanmar and China*. London, UK.
Evans, P., Rueschemeyer, D. and T. Skocpol (Eds.). 1985. *Bringing the State Back In*. Cambridge: Cambridge University Press.
Fairbairn, M. 2014. “‘Like gold with yield’: Evolving intersections between farmland and finance.” *Journal of Peasant Studies*, 41(6): 777-795.
Faxon, H. 2015. ‘*Form 7’: Seven case studies of farmland registration in Kachin State*. Yangon, Myanmar: Spectrum.
Ferguson, J. 1994. *The Anti-Politics Machine: ‘Development,’ depoliticization, and bureaucratic power in Lesotho*. Minneapolis: University of Minnesota Press.
Ferguson, J. 2014. “The scramble for the waste lands: Tracking colonial legacies, counterinsurgency and international investment through the lens of land laws in Burma/Myanmar.” *Singapore Journal of Tropical Geography*, 35: 295-311.
Fink, C. 2009. *Living Silence in Burma: Surviving under military rule*. New York: Zed Books (2nd Ed.).
Forest Department, 2015. *National Biodiversity Strategy and Action Plan (NBSAP), 2015-2020.* The Republic of the Union of Myanmar, the Ministry of Environmental Conservation and Forestry. Consulted by IUCN, Yangon.
Forest Trends, 2014. *Review of Log Export Ban Experiences and Policy Implications for Myanmar.* Washington, D.C.
Foucault, M. 1980. *Power/Knowledge: Selected interviews and other writings, 1972-1977*. Gordon, C. (Ed.). New York: Pantheon Books.
Foucault, M. 1991. “Governmentality.” In: Burchell, G., Gordon, C. and P. Miller (Eds.), *The Foucault Effect: Studies in governmentality.* Pp. 87-104. Chicago: University of Chicago Press.
Foucault, M. 2009. *Security, Territory, Population: Lectures at the Collège de France, 1977-1978.* New York: Picador.
Furnivall, J. 1960. *The Governance of Modern Burma.* New York: Institute of Pacific Relations.
Gibson R. & Chen W. 2011. *The Secret Army: Chiang Kai-Shek and the drug warlords of the Golden Triangle*. Singapore: John Wiley and Sons.
Glassman, J. 1999. “State power beyond the ‘territorial trap’: The internationalization of the state.” *Political Geography*, 18: 669-696.
Glassman, J. 2006. “Primitive accumulation, accumulation by dispossession, accumulation by ‘extra-economic’ mean.” *Progress in Human Geography,* 30(5): 608-625.
Global Witness. 2003. *A Conflict of Interests: The uncertain future of Burma’s forests*. London,

UK.
Global Witness. 2005. *A Choice for China: Ending the destruction of Burma's northern frontier forests*. London, UK.
Global Witness. 2009. *A Disharmonious Trade: China and the continued destruction of Burma's northern frontier forests*. London, UK.
Global Witness. 2015. *Jade: Myanmar's 'big state secret.'* London, UK.
Grajales, J. 2013. "State involvement, land grabbing and counter-insurgency in Colombia." *Development and Change*, 44: 211-232.
Grajales, J. 2015. "Land grabbing, legal contention and institutional change in Colombia." *Journal of Peasant Studies*, 42(3-4): 541-560.
Gramsci, A. 1971. *Selections from the Prison Notebooks of Antonio Gramsci*. New York: International Publishers.
Grant, J. 2013. "Burma: Will Asia's breadbasket rise again?" *Financial Times,* 25 January.
Guha, R. *The Unquiet Woods: Ecological change and peasant resistance in the Himalaya*. Berkeley: University of California Press.
Guo, X. 2007. *Toward resolution: China in the Myanmar issue*. Uppsala, Sweden: SAIS and Uppsala University.
Hall, D. 2013. "Primitive accumulation, accumulation by dispossession and the global land grab." *Third World Quarterly*, 34(9): 1582-1604.
Hall, D., Hirsch, P., and T.M. Li. 2011. *Powers of Exclusion: Land dilemmas in Southeast Asia*. Singapore and Honolulu: NUS Press and University of Hawaii Press.
Hansen, T. and F. Stepputat. 2006. "Sovereignty revisited." *Annual Review of Anthropology*, 35: 295–315.
Harvey, D. 2005. *The New Imperialism.* Oxford: Oxford University Press.
Harvey, D. 2006. *The Limits to Capital*. London: Verso.
Hecht, S. and A. Cockburn. 1989. *The Fate of the Forest: Developers, destroyers, and defenders of the Amazon*. New York: Verso Books.
Hinshelwood, C. 2014. "18 Kachin villagers captured by Burmese army in Mansi." *Democratic Voice of Burma (DVB)*, 2 February.
Hirsch, P. 2001. "Globalisation, regionalisation and local voices: The Asian Development Bank and re-scaled politics of environment in the Mekong Region." *Singapore Journal of Tropical Geography*, 22(3): 237-251.
Hollander, G. 2008. *Raising Cane in the 'Glades: The global sugar trade and the transformation of Florida*. Chicago: University of Chicago Press.
Htoo Thant. 2017. "Two laws to be amended to solve land disputes." *Myanmar Times*, 21 November.
Innes-Brown, M. and M. Valencia. 1993. "Thailand's resource diplomacy in Indochina and Myanmar." *Contemporary Southeast Asia,* 14: 332-351.
Integrated Household Living Conditions Assessment (IHLCA). 2011. *Integrated Household Living Conditions Survey 2009-10 Burma: Poverty profile*. Yangon: United Nations Development Program.
International Development Enterprise (IDE) 2009. *Assessment of the Burma Agriculture*

Economy. Yangon, Myanmar.
International Tropical Timber Organization (ITTO). 2015. TTM Report, 16–30 June, Pg. 5-6.
Jackson, S., Pratumsa, A., Thet Thet Mar, Pritchard, A. and Sweety Soe Nyo Nyo. 2013. *Burma Crop Selection and Value Chain Mapping Report.* Ubon Ratachani, Thailand: Mekong Institute.
Jessop, B., Brenner, N. and M. Jones. 2008. "Theorizing sociospatial relations." *Environment and Planning D: Society and Space,* 26: 389–401.
Jirattikorn, A. 2011. "Shan virtual insurgency and the spectatorship of the nation." *Journal of Southeast Asian Studies*, 42(1): 17-38.
Jones, L. 2014. "The political economy of Myanmar's transition." *Journal of Contemporary Asia,* 44: 144–170.
Kachin Development Networking Group (KDNG). 2007(a). *Valley of Darkness: Gold mining and militarization in Burma's Hugawng Valley*. Chiang Mai, Thailand.
KDNG. 2007(b). *Damming the Irrawaddy*. Chiang Mai, Thailand.
Kachin News Group (KNG). 2009. "Chinese tycoon imports timber from northern Burma." 18 April.
KNG. 2010. "Palms of Northern commander greased for illegal teak trade." 8 March.
KNG. 2013(a). "Chinese timber resumes in Kachin State." March 27.
KNG. 2013(b). "Burma's pro-government Kachin militia leader grabs land for gold mining." 11 July.
KNG. 2013(c). "Kachin illegal timber transfer to be debated in Parliament." 25 December.
KNG. 2014. "Burma army captures posts near KIO's Laiza capital." 13 February.
Kachinland News. 2014. "Battles rage as a new offensive begins near Laiza." 11 February.
Kahrl, F. et al. 2004. *Navigating the Border: An analysis of the China-Myanmar timber trade*. Washington, D.C.: Forest Trends.
Kahrl, F. et al. 2005. *An Overview of the Market Chain for China's Timber Product Imports from Myanmar*. Washington, D.C.: Forest Trends.
Keeton, C. 1974. *King Thebaw and the Ecological Rape of Burma*. South Asia Books. Columbia, MO: South Asia Books.
Kemple, S. and Aung Tun. 2016. *Myanmar Ward and Village Tract Administrator Elections 2016: An overview of the role, the laws and the procedures.* Workshop report. Swiss Agency for Development and Cooperation (SDC).
Kilcullen, D. 2010. *Counterinsurgency*. New York: Oxford University Press.
Kissinger, G. 2017. *Background Report for Identifying the Drivers of Deforestation and Forest Degradation in Myanmar*. UN-REDD Program, Yangon, Myanmar.
Kloeppinger-Todd, R. and Tun Min Sandar, 2013. *Rural Finance in Burma*. Background Paper No. 3. Yangon, Myanmar: USAID, MSU, and MDRI/CESD.
Ko Htwe. 2014. "Burmese army plans to return only a quarter of seized land nationwide." *DVB*, 3 July.
Kosek, J. 2006. *Understories: The political life of forests in northern New Mexico.* Durham: Duke University Press.
Kramer, T. 2007. *The United Wa State Party: Narco-Army or Ethnic Nationalist Party?*

Washington, DC: East-West Center.
Kramer, T. 2009. *Neither War nor Peace: The future of the cease-fire agreements in Burma.* Amsterdam, Netherlands: The Transnational Institute (TNI).
Kramer, T. and K. Woods. 2012. *Financing Dispossession: China's opium substitution programme in northern Burma*. Amsterdam: The Transnational Institute (TNI).
Kyi Pya Chit Saw and M. Arnold. 2014. *Administering the State in Myanmar: An overview of the General Administration Department*. Discussion Paper No. 6. MDRI/CESD and The Asia Foundation.
Lambrecht, C. 2004. "Oxymoronic development: The military as benefactor in the border regions of Burma." Pp. 150-180. In: Duncan, C. (Ed.), *Civilizing the Margins: Southeast Asian government politics for the development of minorities.* Ithaca: Cornell University Press.
Larkin, E. 2011. *No Bad News for the King: The true story of Cyclone Nargis and its aftermath in Burma*. New York: Penguin Books.
Larsson, T. 2007. "Intertextual relations: The geopolitics of land rights in Thailand." *Political Geography*, 26, 775-803.
Le Bail, H. and A. Tournier. 2010. *From Kunming to Mandalay, the new 'Burma Road'": Developments along the Sino-Myanmar border since 1988*. Centre Asie IFRI, Paris.
Le Billon, P. 2000. "The political economy of transition in Cambodia 1989–1999: War, peace and forest exploitation." *Development and Change*, 31(4): 785–805.
Le Billon, P. 2001. "The political ecology of war: Natural resources and armed conflict." *Political Geography*, 20: 561-584.
Leach, E. 1964. *Political Systems of Highland Burma.* London: University of London.
Leary, J. 1995. *Violence and the Dream People: The Orang Asli in the Malayan Emergency, 1948–1960.* Athens: Ohio University Center for International Studies, Monographs in International Studies.
Leblond, J.P. 2010. *Population Displacement and Forest Management in Thailand.* Montreal, Canada: University of Montreal.
Leckie, S. and E. Siperingham. 2009. *Housing, Land and Property Rights in Burma: The current legal framework, Vol. 8*. Displacement Solutions and The HLP Institute, Geneva, Switzerland.
Lefebvre, H. 1991. *The Production of Space*. Translated by Nicolson-Smith, D. Oxford: Blackwell Press.
Levien, M. 2012. "The land question: Special economic zones and the political economy of dispossession in India." *Journal of Peasant Studies*, 39(3–4): 937–940.
Li, T.M. 2000. "Articulating indigenous identity in Indonesia: Resource politics and the tribal slot." *Comparative Studies in Society and History*, 42(1): 149-179.
Li, T.M. 2014. *Land's End: Capitalist relations on an indigenous frontier*. Durham: Duke University Press.
Lieberman, V. 1984. *Burmese Administrative Cycles: Anarchy and conquest, c. 1580-1760*. Princeton: Princeton University Press.
Lin Thant. 2013. "KIA keeps tabs on Tay Za." The Irrawaddy. 12 December.

Lintner, B. 1990. *The Rise and Fall of the Communist Party of Burma (CPB)*. Ithaca: Cornell University Southeast Asia Program.
Lintner, B. 1997. "Safe at home." *Far East Economic Review*, August 14.
Lintner B. (1999). *Burma in revolt: Opium and insurgency since 1948*. Chiang Mai, Thailand: Silkworm Books. [1994, 2nd ed.]
Lintner, B. and M. Black. 2009. *Merchants of Madness: The methamphetamine explosion in the Golden Triangle*. Chiang Mai, Thailand: Silkworm Books.
Livelihoods and Food Security Trust Fund (LIFT). 2012. *Baseline Survey Results*. Yangon, Myanmar.
Lu, J. and O. Schönweger. 2017. "Great expectations: Chinese investment in Laos and the myth of empty land." *Territory, Politics, Governance.*
Lund, C. 2006. "Twilight institutions: An introduction." *Development and Change* 37(4): 673-684.
Lund, C. 2011. "Fragmented sovereignty: Land reform and dispossession in Laos." *Journal of Peasant Studies*, 38(4): 885-905.
Lund, C. 2016. "Rule and rupture: State formation through the production of property and citizenship." *Development and Change*, 47(6): 1199-1228.
McCoy, A. 1973. *The Politics of Heroin in Southeast Asia*. New York: Harper.
McVey, R. 2000. *Money and Power in Provincial Thailand*. Chiang Mai: Silkworm Books.
Macan-Markar, M. 2012. "Microfinance brings hope to farmers." *IPS*, 10 September.
Mampilly, Z. 2011. *Rebel Rulers: Insurgent governance and civilian life during war*. Ithaca: Cornell University Press.
Maung Aung Myoe. 2009. *Building the Tatmadaw: Myanmar Armed Forces since 1948*. Singapore: Institute of Southeast Asian Studies.
Marx, K. 1973. *Grundrisse: Foundations of the critique of political economy.* New York: Penguin Books.
Marx, K. 1976. *Capital*. Vol. I. New York: Penguin Books.
Marx, K. 1981. *Capital.* Vol. III. New York: Penguin Books.
Massey, D. 2005. *For Space.* Thousand Oaks, CA: Sage Publications.
Mbembe, A. 2000. "At the edge of the world: Boundaries, territoriality, and sovereignty in Africa." *Public Culture*, 12(1): 259-284.
Meehan P. 2011. "Drugs, insurgency and state-building in Burma: Why the drugs trade is central to Burma's changing political order." *Journal of Southeast Asian Studies,* 42, 376–404.
Mellac, M. 2013. "Understanding rural land issues to engage comprehensive policy dialogue in Burma." Yangon, Myanmar: GRET.
Michigan State University (MSU) and the Myanmar Development Resource Institute's Center for Economic and Social Development (MDRI/CESD). 2013. *A Strategic Agricultural Sector and Food Security Diagnostic for Myanmar*. Working Paper, USAID. Yangon, Myanmar.
Migdal, J. 1988. *Strong Societies and Weak States: State-society relations and state capabilities in the Third World*. Princeton: Princeton University Press.

Milieu Defensie (Friends of the Earth-Netherlands). 2009. *Sanctioned but Not Stopped: Research on timber trade between the European Union and Burma*. Amsterdam.
Milne, S. 2013. "Under the leopard's skin: Land commodification and the dilemmas of indigenous communal title in upland Cambodia." *Asia Pacific Viewpoint*, 54(3): 323-339.
Moore, D. 2006. *Suffering for Territory: Race, place and power in Zimbabwe*. Durham: Duke University Press.
Mya Maung, 1991. *The Burma Road to Poverty*. New York: Praeger.
Mya Maung. 1998. *The Burma Road to Capitalism: Economic growth versus democracy.* Westport, CT: Praeger.
Myanmar of Agriculture and Irrigation (MOAI). 2002. *Master Plan for Agriculture Development: 2001-2002 to 2030-2031*. Government of the Union of Myanmar, Yangon.
Nader, L. 1974 (1969). "Up the anthropologist: Perspectives gained from studying up." In: D. Hymes (Ed.) *Reinventing Anthropology*. Pp. 284–311. New York: Vintage Books.
Nakanishi, Y. 2013. *Strong Soldiers, Failed Revolution*. Singapore: National University of Singapore Press.
National Geographic. 2015. "Myanmar's pending ceasefire jeopardized by skirmishes over illegal logging." 20 May.
Noam, A. "KIO squeezed out of cross-border timber trade at expense of Burmese regime." *Mizzima News*, 9 June.
Nyein Nyein. 2013. "Heavy fighting continues near Laiza." *The Irrawaddy*, 8 January.
Nyein Nyein. 2015. "Government targets Kachin rebels in timber takedown." *The Irrawaddy*, 6 January.
O'Toole, B. 2013. "Conflict spurs timber trade in Shan and Kachin." *Myanmar Times*, 30 April.
Oberndorf, R. 2012. *Legal review of recently enacted Farmland Law and Vacant, Fallow and Virgin Lands Management Law: Improving the legal & policy frameworks relating to land management in Myanmar*. Yangon, Land Core Group (LCG).
Obidzinski, K. and K. Kusters. 2015. "Formalizing the logging sector in Indonesia: Historical dynamics and lessons for current policy initiatives." *Society and Natural Resources: An International Journal*, 28(5): 530-542.
Ockey, J.1993. "*Chaopho*, capital accumulation and social welfare in Thailand." *Crossroads: An interdisciplinary Journal of Southeast Asian Studies*, 8(1): 48-77.
Ohmae, K. 1995. *The End of the National State*. New York: The Free Press.
Okamoto, I., Kurita, K., Kurosaki, T. and K. Fujita. 2003. *Rich Periphery, Poor Center: Burma's rural economy under partial transition to a market economy.* Institute of Economic Research, Hitotusbashi University, Discussion paper series, No. 03-23.
Ong, A. 2000. "Graduated sovereignty in South-East Asia." *Theory, Culture and Society*, 17(4): 55-75.
Organization for Economic Co-Operation and Development (OECD). 2014. OECD Investment Policy Reviews: Myanmar. Paris: OECD Publishing.
Pacheco, P., Barry, D., Cronkleton, P. and A. M. Larson. 2008. "The role of informal institutions in the use of forest resources in Latin America." Bogor, Indonesia: Center for

International Forestry Research (CIFOR).
Peluso, N.L. 1992. *Rich Forests, Poor People: Resource control and resistance in Java*. Berkeley: University of California Press.
Peluso, N.L., and C. Lund. 2011. "New frontiers of land control: Introduction." *Journal of Peasant Studies,* 38(4): 667–81.
Peluso, N.L. and P. Vandergeest. 2001. "Genealogies of the political forest and customary rights in Indonesia, Malaysia, and Thailand." *The Journal of Asian Studies,* 60(3): 761-812.
Peluso, N.L. and P. Vandergeest. 2011. "Political ecologies of war and forests: Counterinsurgency and the making of national natures*." Annals of the Association of American Geographers*, 101(3): 587-608.
Peluso, N.L. and M. Watts (Eds.). 2001. *Violent Environments*. Ithaca: Cornell University Press.
Perelman, M. 2000. *The Invention of Capitalism: Classical political economy and the secret history of primitive accumulation*. Durham: Duke University Press.
Pineiro, D. 2012. "Land grabbing: concentration and 'foreignisation' of land in Uruguay." *Canadian Journal of Development Studies*, 33(4): 471-489.
Project Maje. 2001. "Ashes and tears: The interviews." Interview 8: Hkun Li Seng. Online at http://projectmaje.org/inth0301.htm. Last accessed: 22 November, 2017.
Prosterman, R. 1970. "Land-to-the-tiller in South Vietnam: The tables turn." *Asian Survey*, 10(8): 751-764.
Putzel, L., Kelly, A., Cerutti, P. and Y. Artati. "Formalization as development in land and natural resource policy." *Society and Natural Resources: An International Journal*, 28(5): 453-472.
Qi, P. 1985. "Opening the southwest: An expert opinion." Beijing Review, 28(35): 22-23.
Ramirez, M. 2012. *Between the Guerillas and the State: The Cocalera movement, citizenship and identity in the Columbian Amazon*. Durham: Duke University Press.
Read, J. 2002. "Primitive accumulation: The aleatory foundation of capitalism." *Rethinking Marxism,* 14(2): 24-49.
Relief Action Network for IDP and Refugee (RANIR). 2015. *Displaced Villages Profiling: A study on displaced villages in Kachin State and northern Shan State.* Laiza, Kachin State, Myanmar.
Renard, R. 1996. *The Burmese Connection: Illegal drugs and the making of the Golden Triangle*. Boulder: L. Rienner Publishers.
Richani, N. 2005. "Multinational corporations, Rentier capitalism, and the war system in Colombia." *Latin American Politics and Society*, 47(3): 113-144.
Richards, P. 1999. *Fighting for the Rainforest: War, youth and resources in Sierra Leone*. Suffolk: James Curry.
Ribot, J. and N. Peluso. 2003. "A theory of access." *Rural Sociology*, 68(2): 153-181.
Rose, N. and P. Miller. 1992. "Political power beyond the state: Problematics of government." *British Journal of Sociology*, 43(2): 173-205.
Rotberg, R. 2008*. China into Africa: Trade, aid, and influence*. Washington, DC: Brookings Institution Press.

Sadan, M. 2013. *Being and Becoming Kachin: Histories beyond the state in the borderworlds of Burma*. Oxford: Oxford University Press.
San Thein, Pyae Sone and Diepart, J.-C. 2017. *Transparency Under Scrutiny. Information disclosure by the Parliamentary Land Investigation Commission in Myanmar*. MRLG Case Study Series no. 1. Mekong Region Land Governance (MRLG), Vientiane, Laos.
Sassen, S. 2000. "Territory and territoriality in the global economy*." International Sociology*, 15(2): 372–93.
Sassen, S. 2008. "Neither global nor national: Novel assemblages of territory, authority and rights." *Ethics & Global Politics*, 1(1/2): 61-79.
Saw Yan Naing. 2013 "Tycoon's plans for Putao come under scrutiny." *The Irrawaddy*, 27 November.
Scott, J. 1976. *Moral Economy of the Peasant: Subsistence and rebellion in Southeast Asia.* New Haven, CT: Yale University Press.
Scott, J. 2009. *The Art of Not Being Governed: An anarchist history of upland Southeast Asia.* New Haven: Yale University Press.
Shan Herald Agency for News (SHAN). 2011. *Druglords in Parliament*. Shan Drug Watch Newsletter, Issue 4, October. Chiang Mai, Thailand.
Sherman, J. 2003. "Burma: Lessons from the cease-fires." In: Ballentine, K. and J. Sherman (Eds.). *The Political Economy of Armed Conflict: Beyond greed and grievance*. Pp 225-258. London: Lynne Rienner Publishers.
Shi, W. 2008. *Rubber boom in Luang Namtha: A transnational perspective*. Vientiane, Laos: GTZ.
Shwe Aung. 2015. "Government forces using airstrikes against Kachins." *DVB*, 11 May.
Selth, A. 1986. "Race and resistance in Burma, 1942-1945." *Modern Asian Studies*, 20(3): 483-507.
Selth, A. 2002. *Burma's Armed Forces: Power without glory*. Eastbridge Books.
Sidel, J. 1999. *Capital, Coercion, and Crime: Bossism in the Philippines*. Stanford: Stanford University Press.
Sikor, T. and C. Lund. 2009. "Access and property: A question of power and authority." *Development and Change*, 40(1): 1-22.
Sioh, M. 2010. "Anxious enactments: Postcolonial anxieties and the performance of territorialization." *Environment and Planning D: Society and Space*, 28(3): 467-486.
Sivaramakrishnan, K. 1999. *Modern Forests: Statemaking and environmental change in colonial eastern India*. Stanford: Stanford University Press.
Skocpol, T. 1985. "Bringing the state back in: Strategies of analysis in current research." In: Evans, P., Rueschemeyer, D. and T. Skocpol (Eds.), *Bringing the State Back In*. Pp. 3-43. Cambridge: Cambridge University Press.
Slater, D. 2010. *Ordering Power: Contentious politics and authoritarian leviathans in Southeast Asia*. New York: Cambridge University Press.
Smith, M. 1991 (1999). *Burma: Insurgency and the politics of ethnicity*. London: Zed Books.
Smith, M. 1994. *Ethnic Groups in Burma: Development, democracy and human rights*. In collaboration with Annie Allsebrook. London: Anti-Slavery International.

Song, L., Zhou, H., Ding, Z., and J. Chen. 1993. *Towards Southeast Asia: A study of the export-oriented economy and port Development in Yunnan*. Kunming: Yunnan People's Publishing House.
South, A. and M. Katsabanis. 2007. *Displacement and Dispossession: Forced migration and land rights in Burma*. Centre on Housing Rights and Evictions (COHRE), Geneva, Switzerland.
Stuart-Fox, M. 1996. *Buddhist Kingdon, Marxist State: The making of modern Laos*. Chonburi, Thailand: White Lotus.
Stubbs, R. 1989. *Hearts and Minds in Guerrilla Warfare: The Malayan emergency 1948–1960*. Singapore: Oxford University Press.
Su, X. 2015. "Non-traditional security and China's transnational narcotics control in northern Laos and Myanmar." *Political Geography,* 48, 72-82.
Su, X. 2016. "Development intervention and transnational narcotics control in northern Myanmar. *Geoforum,* 68, 10-20.
Sun, Y. 2015. "The guilty and the innocent: China and illegal logging in Myanmar. *The Irrawaddy*, 22 January.
Tamanaha, B. 2008. "Understanding legal pluralism: Past to present, local to global." St. John's School University School of Law Legal Studies Research Paper Series #07-0080.
Taylor, R. 1982. "Perceptions of ethnicity in the politics of Burma." *Southeast Asian Journal of Social Sciences*, 10(1): 7-22.
Taylor, R. 2009. *The State in Myanmar*. Honolulu: University of Hawaii Press.
Thawnghmung, A.M. 2003. "Rural perceptions of state legitimacy in Burma/Myanmar." *Journal of Peasant Studies,* 30(2): 1-40.
Thompson, E.P. 1975. *Whigs and Hunters: The origin of the Black Act.* London: Pantheon Publications.
Thompson, R. 1966. *Defeating Communist Insurgency: The lessons of Malaya and Vietnam*. New York: Praeger Publishers.
Tilly, C. 1985 "War making and state making as organized crime." In: Evans, P., Rueschemeyer, D. and T. Skocpol (Eds.). *Bringing the State Back In*. Pp. 169-91. New York: Cambridge University Press.
Transnational Institute (TNI). 2015. *Military Confrontation or Political Dialogue: Consequences of the Kokang crisis for peace and democracy in Myanmar*. Myanmar Policy Briefing No. 15, July. Amsterdam, Netherlands.
Transnational Institute (TNI) and Burma Centrum Netherlands (BCN). 2013. *The Kachin Crisis: Peace must prevail*. Burma Policy Briefing No. 10. Amsterdam.
Trocki, C. (Ed.) 1998. *Gangsters, Democracy and the State in Southeast Asia*. Ithaca: Cornell University Southeast Asia Program Publications.
Turnell, S. 2009. *Fiery Dragons: Banks, moneylenders and microfinance in Burma*. Copenhagen: Nordic Institute of Asian Studies Monographs.
Turnell, S., Ward, R. and B. Campbell. 2008. "The Chettiars of Burma." *Australian Economic History Review* 48(1): 1–25.

Tzu, S. 2016. *The Art of War*. Simon and Brown Online Publishing.
U Thaung, 1990. "Army's accumulation of economic power in Burma (1950-1990)." A paper presented at a Burma seminar in Washington, DC, 20 October.
Un, K. and S. So. 2011. "Land rights in Cambodia: How neopatrimonial politics restricts land policy reform." *Pacific Affairs,* 84(2): 289–308.
United Nations Office on Drugs and Crime (UNODC). 2015. *Southeast Asia Opium Survey 2015: Lao PDR, Myanmar*. UNODC Research, Bangkok, Thailand.
van Heeswijk, L., and E. Turnhout. 2013. "The discursive structure of FLEGT (Forest Law Enforcement, Governance and Trade): The negotiation and interpretation of legality in the EU and Indonesia." *Forest Policy and Economics,* 32: 6–13.
Vandergeest, P. 2003. "Racialization and citizenship in Thai forest politics." *Society and Natural Resources*, 16: 19-37.
Vandergeest, P. and N.L. Peluso. 1995. "Territorialization and state power in Thailand." *Theory and Society,* 24(3), 385-426.
Volkov, V. 2002. *Violent Entrepreneurs: The use of force in the making of Russian capitalism*. Ithaca: Cornell University Press.
Vu, T. 2010. "Studying the state through state formation." *World Politics*, 62(1): 148–75.
Walker, A. 1999. *The Legend of the Golden Boat: Regulations, trade and traders in the borderlands of Laos, Thailand, China and Burma.* Honolulu: University of Hawai'i Press.
Walton, M. 2008. "Ethnicity, conflict, and history in Burma: The myths of Panglong." *Asian Survey*, 48(6): 889-910.
Walton, M. 2016. *Buddhism, Politics and Political Thought in Myanmar*. New York: Cambridge University Press.
Warner, R. 1996. *Shooting at the Moon: The Story of America's Clandestine War in Laos*. South Royalton, VT: Steerforth.
Watts, M. 1983. *Silent Violence: Food, famine and peasantry in northern Nigeria*. Berkeley: University of California Press.
Watts, M. 2001. "Petro-violence: Community, extraction, and political ecology of a mythic commodity." In: Peluso, N.L. and M. Watts (Eds.), *Violent Environments.* Pp. 189-212. Ithaca: Cornell University Press.
Watts, M. 2003. "Development and governmentality." *Singapore Journal of Tropical Geography*, 24(1): 6-34.
Weber, M. 1965. *Politics as a Vocation*. Philadelphia: Fortress Press.
Webster, D. 2004. *The Burma Road: The epic story of the China-Burma-India theatre in World War II*. Harper Perennial.
White, A. et al. 2006. *China and the Global Market for Forest Products: Transforming trade to benefit forests and livelihoods*. Washington, D.C.: Forest Trends.
White B., Borras S., Hall R., Scoones I. and W. Wolford. 2012. "The new enclosures: Critical perspectives on corporate land deals." *Journal of Peasant Studies,* 39(3-4): 619-647.
Wiersum, K.F., Lescuyer, G., Nketiah, K.S. and M. Wit. 2013. "International forest governance regimes: Reconciling concerns on timber legality and forest-based

livelihoods." *Forest Policy and Economics,* 32: 1–5.
Wily, L.A. 2012. "Looking back to see forward: The legal niceties of land theft in land rushes." *Journal of Peasant Studies*, 39(3-4): 751-775.
Wit, M., Dam, J.V., Cerutti, P.O., Lescuyer, G., Kerrett, R. and J. P. McKeown. 2010. "Chainsaw milling: Supplier to local markets: A synthesis." *EFTRN News*, 52: vii–xxii.
Wood, E. 2002. *The Origin of Capitalism: A longer view.* New York: Verso.
Wood, E. 2003. *Insurgent Collective Action and Civil War in El Salvador*. Cambridge: Cambridge University Press.
Woods, K. 2011(a). "Ceasefire capitalism: Military-private partnerships, resource concessions, and military-state building in the Burma-China borderlands." *Journal of Peasant Studies,* 38(4): 747-770.
Woods, K. 2011(b). "Conflict timber along the China-Burma border: Connecting the global timber consumer with violent extraction sites." In: Wen-Chin, C. and E. Tagliacozzo (Eds.). *Chinese Circulations: Capital, commodities and networks in Southeast Asia*. Pp. 480-506. Durham: Duke University Press.
Woods, K. 2013(a). *Emerging Agribusiness Trends in Myanmar: Opportunities and challenges for poverty reduction*. Kunming, China: Yunnan University Press.
Woods, K. 2013(b). "The politics of the emerging agro-industrial complex in Asia's 'final frontier': The war on food sovereignty in Burma." International conference, *Food Sovereignty: A critical dialogue*. New Haven: Yale University.
Woods, K. 2015(a). *Commercial Agricultural Expansion in Myanmar: Links to deforestation, conversion timber and land conflicts*. Forest Trends, Washington, D.C.
Woods, K. 2015(b). "CP maize contract farming in Shan State, Myanmar: A regional case of a place-based corporate agro-feed system." Working Paper Series no. 14. BRICS Initiative for Critical Agrarian Studies (BICAS). The Hague, Netherlands: International Institute of Social Studies (ISS).
Woods, K. 2016(a). "'China in Burma': A multi-scalar political economy analysis." In: Tan, D. and P. Nyiri (Eds.), *Chinese Encounters in Southeast Asia: How people, money and ideas from China are changing a region.* Pp. 227-255. Seattle: University of Washington Press.
Woods, K. 2016(b). *Kachin IDP Land Rights: Armed conflict, displacement and return*. Yangon, Myanmar: Trocaire.
Woods, K. 2016(c). *CP Maize Smallholder Production in Rural Shan State, Myanmar: Debt, dispossession and growing inequality*. Yangon, Myanmar: Land Core Group (LCG).
Woods, K. In Preparation (a). "'Legacy landscapes' of war, resources and armed conflicts in a biodiversity conservation hotspot in southeastern Myanmar."
Woods, In Preparation (b). "Rubber expansion as spearhead of the military state in a post-conflict setting." Forest Trends, Washington DC.
World Bank. 2014(a). *Agricultural Development Support Project*. Project Information Document (Pid), Concept Stage, P147629, Yangon, Myanmar.
World Bank, 2014(b). *Burma Agricultural Development Bank: Initial assessment and restructuring options.* Washington, D.C.
Xinhua News Agency. 2006. "Yunnan Frontier Defense Brigade takes actions to ensure the

Yunnan- Burma timber and mineral trading cooperation." 28 March.
Yawnghwe, C.T. 1993. "The political economy of the opium trade: Implications for Shan State." *Journal of Contemporary Asia*, 23(3): 306-326.
Yawnghwe, C.T. 2001. "Burma and national reconciliation: Ethnic conflict and state-society dysfunction." *Legal Issues on Burma Journal*, 10: 1-10.
Yawnghwe, C.T. 2010. *The Shan of Burma: Memoirs of a Shan exile*. Singapore: Institute of Southeast Asian Studies.
Ybarra, M. 2012. "Taming the jungle, saving the Maya forest: Sedimented counterinsurgency practices in contemporary Guatemalan conservation." *Journal of Peasant Studies*, 39(2): 479-502.
Zoomers, A. 2011. "Introduction: Rushing for land: equitable and sustainable development in Africa, Asia and Latin America." *Development*, 54(1): 12–20.