



Land dynamics and livelihoods in peri-urban Yangon

The case of Htantabin Township



GRET Land Tenure Project: Understanding rural land issues to engage comprehensive policy dialogue in Myanmar

Maxime Boutry

Khin Pyae Sone

Sung Chin Par

Tin Myo Win



Acknowledgments

This study was facilitated by Welt Hunger Hilfe (WHH) Myanmar, Htantabin Project. WHH provided logistical support for the team during the 3 weeks spent in the field, as well as background data on the Township which greatly helped the identification of key sites for undertaking this research. We would like especially to thank here Bryan Berenguer, Head of Projects for WHH Htantabin Office, as well as Ma Chaw Su, Technical Specialist - Cooperative and Business Development, for accompanying us in the exploratory phase and showing strong support all through the study.

We thank the LIFT donors, the European Union and government of Australia, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, New Zealand, Sweden, Switzerland, the United Kingdom, the United States of America for their kind contributions to improving the livelihoods and food security of rural people in Myanmar. We would also like to thank the Mitsubishi Corporation, as a private sector donor.

Disclaimer

This document presents the results from the qualitative part of the study. Another document will combine the findings of both the qualitative and quantitative studies (planned for end 2016.)

This document is supported with financial assistance from Australia, Denmark, the European Union, France, Ireland, Italy, Luxembourg, the Netherland, Sweden, Switzerland, the United Kingdom, the United States of America, and the Mitsubishi Corporation. The views expressed herein are not to be taken to reflect the official opinion of any of the LIFT donors or UNOPS.

TABLE OF CONTENTS

I	<u>INTRODUCTION</u>	6
1	CONCEPTUAL FRAMEWORK.....	6
2	PRESENTATION OF THE AREA/VILLAGE	8
3	METHODOLOGY.....	10
II	<u>HTANTABIN TOWNSHIP IN THE MIDST OF RURAL AND URBAN DEVELOPMENTS</u>	12
1	WATER MANAGEMENT	12
2	AGRICULTURAL POLICIES	13
3	YANGON’S INDUSTRIALIZATION AND URBANIZATION PROCESS	15
III	<u>HTANTABIN’S CHANGING “LANDSCAPE”</u>	16
1	CHANGING LIVELIHOODS	16
1.1	FACTORY WORK	16
1.2	AGRICULTURAL MECHANIZATION	19
1.3	IS EVERYONE IN THE SAME BOAT? LANDLESS HOUSEHOLDS LEFT “IN-BETWEEN”	20
1.4	TOWARD A MORE URBAN WAY OF LIFE? LIVELIHOODS AND REPRESENTATIONS	21
2	THE RISE OF A LAND MARKET.....	23
2.1	THE “LAND TURN”: YANGON’S DEVELOPMENT AND 2012’S NEW LAND LAW	23
2.2	THE DIFFERENT LAND USES IN THE CONTEXT OF A DEVELOPING LAND MARKET.....	25
IV	<u>LAND MARKET STAKEHOLDERS, TRANSACTIONS AND STRATEGIES IN THE POST-2012 FARMLAND LAW ERA</u>	32
1	A LAND MARKET, BY WHOM?.....	32
1.1	FARMERS.....	34
1.2	RESIDENTS.....	35
1.3	SPECULATORS AND ENTREPRENEURS	36
1.4	LAND BROKERS	37
2	LAND TRANSACTIONS AND ROLE OF AUTHORITIES	40
2.1	PAPERS – AND DISCOURSES – INVOLVED IN TRANSACTIONS	40

2.2	THE LIMITED CAPACITY OF AUTHORITIES TO CONTROL LAND USE.....	42
2.3	INVOLVEMENT OF LOCAL AUTHORITIES IN HTANTABIN LAND MARKET.....	45
V	<u>THOUGHTS ON THE URBANIZATION PROCESS AND PROSPECTS</u>	48
1	A LAND MARKET, FOR WHOM?	48
1.1	FARMERS.....	48
1.2	FARM-LANDLESS HOUSEHOLDS: OPPORTUNITIES OR GREATER EXCLUSION?	49
1.3	LAND BROKERS	50
2	TOWARDS NEW FORMS OF SOCIO-ECONOMIC DIFFERENTIATION?.....	50
2.1	URBANIZATION, LAND MARKET AND RELATION TO LAND	50
2.2	A GENDERED URBANIZATION... FOR THE FEMALE YOUTH ONLY?	51
VI	<u>CONCLUSION AND RECOMMENDATIONS</u>	51
1	CONCLUSION.....	51
2	RECOMMENDATIONS	53
2.1	URBANIZATION PROCESS AND LAND GOVERNANCE.....	53
2.2	TRANSITION BETWEEN RURAL AND URBAN ORIENTED LIVELIHOODS.....	54
VII	<u>REFERENCES.....</u>	55

List of Acronyms

CBO: Community Based Organization

CDC: City Development Committee

CFMB: Central Farmland Management Body

DALMS: Department of Agricultural Land Management and Statistics; new denomination for the SLRD since 2014.

DHSHD: Department of Human Settlements and Housing Development

GAD: General Administration Department

MADB: Myanmar Agricultural Development Bank

MoAI: Ministry of Agriculture and Irrigation

MMK: Myanmar Kyat, the country's currency (1150 MMK = 1 USD)

SHG: Self-Help Group

SLRD: Settlement and Land Records Department

TFMC: Township Farmland Committee

USDP: Union Solidarity Development Party

VDC: Village Development Committee

VFMC: Village Farmland Committee

WHH: Welt Hunger Hilfe

I INTRODUCTION

Htantabin is essentially an agrarian region, though the conditions for agriculture have no comparative advantage compared to many other areas of Deltaic Lower Burma which are less flood-prone and more productive. This is in part because nowadays most of Htantabin Township's grounds lie under sea level and are subject to floods that entail growing paddy only during the late monsoon when waters start receding. Htantabin's agrarian development occurred under Myanmar's successive military governments, particularly in the years from 1976 up to the 1990s; in order to develop agriculture large-scale government projects (in part funded by the World Bank) reclaimed land and developed canals and drainage systems. When agriculture is discussed in Myanmar – at least from the point of view of a government representative – paddy cultivation is implied¹. However, as productive as it may be, paddy cultivation could not draw as much interest as Htantabin Township's land market has since the 2000s, and particularly since 2010 when a quasi-civilian government took power.

Indeed, very recently Htantabin Township has become of interest – for its residents and for “outsiders” alike – due to its peculiar position as a peri-urban Township, that is a mainly rural Township (with exception of the West Yangon University) affected by strong urban demographic, economic and social dynamics emanating from the country's economic capital, Yangon. The use made of Htantabin's land by a great variety of stakeholders (farmers, brokers, speculators and the different government representatives involved in land issues) is in fact crucial in maintaining (or undermining) this position. That is, in the coming years – perhaps 50 years from now – Htantabin may become a mainly business center, or an industrial zone (in some parts) with urban residential grounds or a Yangon green belt for high-tech paddy cultivation on the banks of the Hlaing River; or it could be all this at one time.

In the transition brought by Yangon's expansion plans (a 40-years project started in 2015) and an opening to foreign investments in all sectors, some critical questions arise: what are the benefits and disadvantages that farmers and the landless alike could draw from this inexorable urbanization process? How are livelihoods secured (or not) in a context continually “on the move”? Is there any land use planning related with the land dynamics currently impacting Htantabin Township? What are the different roles and relationships between public and private actors in shaping land use in this peri-urban area?

1 Conceptual framework

This study was undertaken with the very broad objective of exploring land dynamics in a peri-urban, yet still largely rural, setting in the wake of the land “transition” undertaken with the passing of the 2012 Farmland Law. A second goal of the study is to explore the relationship between these dynamics and livelihood changes in the area.

¹ Agriculture is the most important economic sector, and rice cultivation occupies about 60 percent of the country's total cultivated area in 1993/94 (Young et al. 1998 p. 12).

Although the ultimate land owner remains the State, the new Farmland Law of 2012 introduced more individualized land rights, granting the possibility to transfer land permanently through inheritance and sale, or temporarily through rent and sharecropping arrangements or through pawning. While these laws would appear to facilitate increased transactions in land and hence generate territorial construction, in an economic context where access to land is subject to sometimes drastic commercial pressure (particularly for land that is in the vicinity of large cities), such individualized rights may constitute an obstacle to such construction. This is because the rise in land prices generates speculative strategies by land holders, ones which often contradict collective interests (Jouve & Vianey 2009 p. 3). Collective interests may be at the village level (e.g. retaining access to grazing land; development of services such as schools, health centres; etc.) but also at the urban centre level (e.g. land acting as a source of agricultural products; access to affordable residential land; etc.).

Throughout this study, land speculation designates “the act of investors who purchase land, but keep it vacant without making any improvements to it, thus realising ‘unearned increment’, or in anticipation of future development opportunities, or they delay development until the uncertainty about the most profitable use is clear, this option being mostly related to planning regulations” (Triantafyllopoulos 2010 p. 227). However, speculation itself, as underlined by Foldvary (1998 p. 615), is “[in] the most basic sense [...] a method of dealing with the uncertain future”. From this perspective, it is easily understandable that certain forms of speculation are undertaken by almost every layer of the population: farm-landless labourers and wealthy city dwellers, not to mention farmland holders, will certainly speculate in different ways. The diversity of stakeholders involved in the land market is analysed in this study, notably with the objective of understanding who are the “losers” and “winners” from land changes in South Htantabin’s urbanization process.

We may underline here that the insecure framework surrounding land use change (see III.2.2 and IV.2) is highly limiting the number of actual transactions in the studied area. While we cannot pretend to have registered all transactions² – especially in such a sensitive context – it is worthy to note that sales done in the wake of the “land turn” (2010 onward) were recorded on no more than 15 landholdings in the four villages under study.

This has also to do with land that speculators are looking for, which are limited to the roadsides and important development projects. Indeed, land speculation is notably different from any other form of speculation for land is a heterogeneous commodity – each plot, having a unique location, is different from all others, and is bought and sold as an individual property – and is fixed in supply³. “Land being completely inelastic in supply, the rent and price of land are very responsive to changes in demand, unlike other assets for which quantity can also change with price” (Foldvary 1998 pp. 622–623). Therefore, the different issues raised by the speculative land “bubble” in Htantabin (see

² A quantitative study will follow to systematically record land transactions in the area.

³ This statement may be nuanced in some instances by the capacity to “artificially” increase land supply, as it may be the case through land reclamation projects, confiscated land’s redistribution or change in land zoning. This is however not the case in the studied villages.

part V) are actual regardless of the real number of transactions. On the other hand, land conversions and their effects are here taken in their “accomplished, desired and foiled” dimensions (Hall et al. 2011 p. 119). Indeed, we may decipher at least two dimensions of land use in the area: official (reported on papers, Form 7, Form 105, etc.); and the practical land use (land bought by speculators for purposes other than agriculture may just be put back into agriculture – to tenants – as the speculator waits for the ‘best conditions’ to sell or valorise – here the practical change in land use may happen).

Given that Htantabin is more peripheral to Yangon than other townships still in the process of urbanization (such as Hlaing Tha Yar or New Dagon), we also retained the possibility that observing land dynamics there would provide some insights “back in time” on what has happened in the near- vicinity of Yangon city years before. Therefore the study may also provide keys on how to tackle land issues at early stages of peri-urbanisation processes, encompassing – but not restricted – to:

- Urbanization and livelihoods: how does urbanization take place in the area, and what are its main impacts on local livelihoods? Is there a future for farming activities (and farmland) in Yangon’s development process?
- Land conversion and land speculation: to what extent will the foreseen developments of Yangon affect land use in the area? Is speculation driving the land market, and what are its possible impacts on access to land for the different stakeholders?
- Land use planning: does it exist, is it enforceable or is it that the most important aspect of government policy is “the ineffectiveness and constant undermining of spatial planning, rather than its impact” (Kelly 2000 pp. 63–6)⁴?

2 Presentation of the area/village

Htantabin Township is situated to the north of Yangon City, adjacent to Hlaing Tha Yar Township (south and west) and Shwe Pyi Thar (east), two major industrial zones around Yangon. Htantabin Township is delimited to the north and west by the Bawle River, to the east by the Hlaing River, to the south in part by the Hlaing River. The Township is divided into two islands separated by the Kok Ko Wa River, namely Bawle Island in the north and Tet Thit Island in the south.

Eight villages from Htantabin Township were first explored for the study, and later four were selected for in-depth qualitative research: Daung Gyi, Sandayaw, Sibinthar and Than Paya Khone (see Figure 1). The first one is more remote than others, with no straight access – although this may change soon – to the main Hlaing Tha Yar-Htantabin road. Sandayaw is situated on the main Yangon- Pathein road, Sibinthar on the road linking Htantabin to Shwe Pyi Thar and Than Paya Khon on the road linking Htantabin to Hlaing Tha Yar. While the first village, because of its remoteness, is less impacted by the urbanization process described further in this report, the other three villages are facing strong changes in the midst of Myanmar’s opening and Yangon’s development.

⁴ Cited in Hall et al. (2011 p. 123).

Table 1: Main characteristics of surveyed villages of Htantabin Township (Source: WHH Htantabin Office, 2015)

Village Name	Total HH*	Acreage of village	Number of land owner	Number of landless	Casual Worker	Commercial Poultry	Industrial worker	Fish pond/ Fish rising	Other small business: (shops/ trishaw/etc)
		(Acre)	HH	HH	HH	HH	HH	HH	HH
Than Payar Gone	339	1 000	115	220	200	2	200	–	24
Si Pin Thar	204	395	23	181	114	–	100	11 (ponds)	37
San Dayaw	369	1 618	147	222	100	18	450	20 (ponds)	89
Daunt Gyi	241	1200	105	136	131	6	6	37 (fish rising)	47
Sat Kale	211	1183	134	77	120	5	50	2 (ponds)	130
Nyaung Pin Gone	22	200	20	2	2	3	7	–	11
Kyein Pike (East)	35	200	11	24	24	2	3	20	4
Kyien Pike (West)	95	400	60	35	65	5	10	10	15

*HH: Household(s)

3 Methodology

The study was implemented in the four villages described above, by one international and three national researchers who each spent 21 days in the field. This team has been working since 2013 on land dynamics in other regions (Delta and Dry Zone). Fieldwork was organized working by teams of two in different villages. The international researcher visited all villages to ensure the homogeneity of approach and data collected by the national researchers.

The approach adopted for this study was mainly built on anthropological methods, identifying key informants and multiplying interviews based on a “snow-balling” principle. Main key informants were interviewed multiple times, following a semi-structured interview framework. Information was also gathered informally; for example, researchers profitted by conversations at tea-shops, gatherings (donations, NGO meetings, etc.). Given the often-sensitive context of the unregulated land market, researchers could not always identify themselves as such with informants. We however avoided any behaviour that could lead to deception and anonymity of informants is respected all along the report.

Key informants included members of Village Farmland Management Committees, DALMS officers, farmers who managed to sell their land and other who did not, farm-landless households, squatters, factory employees, fishermen, fish-pond owners, and brick makers. As a whole, 37 key informants were identified and interviewed in-depth, supplemented by a great number of informal conversations and, naturally in such approach, observation.

Information gathered during fieldwork was reproduced in written form following reporting guidelines by the national researchers, then analysed and synthetized in the present report by the international researcher.

The fieldwork was greatly facilitated by Welt Hunger Hilfe NGO (WHH), working in the area for more than 10 years and having already a deep knowledge of the context and changes impacting the Township. They provided useful contextual information, introduced the team to some key informants and also provided all the logistical support for this fieldwork. This work would have been more difficult and much less productive without their participation.

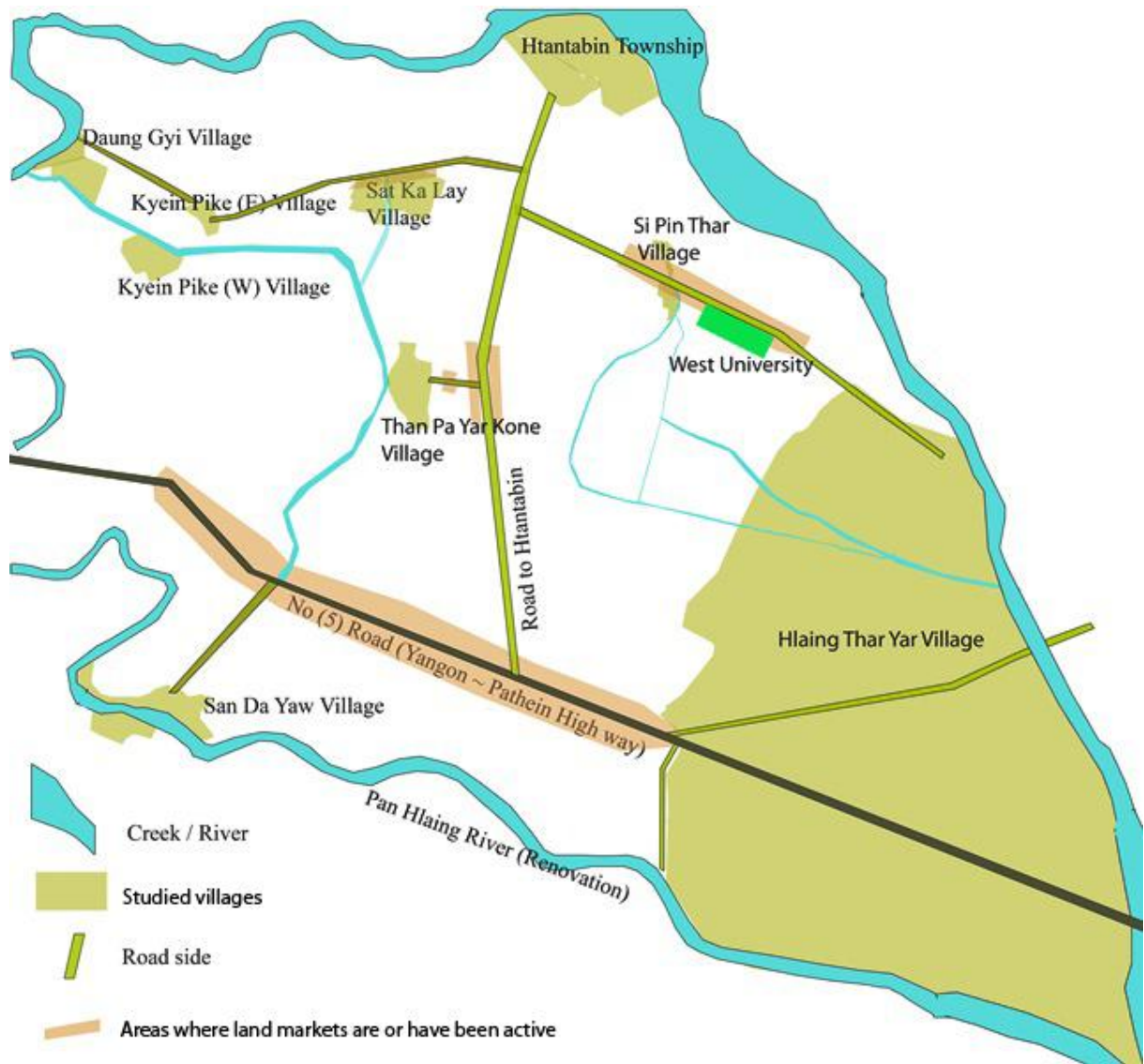


Figure 1: Location of studied villages

II HTANTABIN TOWNSHIP IN THE MIDST OF RURAL AND URBAN DEVELOPMENTS

1 Water management

Despite being situated close to Yangon, Htantabin “was an isolated town” at least until the 1980s, which saw the construction of an asphalt road linking the town from the existing Yangon-Pathein road at the Thidaaye village intersection (MNA 2011). Besides being remote – interviewed villagers recalled moving by boat as in the Ayeyarwaddy Delta – Htantabin Township is a low-lying area particularly subject to flooding. This situation meant that paddy cultivation had to be undertaken in late monsoon (September), the land being too flooded during the “regular” monsoon paddy cultivation period to cultivate it then (as is practiced in the Delta). Most elderly people in the studied villages remember the extraordinary flood event of 1974 which transformed Tet Thit island into a “sea”.

In an attempt to reclaim flooded arable land (mainly for paddy cultivation), the Ministry of Agriculture and Irrigation (MoAI) implemented Paddy Land Development Projects 1 and 2 with the support of the World Bank (1976-1988) for the creation of polders mainly intended to extend rice production (Meel et al. 2014 p. 120). However, parts 1 and 2 of the project concerned Delta areas, so that Htantabin Township benefited only from a late sequel (part 3) undertaken by the MoAI alone. Nyaung Done Island, bordering Htantabin Township to the West, was a major reclamation area for rain fed paddy and tidal irrigation for summer paddy cultivation (1994-2000) under this project (Meel et al. 2014 p. 120), from which Htantabin area benefited also in terms of improved water management (see Box 1). This later project came in the wake of the nation-wide program that introduced summer paddy in Myanmar (from 1992 onward), cultivation of which became compulsory for lowland farmers who could access freshwater during the dry season. Already struggling with flood management and irrigation through the 1990s, Htantabin Township undertook summer paddy cultivation by the late 1990s with regular improvements through the 2000s.

Box 1: Insights on water management at the village level

Daung Gyi village is situated on Tet-Thit Kwin, beside Kok Ko Wa River, a branch of Pan Hlaing River. Since the area is lower than Kyein-Pike village and sits beside Kok Ko Wa River, the village was always flooded until a water gate was built in 1994. There was also a port through which Bowle, Yangon and Naungkone could be reached by ship. Only one crop cycle could be grown per year. After building the water gate in 1994, farmers started growing two crops per year (monsoon and summer paddy).

The Water gate keeper has to check and take note of the water level five times per day, information which he has to report to his superior (SAE - senior assistant engineer) in the Irrigation Department. In the rainy season, he only has to report the water level situation once a week. For the maintenance of the water bank, the gate keeper has to check and report to the SAE. If there is a place which needs river embankment repair, the gate keeper hires general workers from the village and supervises the task. Last August during the period in which most of the township flooded, the villagers from Daung Gyi offered manpower for repairing that water gate.

Around six to seven acres were seized for building the river embankment and the water gate without paying any compensation to villagers who lived in those areas. The area of the water gate and irrigation channel spans from 100 feet to the left of the irrigation canal to 100 feet to the right, all

together totaling 200 feet wide. Those lands were granted the LaNa 39 form allowing another use than agriculture. Following the construction of the irrigation canal and the water gate, around 20 households built houses and lived on the irrigation river embankment. Most of the households are from Daung Gyi, Set Tan (adjacent village) and few households are migrants from other far Townships (such as KaYan, South District of Yangon). Although those houses are named as squatter (*kyu kyaw*), all have housing numbers and get access to the same services as other households in the village. Some are living in their own garden land close to the water gate.

Problems regarding water management emerged between lowland fields users and the gate keeper in March 2015. While higher fields need water, lower fields don't need water and so lowland fields users who had lost their yield because of flooding complained to the gate keeper. He replied that lowland fields users should make higher river embankments. Normally, farmers who need to irrigate their fields must submit a letter to village head. The village head then informs the gate keeper who has to report to his superior (SAE) by phone. However, inter-individuals' arrangements regularly bypass the formal management of irrigation, creating such issues.

The 1994-2000 land reclamation project also served another purpose, illustrating well the differing situations of Htantabin Township rural composition from Yangon's new peri-urban setting. Indeed, 1990-2000 also corresponds with Yangon's expansion on an East-West axis, with the creation of new satellite towns under a so-called "squatter relocation plan" undertaken in the aftermath of the 1988's students uprising (Lubeigt 2008 p. 159). Around 1996 these new settlements were turned into industrial zones. To the north-west and west of Yangon City, Shwe Pyi Thar and Hlaing Tha Yar were set-up as new Townships cum industrial zones in 1990 and 1995, respectively⁵. The development of Hlaing Tha Yar as an industrial zone had to wait for the completion of Bayintnaung Bridge across the Hlaing River in 1994 (Than Than Nwe 1998 p. 101). Progressively growing into major industrial zones around Yangon, these Townships, especially Hlaing Tha Yar, had to be protected from floods as well, hence the double purpose of water management project in the West of Yangon, as regularly underlined by the government's communications about such developments throughout the 2000s. The Pan Hlaing River dredging project, completed in 2015, is the latest aimed at developing agriculture in the area (MNA 2015) while benefiting Hlaing Tha Yar Township in terms of flood mitigation as well. It has enabled farmers to cultivate lands that they had not been able to cultivate for years due to extremely poor flood management conditions.

2 Agricultural policies

Under Myanmar's military-led 'socialist' government (1962-1988), government intervention and controls were introduced to regulate almost all activities of food grain production, procurement, distribution, milling, storage, transportation and domestic wholesale and retail trade, etc. The 1974 Constitution continued the State's ultimate ownership of land, but the slogan of the agrarian reform changed from "land to the tiller" to "right to cultivate to the tiller" (Mya Than 1984 pp. 741-761). With the change in property rights, food grain growers became obligated to sell a fixed quota of their

⁵ <http://myanmargeneva.org/e-com/MOI-2/MOI-2/myanmar.com/Ministry/moi2/zone.htm>, consulted 12.01.2016.

food grains, the 'Compulsory Delivery Quota', to the government at a fixed price. The socialist government emphasized consumer welfare with extensive use of food subsidies, and private marketing was prohibited. The government subsidized the sale of rice to consumers and distributed rice through the state economic enterprise (SEE) system (Young et al. 1998 p. 19). Compulsory procurement of crops was practiced since 1964 as a measure to foster mainly rice productivity. This policy, despite being applied nationally, was particularly enforced in the delta, aiming at regenerating paddy production and restoring the region as the rice bowl of Myanmar, not to mention the "rice bowl of Asia" (Adas).

Despite, or because of, this policy, production decreased. A widespread sense of crisis forced the government to take measures such as the exclusion of rice from marketing liberalization in 1988 and the introduction of the summer paddy program, initiated in 1992/93, for boosting rice production (Fujita & Okamoto 2006 p. 8). While the paddy procurement system was maintained, the state's take was reduced by 2/3 (from 30-40 baskets per acre, down to 10-12) and surplus paddy could be sold freely in the market. The entry of marketing agents (traders and rice millers) was practically free. It is hence more appropriate to say that rice was only partly liberalized (Fujita & Okamoto 2006 p. 8). Lasting until 2003, this compulsory procurement policy severely affected farmers' livelihoods by forcing them to sell paddy at below-market prices (for 12 baskets per acre after 1988, and double to triple prior to this date), a policy implemented independent of how varying weather conditions, rodents and other pests affected actual yields. Upon failure to comply with any of these requirements, the land use right would be withdrawn from the farmers and the Authorized Land Committee would assign the land use right to prioritized candidates who met set criteria.

Rising anxieties concerning rice prices led the government to exclude rice from the market liberalization of 1988. After decades of declining agricultural production, the government took measures to boost rice production with the introduction of the summer paddy program initiated in 1992/93. As described by Fujita and Okamoto (2006), it was "essentially an irrigation development program" with the construction of sluice gates and draining channels and by encouraging farmers' private investment in water pumps. As an incentive to farmers, summer paddy was exempted from the procurement obligation. Myanmar agricultural services also vigorously promoted the cultivation of summer paddy varieties. In just three years, the acreage under summer paddy countrywide had increased from 0.82 million in 1992/93 to nearly 4 million in 1995/96 (Mya Thein 1997), but then followed a very sluggish phase where declining rice price was outstripped by the additional costs of diesel for the pump irrigation that was necessary for summer paddy (Fujita and Okamoto 2006). The authors even state that it was "clearly apparent that pulses generally yield a higher profit than summer paddy" and conclude that "agricultural policies in Myanmar have a strong inclination towards production increases for their own sakes while paying rather less attention to farmers' income and welfare" (Fujita and Okamoto 2006, p. 15-21). According to interviews, summer paddy was only slowly introduced in Htantabin by the end of the 1990s, mainly hindered by water irrigation problems.

As summer paddy required both costs double of those of monsoon cropping and access to farm machinery (power tillers, motor pump), the introduction of this cropping pattern may have accelerated land exclusion and land accumulation processes and increased disparities in agricultural

incomes when capital-poor households could not meet quotas and were dispossessed by the state (Boutry *et al.*, forthcoming).

3 Yangon's industrialization and urbanization process

As mentioned previously, Yangon's expansion on an East-West axis occurred in the 1990s, following mass evictions from urban centres across the country. In 1989-1990, the SLORC launched an urban "squatter" resettlement programme, moving 1.5 million people countrywide (16% of the urban population of Myanmar) from inner-city areas, with little or no compensation, to sites in paddy fields subject to flooding (Bosson 2007 p. 47). Many commentators have noted the apparent political motive behind these evictions: "The population surplus of downtown Rangoon and the squatters living around the pagodas and monastery compounds, who provided scores of demonstrators during the anti-socialist revolt, were expelled and forcibly resettled. Potentially explosive crowds of Central Rangoon were dispersed to South and North Dagon, Shwepyitha and Hlaing Tha Yar by a junta keen to get rid of these trouble-makers. However, the government's rationale was to provide housing to families living in squatter areas in parts of Yangon who had lost homes to fire (Soe Myint Lwin 1989).

Small private industries causing a nuisance in residential quarters subsequently were also resettled in special areas, which became ipso facto 'industrial zones'" (Lubeigt 2008 p. 159). The figure of those evicted from Rangoon in this period may be 500,000 (Bosson 2007 p. 42). Besides the squatter population, government employees having services of fifteen years and above were also allocated lands as a reward for low salaries and to control corruption. However, most of them did not move to the new suburbs due to poor infrastructure that meant long and costly transportation to work places (Than Than Nwe 1998 pp. 106–107), and instead rented their land to newcomers.

Internal migrations toward urban centers as a common phenomenon dates back to 1988 and the establishment of the first industrial zones in the 90's, in Hlaing Thayar, Shwe Pyi Thar and Dagon Myo Thit. Before this period, rural communities went only occasionally to Yangon or other big cities. "Since 1988, government emphasis on improving physical linkages such as roads⁶, bridges and rail systems have led to the spatial integration of rural people with urban areas by reducing travel time and costs" (Chaw 2003 p. 207). Besides, after 1990 the SLORC started to promote a more market-oriented economy (Yuen 2011 p. 226) in order to adopt a market-based system for the allocation of resources, to encourage private investment and to open the economy to foreign direct investment and promote export. Given the unstable political situation and the fact that SLORC had restricted foreign firms' access to a number of strategic sectors, FDI was concentrated in the least risky sectors, such as tourism, construction and manufacturing. Most jobs were created in the newly emerging garments industry, which employed some 300,000 people at its high point, before the US-imposed sanctions of 2003 hit the industry hard and many workers were laid off (Kyaw 2001 p. 148). During this period, foreign firms investing in Myanmar's garment industry were mainly based in South Korea, Taiwan and Hong Kong (Tunderman 2012 p. 27). Commenting about this development, Chaw (2003) and Kudo (2008) indicate that the workforce of the Burmese garments industry was largely female, young, and poor.

⁶ Between 1988 and 1997 more than 4,000 kilometres of roads were built.

While 400 garment factories operated in the peak period of the market-oriented economy, this number drastically reduced to 143 in 2004. Despite stagnation in industrialization following the US sanctions in 2003, the recent opening of the country to large-scale investments following its “democratization” is expected to foster rural emigration. The number of garment factories then slowly increased until 2011 (180) and the year 2012 shows a significant increase with 230 garment factories (Moe Kyaw 2013).

If urban population in Myanmar accounted for only 32% of the population in 2009 and 33% in 2012, the average growth rate in Yangon’s urban and peri-urban Townships between 1998 and 2011 is 2.58% annually (higher than the 2% average national growth) and is far higher in peri-urban Townships such as Hlaing Tha Yar and Dagon Seik Kan (respectively 7.15% and 15.59% in the same period) (JICA 2013 pp. 2–20, 2–21). A challenging rural economy – as high as 70% of households in some village tracts in the Ayeyarwaddy Delta are landless (Boutry *et al.* forthcoming) – coupled with a developing industrial sector facilitate this growth. International investments in the country jumped since 2012, motivated by conquering new and almost virgin markets and by the cheap labour available in the country. Urban development and population growth in Hlaing Tha Yar and Shwe Pyi Thar Townships directly impacts on Htantabin’s economy and land tenure. Indeed, as we shall see, villages situated along the main axis linking Htantabin to these Townships are now an important source of labour for factories based in these industrial zones, with hundreds of individuals commuting everyday. Besides, land prices rise along the urbanization front with more city-dwellers looking for cheaper housing, now greatly affecting land markets in Htantabin, at least in tracts closest to the main roads. The following chapters provide in-depth analysis on these recent trends.

III HTANTABIN’S CHANGING “LANDSCAPE”

1 Changing livelihoods

1.1 Factory work

As explained above, the creation of industrial zones in Hlaing Tha Yar and Shwe Pyi Thar through the 1990s created new employment opportunities for unskilled labourers to work in factories. While some studies suggest that from the early 1990s individuals, especially young women, from rural areas already filled most positions in (principally garment) factories (see Chaw 2003), interviews in the studied villages underline that the number of workers employed in industrial zones increased mostly through the 2000s, with a huge increase between 2005 and 2010. Different interrelated issues may explain this late change in livelihoods. First, the poor state of roads linking Htantabin to Hlaing Tha Yar and Shwe Pyi Thar until the beginning of 2000s implied that those willing to work in factories had to properly migrate near their workplace, as commuting was impractical: transport costs were high, and roads, mainly earthen or made of laterite, implied long travel times. While transportation conditions improved through the beginning of the 2000s, the sanctions imposed by the US and Europe impacted on the garment industry, limiting the number of employments available. It was only with the political turn started in 2010 under a quasi-civilian, military-linked⁷

⁷ Union Solidarity Development Party (USDP).

government that foreign investments boomed in the industrial sector, attracting many unskilled – often landless – workers. Thanks to improved roads, workers are now commuting aboard vehicles chartered by the factories. While it seems that the majority of workers are female, young men (especially from landless households) are increasingly opting for such livelihoods.

Not all the studied villages rely heavily on factory work. Daung Gyi, which is not connected by a good road, has hindered access, especially during monsoon. For this reason, some households move to other villages – like Sibinthar village – to get closer to factories. In Sibinthar, Tha Paya Khon and Sandayaw, which all have good access to roads linking Htantabin to Hlaing Tha Yar and Shwe Pyi Thar industrial zones, young people are increasingly involved in factory work. At least one member of each of Sandayaw's households works in factories. Working in various kinds of factories started in 2009 and most workers are female. Factory workers have to get up at 5am in the morning and work until 7pm, 8pm and 9pm based on extra working hours. Only Sunday is off. Minimum monthly salaries are 80,000 MMK to 90,000 MMK⁸ and maximum salaries range from 150,000 to 190,000 MMK based on the workers' experience and position. Ferry or transport service is provided by the company to pick up the workers in their village. Meals cost 1000MMK, also provided for overtime workers by the factory. To work in a garment factory, one has to first attend a basic sewing training which costs 10,000 MMK in Hlaing Tha Yar Township. The company itself connects the villagers to that training. Factories look for workers by posting job advertisements in the villages and also through villagers they already know. Working in factories requires having an ID number, a Police Criminal Clearance Recommendation and a labor office recommendation. Factories cut some amount from workers' salary as health service charges. But, in practice, health services are limited to providing basic medicine. If a worker takes one day off, his/her salary is cut for that day and if one takes more than three days, the worker will be fired. Previously, those factory workers worked on farms, essential for harvesting and transplanting tasks. But most of them earned only 3,500 MMK for the whole day working in the mud. Besides, work is available only in the growing season. Villagers prefer permanent work in factories. Further, village grocery shops providing informal loans prefer lending money to factory workers since they get a more regular salary than do other labourers.

Box 2: Factory work for a landless woman headed household

The interviewee, Daw TTM is from Than Paya Khon village. Her husband died in a field when he was drunk. She has five children (three daughters and two sons). One of her daughters married and stayed with her mother. This daughter died and her husband is now a daily worker, and still living with his mother-in-law. One of Daw TTM's son is a monk apprentice (*ko yin*, aged 12), donning the robes four years earlier after the death of his father. The two other daughters (18 and 22 years old) work in Shwe Pyi Thar factories. One earns 110,000MMK per month and the other 130,000MMK per month. They get up at 5am, go to the village at 5:30 and take the ferry at 6-6:30. After work, they return to their home at 8:30pm.

⁸ MMK: Myanmar Kyat is the country's currency. At the time of the study, 1 USD = 1200MMK.

Although they have monetary income, the household is indebted to a private money lender from the village, with a credit of 24,000MMK they have to reimburse 29,000MMK with the interests.

This family is settled on a former village track accessing other rows of houses. Before, they used to live in Daw TTM's father-in-law's house (father of her deceased husband) on a proper village plot. The house and the plot were sold and she (and her husband) shared the land sale income with the eight other siblings. Of the 10 lakhs⁹ they received, they spent four for connecting their house to electricity, and more than two to build their house. They asked the Village Tract Administrator for the authorization to build their house at the fringe of one of the village's secondary roads, as they could not afford buying a proper housing plot.

While a majority¹⁰ of men and – to a less extent it seems – women working in factories are from landless households (often former daily agricultural labourers), children of farming families are also increasingly attracted by such factory employment. The attractiveness of factory work lies in its regularity and salary promotion opportunities commensurate with experience, as well as working conditions. Indeed, despite many reports condemning working conditions in peri-urban Yangon factories – referring to harassment, incompletely paid overtime, etc. (Chaw 2003; Gardener & Burnley 2015) – most of interviewed workers see these employments as “clean” (*than'*) and more “civilized” (*yin kyay*) compared to having to work in the muddy fields under the rain and sun. This is even truer for labourers accustomed to working in low-lying paddy fields common in this area, with water sometimes as high as their thighs. As put by one elder of Sibinthar village, “labourers now go to work with their shoes and umbrellas”.

Box 3: Factory work in a farming household

The interviewee is a 23 year-old female who started working in a Hlaing Tha Yar factory in 2004 when she was only 17 years old. After attending a single seven day-long machine sewing training in 2011, which cost her 8000MMK, her salary was increased a bit. Her salary, about 120,000 MMK per month, is not enough to invest back in family farming. Her parents have nine acres of paddy inherited from their forefathers, but it's been two years since they have grown paddy as they have not been able to afford seeds. She said her parents are planning to dig fishponds. But, her mother sitting next to her said that they want to sell their land if they got a high price. The mother also added that if they could receive a better price for the land, they would invest in other work. Her father is now just working as a brick maker; her elder brother – who feels ashamed of working in a factory – is a cycle courier; and her younger sister also is now working with her in the factory. The youngest brother is in middle school. When the interviewee started working in factory, she was joined by only four coworkers from her village, while now there are dozens. Factories normally accept workers aged between 18 and 30 years old. Only if a person is expert in sewing, 30 to 40 years old people are employed in factories.

⁹ 1 lakh equals 100,000 MMK.

¹⁰ There has been no quantitative study in the villages yet, but focus group discussions are quite clear on these trends.

The interviewee also said that she would love to work again in the farm if things are ‘better’ than now.

We lack precise data at this stage¹¹, but children of farmers working in factories obviously contribute to alleviating their families’ dependency on government and external loans. The monthly salaries (in average more than 100,000MMK) brought by young people employed in factories constitute a regular and secure source of income out of which money can be saved throughout the year. It also means farmers can rely for their consumption on money other than proceeds from their agricultural production, especially in the hardship period of late monsoon. Finally, such incomes may be used in some instances for mechanizing farming units.

1.2 Agricultural mechanization

Another important trend is the increasing use of combined tresher-harvesters – together with other smaller machines – in the studied villages, especially since 2010. Agricultural mechanization has been supported by the Agricultural Mechanization Department (AMD) since 1962 under the Agricultural Rural Development Cooperation and as an independent department under the MoAI since 1972 (JICA 2012 pp. 3–4). However, the mechanization process of Myanmar agriculture has been slow, due notably to the inadequate loans offered by the Myanmar Agricultural Development Bank (MADB) until 2012.

Smaller machinery such as power tillers are common: one third of all power tillers in Myanmar are used in Ayeyarwaddy Region (JICA 2012 pp. 3–4), due to their compatibility with flat paddy lowlands. The massive distribution of small agricultural machinery following Cyclone Nargis’ emergency response also accelerated mechanization in the Delta. Paddy threshers are also found in all villages. More recently, reapers have appeared for paddy harvesting to overcome labor shortages and time constraints.

A combined tresher-harvester costs between 80 lakhs for a Chinese brand to 340 lakhs for Japanese or Korean brands. However, firms that are commercializing combined tresher-harvesters in Myanmar recently started proposing hire-purchase schemes through installment (such as 40% cash down payment, 60% through regular installments). Besides, the price obtained by selling a land (see below) also fostered farmers’ capacity to invest in such machinery. Combined tresher-harvester owners said they could get their investment reimbursed through only one or two seasons of renting their combine to other farmers. These machines thus represent an interesting investment in a new income generating activity with some owners saying they rent their machines out to places as far afield as Nay Pyi Taw region, at a 40,000 MMK per acre’s rate.

Moreover, the multiplication of combined tresher-harvesters – in just Sat Kalay village, for example, there are six machines – can be considered a “small revolution”, at least by the farmers. Indeed, the availability of farm labour has been decreasing across the years, a trend even reinforced since 2010 and the massive enrolment of labourers in factory work. Besides, these machines save time for the farmers, so that for example a 30-acre tract of land may be harvested in two or three days compared

¹¹ A quantitative study on the links between land tenure and livelihoods is planned by the end of 2016.

to the month that manual labour would require to complete the same task. Finally, at a renting rate of 40,000MMK per acre, many farmers say that mechanized agriculture is cheaper than manual labor, or at least equivalent.

However, there are few production downsides to mechanization (not to mention social and other livelihood aspects; see below). First, harvesting with machines generally produces more waste than manual labour. Besides, in many low-lying fields, the cost is often higher than 40,000MMK per acre since machines have to work longer and slower because of the depth. Rice plants laid down by the wind are also much harder to harvest with machines than with manual labour. With workers, straw can be recovered to then be sold, while with machines it is lost. Another example of productivity issues is that with labour being de-mobilized (and hence not available), additional tasks such as weeding now have to be done with weedkiller, bringing extra-expenses. Finally, these machines become actually profitable (at least for the owners) when working on large tracts of consolidated (i.e. contiguous) land.

1.3 Is everyone in the same boat? Landless households left “in-between”

As remarked above, there are some downsides to agricultural mechanization, both in terms of livelihoods and social organization. Whether mechanization derives from an absence of available labourers or whether mechanization drives labourers into factory work because of lack of employment in farming is a question of the chicken and the egg. A more relevant one is whether every farm labourer becomes a factory worker, to which the answer is obviously no, and for several reasons. Factories’ workforce is mainly female, even though young males employed in industrial zones are growing in number. Moreover, according to our interviews, unskilled women over 30 years old can hardly find work in factories¹², although there are no regulations regarding this matter. Further, while the minimum legal working age is set at 18 years old, it is not uncommon for younger girls (sometimes even as young as 12¹³) to work in such factories, borrowing a National Registration Card from a relative or friend.

Box 4: Is factory work enough? The case of a landless household in Than Paya Khon

The interviewed family is composed of a married couple with nine children (three boys). One of the sons is a *Ko Yin* (apprentice monk) and five of the daughters are married. One of the sons is under 16 but working in Hlaing Tha Yar garment factory with another’s ID card. He works ironing clothes, and earns 75,000MMK per month.

They all live in the same house – except for the *ko yin* – which is really small. The wife says there are often conflicts about housing land in the southern part of Than Paya Khon. Indeed, this part of the village is much more crowded and on one plot one can see many aligned houses. Living space is under pressure. For this reason, one of the married girls, who has a husband working in Malaysia, doesn’t want to take remittances, as that cash will be spent on current consumption needs. She prefers that her husband save the money to one day be able to build a house in the

¹² An Oxfam report on workers’ condition in these industrial zones relates, as a matter of fact, that interviewees’ average age was 23.5 years old (Gardener & Burnley 2015 p. 10).

¹³ As in the case of one interviewee’s daughter.

village. The mother is from Sat Kalay village. The husband is from Than Paya Khon. They always have been labourers. They consume at least two bags of rice per month. Now it's harder to get loans from farmers due to mechanization. Before machines, as regular labourers they could ask money in advance over one season, but now jobs are mainly on a daily basis for specific tasks which can not be done with machines, such as transplanting.

Another downside in the mechanization process is the disappearance of social and economic bonds between farmers and labourers. Indeed, farm labourers have access to advance money – or rice – given by the farmer, generally ahead of the cultivation season. This money or rice is reimbursed by the end of the labour period to the farmer. By stepping outside these networks – whether because an individual opts for factory work or because the farmer is not asking for their labour anymore – means that these individuals have to rely on private money lenders which interests are high (between 8 and 15% per month). Note here that WHH's work in Htantabin through microfinance and health insurance greatly helps labourers cope with this situation.

Box 5: WHH project overview

Welthungerhilfe (WHH) has implemented a series of integrated food security projects in Htantabin Township from 2007 to 2014 covering a total of 10 village tracts and 40 villages (on average working for three years per village). With funding from the BMZ, WHH Currently focuses on building the capacity of Village Development Committees (VDCs) and VDC Federations for village-led development, micro-finance for small business development and social safety nets for the very poor as well as Self-Help Group (savings group - SHG) federations and farmers networks for cooperative economic development and extension. These community-based structures focus on self-administrated community development with an emphasis particularly on the management of self-created village development funds, social safety nets and economic cooperation for the improvement of living conditions of the poor and very poor, as well to advocate for further development initiatives to newly formed township development committees and division authorities. Particular emphasis is placed on building community networks for social safety nets, advocacy, cooperative actions, income generation and empowerment of poorer farmers and the landless, with a focus on women. The VDCs and VDC federation (*Su Pon Ah Meh Federation- "United Strength Federation" in English*) are non-profit community based organizations (CBOs). Individual members currently pay a nominal fee (0.50 Euro/Year) for access to its services: small loans for business capital, emergency health micro-insurance, audits, representation, village development activities and advocacy. VDCs/VDC Federations are managed voluntarily by village residents, elected by the community and represent all socio-economic classes. Currently the VDCs/VDCF have a total of approximately 3,500 members in 40 villages.

1.4 Toward a more urban way of life? Livelihoods and representations

These changing livelihoods reflect impacts of Yangon's urbanization on peri-urban Townships such as Htantabin. Thanks to road improvements throughout the 2000s, as well as a renewed interest from

foreign investors in Myanmar's garment sector, factory work and a more urban lifestyle are only "half an hour away" from the rural reality of agriculture. Together with these new livelihood settings come new consumption patterns and new social representations. We already noted that employment is now discussed by young people in terms of "cleanness" and "civility"; the regularity of employment is also valued. Other representations surround this livelihood. Some farmers underlined other social consequences, such as the greater melting pot of geographical and social origins found among the workers of the same factory. Through this new livelihood and through their children, farmers' social space is widening from village or *kwin* based, to a more national based one: some farmers may fear that their children will fall in love with somebody hailing from far away – the meaning of 'far' varying from a 4-mile distance to upland areas depending on the interviewees. Such exogamy is not only seen as a threat to social cohesion – e.g. marrying somebody from Dry Zone may lead to the fragmentation of the extended family – but also to social reproduction: farmers' children may marry landless' ones. But conversely such alliances also widen livelihoods opportunities, so that farmers become aware of agricultural conditions for example in areas which a decade ago were still out of reach. Some Htantabin farmers use this new knowledge to invest in land and agriculture in other Townships, relying on their kin to work the land under indirect land use rights.

This urbanizing way of life also brings new livelihood opportunities at the village level. Since factory workers are commuting, cooking meals for several workers at once is practiced as a livelihood in all the studied villages. This is especially relevant for newly settled households and individuals who migrated to these villages in order to get closer to factory work (see chapter IV1.2). Housing the latter is also a source of income. Villagers having access to extra land (mostly farmers), build barrack-rooms (*line khan*): single-storey wooden building of around 5 rooms of 10 square feet in a row rented to individual workers as well as young couples (see Figure 2). These are the cheapest available rents (after squatting), ranging from 20,000 to 30,000MMK/month depending on the room's size and the building's location. The closer to the main roads and public transportations, the more expensive the rent. This particularly urban type of housing – extensively found in townships such as Hlaing Tha Yar or Shwe Pyi Thar sheltering industrial zones – is also burgeoning in the vicinity of universities, and for instance in Sibin Thar village situated next to Western Yangon University.

We may see after that this type of housing cum income generating opportunity is an important factor in land use change affecting agricultural land in this area.

Finally, other activities can be seen as indicators of an urbanizing way of life. In most of the studied villages, small food and snack shops are multiplying (noodle shops, tea shops, etc.) which provide good incomes particularly on Sundays. In other words, factory work introduced the binomial conception of working days vs. days off, and the associated idea of spending some leisure time (and part of the earned money) with friends and family. Interestingly, interviews suggest that such shops are often the result of remittance investments made possible by international migration – the most widespread destination being Malaysia.



Figure 2: Barrack-rooms rented to migrants, poor households and students

Last but not least, the farmers' will to sell land also derives from this urbanization process. As brought up above, urbanization of Htantabin Township translates into new land uses, may they be for housing or new types of production (brick making, fish ponds, poultry, etc.), as will be explained in the following chapters. Whatever the reasons for selling land, the most obvious associated income generating activity is that of becoming a "broker". Indeed, land markets bring multiple stakeholders that must be interconnected. From brokers acting in integrated land market chains to those taking punctual opportunities of individuals looking for land on-site, villagers are essential in linking supply and demand. The roles of brokers and the different stakeholders involved in the land market are analysed in the next chapters.

2 The rise of a land market

2.1 The "land turn": Yangon's development and 2012's new Land Law

The "land turn" refers here to two – almost simultaneous – changes to the characteristics of the land market in the south of Htantabin Township. In 2012, the new Farmland¹⁴ Law was approved by

¹⁴ All areas of Myanmar included, the farmland category comprises seasonal crops in lowlands and uplands (*ya* land), alluvial land, Nipa palm land, hillside cultivation land (*taung-ya*), perennial crops land and garden land. There are however many restrictions and cumbersome process needed to change any type of sub-category into another (for

President Thein Sein, finally allowing farmers to transfer land use rights through sale, mortgage; allowing indirect land use rights (sharecropping, rent, etc.); and codifying inheritance. The 2012 Farmland Law also introduced a titling process undertaken between 2012 and 2014, and a new land use right title called Form 7.

While farmers already transferred land before the new law, they had to get around the prohibition of land sales and lease through a combination of formal and informal arrangements (eg. handwritten contracts made on normal paper, or on “government tax stamp paper”, with the signature of the village tract administrator). The only formal transaction for, for example, selling one’s rights to a piece of land was to give that land back to the land management committee, who would attribute it back to another farmer. Thus a sale had to be arranged between the two ultimate contractors (seller and purchaser), with the support of LMC’s members, especially the chairman, that is the Village Tract Administrator (Boutry *et al.*, forthcoming). The new land law actually came to legitimize an already existing system of land transactions that, very importantly, tended to be limited to the village or village tract’s agricultural sphere¹⁵ (Boutry *et al.*, forthcoming). The new land laws of 2012, by legalizing the transfer of land use rights, brought outsiders into local land markets.

Through the 2012 Land Law and more broadly speaking through the country’s democratization process, most farmers perceived in this legitimation the right to freely dispose of their land; that is to sell it whenever and wherever it may be valuable, and to whoever and for whatever purpose. This is however not the case legally speaking. Indeed, if the 2012 Land Law allows such transfers, holders of land use rights are still bound to a category of land use – and for some agricultural land, to a specific crop, as it goes for paddy land.

Concomitantly, the political transition renewed and fostered foreign investments as well as assistance, as seen in the Strategic Urban Development Plan of Greater Yangon designed with the strong support of JICA. Following this plan, Htantabin was identified as a new urban centre within the Greater Yangon (JICA 2013: 1-3).

These two simultaneous designations unsurprisingly led to a speculative approach to land in what may be the targeted areas of Htantabin for the development of Greater Yangon. Indeed, there are no clear indications regarding the areas concerned by the project, nurturing speculative land transactions. Implicitly, speculating on Htantabin’s land – agricultural in the most part – means that land’s finality is unlikely to be for agricultural purpose.

On the ground, land speculators can be divided into three categories, that is those speculating on: large tracts of land (dozens of acres) for industrial or large real estate purposes; on small tracts of land (from one acre to few acres, generally under 10) for housing purposes (land is divided into plots); and finally small tracts of land for agricultural purposes (including aquaculture and poultry). The different types of land use and categorization offer a complex framework for speculation on

example seasonal to perennial crops). In the area concerned, farmland sub-categories are paddy land (sub-category “R”, as “rice”), garden land and alluvial land.

¹⁵ This of course does not take into account land “transfers” operated by the State such as land grabbed for the use of authorities or to be sold back to private investors.

which a large panel of stakeholders develops strategies and responses to the State's attempts to regulate the land market.

Indeed, the "land turn" pertains also to a new dimension: while land speculation existed even before the 2012 Land Law and the launching of the Greater Yangon development plan, it was limited to an elite, generally close to the military government, on mainly large tracts of land. In its current setting, Htantabin's land market involves a multitude of different stakeholders, ranging from factory owners to individual city dwellers, or even villagers themselves. Indeed, the sense of opening instilled by the democratization of the country, an increased pressure on land and real estate – especially in Yangon due to an increasing number of foreign companies entering – and finally the new land laws brought land closer to being a commodity, in which all levels of the society are willing and able to invest. From middle-class city dwellers to cronies (see IV1.3), most people got the sense that land's value can only be lifted higher by the propulsive force of development. Importantly, the weak Myanmar banking system, though currently being deeply restructured, offers few saving options. Consequently, for many middle-class city dwellers, investing in land is seen as a productive use of savings.

To better understand all the characteristics of Htantabin's land market and associated issues (notably in land use planning but also in terms of exclusion of the poorest), we examine the different uses made of available land and then go into the diversity of stakeholders involved in land transactions, from authorities to villagers, in an attempt to decipher who is "making" the land market.

2.2 The different land uses in the context of a developing land market

a. Paddy land

The majority of land in the studied area is under paddy land category (R category, *le myay*). Depending on its quality and access to irrigation – divided between government and privately irrigated – paddy land is given different designations. Regardless of these distinctions, paddy lands are by far the most complicated land category to transform into another land use, with a cumbersome approval process necessitating a decision taken at the Union level (Nay Pyi Taw) by the Farmland Management Body. All farmland is under the jurisdiction of the Ministry of Agriculture and Irrigation (MoAI) and supervised by the Settlement and Land Record Department (SLRD - now renamed Department of Agricultural Land Management and Statistics, DALMS).

Paddy lands have long been little profitable in many parts of the studied villages. This has to do, as we have seen, with many low-lying paddy fields subjected to flooding, where many weeds generally develop, locally called *thar-man-myay*. "Normal" (*yo-yo*) fields are those where double cropping is possible with some flood management, and "special" (*ahtu*) fields are those elevated and flat enough to practice double-season paddy with quite secure yields. Despite the Nyaung Done lowland reclamation project initiated in the 1990s, the Pan Hlaing River has increasingly silted-up since then, hindering the positive impacts of the different sluice gates and embankments built in the area. The river hence had a decreasing drainage capacity until the point it totally stopped flowing, as in Sandayaw village, revealing some alluvial land worked and inhabited by the villagers, but overflowing during monsoon, impacting notably on Sandayaw and Than Paya Khon villages. The Pan Hlaing River

dredging project implemented and completed in 2015 restored this situation – yet created other issues regarding housing in Sandayaw village (see following sections).

Despite increasing yields brought by improved technical knowledge¹⁶ and minimized risk of losing what is produced thanks to mechanization, there is little hesitation from the farmers’ side when it comes to selling land at speculative prices. It is important to note that not all paddy lands are subject to speculation, meaning that not all farmers can profit from the new land market. Lands that investors are looking for are preferably situated by the main axis, that is Hlaing Tha Yar to Htantabin road, the Western Yangon University road linking to Shwe Pyi Thar industrial zone, or, in a second choice, land situated by inner village roads. These characteristics logically impact on land prices (see Table 1).

Table 2: Paddy yields in 3 of the studied villages, according to interviews

Village	Max. Yield (Baskets/acre)	
	Monsoon paddy	Summer paddy
Sandayaw	60	90
Daung Gyi	70	120
Than Paya Khon	60	100

Most paddy lands are actually bought in large surfaces (acres-wise), to be transformed into housing plots of 40x60 feet or 20x60 feet. The most visible signs of such intended land use are concrete posts delimitating the plots and tracks cleared between the plots to access each of them, resulting in grid patterns visible in satellite imagery (Figure 3).

¹⁶ Notably through the work done by WHH on seeds’ purity, seeds bank, etc.

Table 1: Land prices recorded in studied villages

Land id.*	Year**	Village	Current land use	Land category	Price (lakh***)	Land's location/road
SDY 1	1989	Sandayaw	Housing	Farmland	0,03 / plot	Before road construction – <i>kwin</i> ****
SDY 1	2014	Sandayaw	Housing	Village	50 /plot	Main village road
SDY 2	B. 2014	Sandayaw	Farmland	Farmland	5 / acre	Before road construction - <i>kwin</i>
SDY 2	2015	Sandayaw	Housing	Village	8 / plot	By village road (concrete)
TPK 2	B. 2012	Than Paya Khon	Farmland	Farmland	5 / acre	By village road (earthen)
TPK 2	2014	Than Paya Khon	Farmland	Farmland	230 / acre	After buying, concrete road/bridge were constructed by buyer
TPK 3	2009	Than Paya Khon	Housing	Village	1 / plot	Inside village small earth road
TPK 3	2013	Than Paya Khon	Housing	Village	35 / plot	Concrete road
TPK 3	2015	Than Paya Khon	Housing	Village	65 / plot	Concrete road
DG 1	B. 2015	Daung Gyi	Farmland	Farmland	3~5 / acre	No road, somewhere in filed
DG 1	A. 2015	Daung Gyi	Farmland	Farmland	70 / acre	Road (earthen, will be improved soon) connecting to Htantabin
DG 2	B. 2015	Nae Pyaw	Farmland	Farmland	3~5 / acre	<i>Kwin</i>
DG 2	2015	Nae Pyaw	Farmland	Farmland	8~11 / acre	<i>Kwin</i>
SPT 1	B. 2012	Sibinthar	Farmland	Farmland	4~5 / acre	<i>Kwin</i>
SPT 1	2015	Sibinthar	Farmland	Farmland	400~500 / acre	Inside of village field
SPT 2	B. 2012	Sibinthar	Farmland	Farmland	5 / acre	Next to main road
SPT 2	2014	Sibinthar	Farmland	Farmland	16 / acre	Next to main road
SPT 3	B. 2015	Sibinthar	Farmland	Farmland	16 / acre	Next to main road
SPT 3	2015	Sibinthar	Housing	Farmland	20 / plot	Next to main road
SPT 4	2010	Sibinthar	Housing	Farmland	5 / acre	Field inside of village
SPT 4	2010	Sibinthar	Housing	Farmland	450 / acre	Field inside of village

* The same plot keeps the same id.

**B.: before, A.: after

***1 lakh = 100,000 MMK

**** *Kwin*: in the paddy fields, not connected by road



Figure 3: Satellite view of Sibin Thar village's surrounding farmland (housing plots pattern) – Source: Google Earth

In terms of land availability, paddy lands are by far the biggest resource for speculators. However, legally speaking, changing farmland into another purpose is not an easy matter. As explained in the previous chapter, this pertains to the military governments' obsession with fostering rice production (despite meager results) while having little interest in other possible cash crops and fearing losing paddy land to other uses. As a matter of fact, only a few land transactions undertaken between 2010 and 2015 resulted in a land use change (see following chapter).

b. Horticultural land (garden land)

The other main type of agricultural land – also under MoAI-DALMS – found in the area is horticultural land. There are horticultural land scattered in all studied villages but only Sibin Thar encompasses great surfaces, in its northwest side.

In contrast with paddy land, horticultural lands are more easily changed into other uses, especially housing. For this reason, speculators prefer horticultural over paddy land. The main limitation for large-scale speculators concerns the supply of such land regarding the little surfaces available compared to paddy land, as well as the availability of horticultural land strategically located by the

main axis and village roads. However, some well-connected individuals may try to overcome this limitation by strategically buying horticultural land in order to transform adjacent paddy land in the same category (see IV2.3c).

c. Grazing grounds

Grazing land have been recognized as a specific land category under the General Administration Department (GAD – Ministry of Home Affairs) since the Land and Revenue Act (1878), which stated that:

“The President of the Union shall from time to time as occasion requires make rules for the allotment from the land referred to in section 18 of grazing-grounds to the inhabitants of any village in the neighbourhood whom he considers to stand in need of such allotment, and for regulating and controlling the enjoyment of such grazing-grounds by persons permitted to resort thereto” (quoted in Leckie & Simperingham 2009 p. 62)

The Land Nationalization Act (1953) carries on with the President’s duty to “preserve the grazing grounds and village common land, except for demanding them by other orders” (*ibid.*: 531).

All the studied villages had designated grazing grounds, officially dating back to the British colonial period. In practice, no grazing land remains in the studied villages, for most of it has been appropriated by the State or by powerful actors, in diverse ways, be it through the Tenancy Law (1963, amended 1965) or the Duties And Rights Of The Central Committee For The Management Of Culturable Land, Fallow Land And Waste Land (1991), (see boxes below).

Box 6: Than Paya Khon grazing grounds

In 1962, the Village tract Land committee took 20 acres from a total of 62 acres of village grazing land, to be worked under paddy. In the 2000s, under governance of U Khin Maung Than (Regional Commander), the Village Tract Administrator gave the remaining 42 acres to Township DALMS who leased-out the land to farmers.

In 2003, another Village Tract Administrator wrote some letters to the Regional command, so that eventually 20 acres went to DALMS, 20 acres to the land management committee and 20 acres back to the village as communal land – those are auctioned each year and the obtained amount is used for village development projects. There are currently no more grazing grounds in Than Paya Khon.

Box 7: Daung Gyi Grazing grounds

Daung Gyi village used to have 52 acres of grazing ground. The neighbouring villages of Kyar Hone and Pat Inn had, respectively, 100 acres and 80 acres of grazing grounds. Those grazing land are contiguous. Around 2001-2002, a ‘crony’ (a relative of General Khin Maung Than) was granted the right to farm on those grazing land under the Management Of Culturable Land, Fallow Land And Waste Land (1991) law. The crony let farmers from Kya Pike village sharecrop on it. Two farmers who once extended into those grazing lands without knowing it were reported to officials by the crony.

According to the Daung Gyi village head, the crony has just received form-7 for those grazing grounds.

Box 8: Sinpinthar grazing grounds

The village used to benefit from 20 acres of grazing grounds. But since being captured by general Ne Win, the land was turned into farmland. Now there are many houses built on it. No one knows if those houses have permission or not to be settled there.

d. Village land

Village land is another official category of land which “is transferable and situated outside of urban areas” (Leckie & Simperingham 2009 p. 31). Although village land does not come with proper land titles – as opposed to urban settings where housing land are provided with *gayan* (derived from the English “grant”) – the fact that it is transferable ensures a quite secure tenure. Contrary to agricultural land, the ultimate owner of a village land plot is not the State, but the individual.

Villages in lowland Myanmar (from Dry Zone to Delta) have seen their geographical expansion at the expense of surrounding farmland without requiring any official land use change. Only the creation of a new village would require an authorisation from the Central Land Committee. The extension of villages is progressively done by encroaching on farmland areas adjacent to the village, turning paddy lands into gardens with trees and horticultural crops or building animal shelters or new houses adjacent to existing ones for the needs of demographically expanding populations.

Given the security of tenure that this status provides, prices are even higher than any other housing plot (on paddy or agricultural land). We will see in the next section that village authorities as well as some individuals are seeking to transform agricultural land into village land at a greater pace, whether for the welfare of landless villagers or for their own interests.

e. Fish ponds and animal husbandry

The development of fishponds is not directly related to the growing value of land. However, we should see that this sector may foresee more developments in an urbanizing context.

According to our interviews, fishponds started in the 1990s with Ma Shwe U village, and later extended to other villages, including – in our study – Sandayaw. This coincides with findings from a study in the fish-farming value chain, stating that:

“[...] the 1989 Aquaculture Law, [...] promoted the conversion of uncultivated “wasteland” to fish ponds. In fact, there is little uncultivated land left in the Delta, so in practice many of the concessions granted to fish farm businesses included paddy land. The conversion of paddy land to fish ponds was actually accelerated by improvements to paddy land: flood control schemes constructed in rice growing areas of the Delta in the late 1990s to intensify rice production made the land more suitable for pond farming.” (Belton et al. 2015 p. 3)

Although there are no large-scale concessions in Htantabin, many local entrepreneurs profited by the same Aquaculture Law and flood control schemes to develop their fields into fishponds. Most of them subsequently obtained form 105 – i.e. turning paddy land into another category (garden, livestock breeding or aquaculture) – and pay annual taxes to the Department of Fisheries (1.6 lakh¹⁷/acre in 2015). Proper fishponds are often built by wealthy farmers able to provide necessary investments and connected enough with the Township authorities to obtain form 105. Ma Shwe U is still the main village for fish-ponds in the area, owing to the presence of an ice-plant. Among the studied villages, there are also eight villagers in Sandayaw practicing fish aquaculture, as the village is close to Ma Shwe U. Sandayaw’s administrator, who practices fish farming, said that ponds in the village have been set-up since 1993. Some village fishponds don’t have official documents and are operated with the – paid – “understanding” of the administrator and Township authorities. Most owners of lands under aquaculture managed to pull them out of the titling of farmland undertaken under the 2012 Farmland Law, hence narrowing the official gap between land categorization and actual land use. Indeed, Form 7 introduces the legal possibility to change land-use categorization, but this is restricted to farmland uses – i.e. seasonal crops, garden land and alluvial land for this area – and reinforces the duty of the title owner to maintain the official land use.

Besides proper fish farming, five farmers in Sandayaw also have practiced for a long time a combination of paddy and fish captured in the fields.

Another more recent (late 2000s) practice is the implementation of poultry cum fish-pond activities. These are scattered in Htantabin Township, generally close to the road for easy transportation of products to Yangon markets. These relatively large-scale units are, according to our interviews, most often run by city-dwellers as it requires large investments and once again enough connections with local authorities to run this activity on farmland. Indeed, most of the lands used for these farms are still under farmland category.

Box 9: A chicken cum fishpond in Sandayaw

The interviewee is managing a chicken cum fishpond farm. He used to be a tenant farmer to his parent’s-in-law. In 1989, a Yangon entrepreneur bought three acres of farmland in Sandayaw at one lakh per acre to set up a chicken farm. In 2008, the entrepreneur transformed the three acres into a fishpond, above which chicken are raised in a building. The organic waste from the chicken farm feeds the fish. The entrepreneur has several chicken retailing centres in Yangon to which chicken raised on his farm are sent. Around 900 chickens are raised at once. Notwithstanding the fact that land is still under the farmland category, the entrepreneur bought five more acres in 2010, at 10 lacks per acre, to extend his chicken farm. For the time being, the interviewee explains they are working only with the understanding of the authorities, while the entrepreneur is said to be in the process of formalizing the land use change. The entrepreneur donated 20 lacks for the village road’s construction. According to the manager, profit made by the farm reaches 400 million kyats per year.

¹⁷ 1 lakh = 100,000 MMK.

The switch from rice cultivation to fishponds and animal husbandry is not a coincidence in such a setting, which is close to Yangon, the main urban centre of Myanmar. As outlined in many studies (Little and Edwards 2003, Reardon *et al.* 2014, Toufique and Belton 2014), the growth of an urban population often implies a greater demand for cultured fish as well as products from animal farming. Some studies suggest that urbanization – that is the creation and growth of urban markets requiring consistent supplies of food and depopulation of rural areas that dampens demand for food produced in traditional systems – has a strong impact on livestock and crop specialization (Pingali 1995). Around Ho Chi Minh City, farmers actively switched from rice cultivation to animal husbandry and horticulture (Vo 2006) to address this urbanization process. The improvement in roads also offers better transport conditions to the main markets which are situated in town. In Yangon, those are Hlaing Tha Yar Mi Kwat Market and Thiri Mingalar Market in Kyimyindine.

This rapidly increasing urbanization process is tangible in many farmers' discourses in Htantabin. In Sandayaw but also in Sibinthar respondents said they were planning to invest in fishponds after having sold some land at high prices.

IV LAND MARKET STAKEHOLDERS, TRANSACTIONS AND STRATEGIES IN THE POST-2012 FARMLAND LAW ERA

1 A land market, by whom?

Under the provisions of the Duties and Rights of the Central Committee for the Management of Culturable Land, Fallow Land and Waste Land (1991), many agricultural lands were seized by the State and leased or attributed to investors. We may recall also that the nearby Hlaing Tha Yar Industrial Zone was set-up in the 1990s, providing a favourable ground for the first speculators waiting to sell large tracts of land to establish factories:

“Since the year 2000, the construction ministry has been providing grants to applicants on condition they use them to build factories. However, many took the money and chose instead to speculate on the value of the land, as the price per acre rose from K400 million to K6.5 billion.” (Za Yar Linn 2015)

However, as underlined in the beginning of this chapter, the current configuration of the land market in Htantabin brings a more local dimension to land speculation. While some lands along the Hlaing Tha Yar-Pathein road were acquired recently for the purpose of building new factories, most of the speculation around the studied villages is concerned with small-scale (housing) and middle-scale (gas station, brick-making factories, real estate) land acquisitions. Yet, in terms of the number of transactions and amount of profits, the majority of land acquisition is dominated by creating housing plots.

This local dimension implies a great number of stakeholders and a certain complexity of transactions, hence greater difficulties for the authorities to tackle the potential issues raised by this land market. The strategies developed by stakeholders to achieve a profitable sale (for the sellers) and a purchase

as secure as possible (for the speculators), respectively, mirror the complexity of land classifications and associated rights and duties.

The primary stakeholders in Htantabin’s land market are the farmers. Some are poor but many are not. The housing characteristics of Than Paya Khon village differentiating those in the north (mainly inhabited by farmers) from those in the south (mainly inhabited by farm landless labourers and factory workers) clearly indicates a wealth differentiation between the two communities. The size of houses’ compounds between these two main categories of households are also unequal, with farmers generally having larger compounds while houses in Than Paya Khon south are much closer to one another. Beside the farmers, there are many other local people and households who use land for something other than farming. The bulk of them have an interest in land for the purpose of residing on it. Some have an economic activity related to land, such as brick making or raising fish. Table 2 summarizes the different private actors in Htantabin’s land market, specifying their role and interests in land, and whether they are villagers or outsiders. Let’s however note that the term ‘private actors’ cannot be taken strictly, since some entrepreneurs, while acting for their private interest, are also part of administrative bodies, hence with a greater access to the market and with greater power to formalize land acquisitions.

Table 2: Private actors with roles and interests in land (adapted from Bentinck 2000 p. 77)

Actor	Role in land	Profile
Farmers	<ul style="list-style-type: none"> - Farming - Leasing out, leasing in - Selling land 	<ul style="list-style-type: none"> - Mostly original farming households - Villagers, some outsiders (leaseholder) - Mostly original farming household
Residents <ul style="list-style-type: none"> - Original residents - Settlers 	<ul style="list-style-type: none"> - Residential space (buying, renting out) - Residential space (buying land, squatting land, renting/buying house) 	<ul style="list-style-type: none"> - Original village households - Migrant households
Entrepreneurs and speculators <ul style="list-style-type: none"> - Absentee farmers - Farmhouse owners - Brick kiln owners - Fish-pond owners 	<ul style="list-style-type: none"> - Speculating, leasing-out, selling out - Selling land / speculating - Buying (agricultural) land - Buying (agricultural) land 	<ul style="list-style-type: none"> - Outsiders, few villagers - Villagers and outsiders - Villagers, few outsiders - Villagers, few outsiders

Land brokers (<i>pueza</i>)	- Buying, 'planning' unauthorized settlements, speculating	- Outsiders and villagers
-------------------------------	--	---------------------------

Among farmers, not all are benefiting from the high value given to land by speculators. As a matter of fact, speculators are looking for land close to the main axes (i.e. the Yangon-Pathein Road, Hlaing Tha Yar-Htantabin road and Htantabin-Shwe Pyi Thar road) and, as a second choice, land close to roads linking these main axes with villages. The difference in location means a difference in price, which itself coincides more or less with different kinds of entrepreneurs and speculators. Those able to pay the highest prices are most often rich city-dwellers, while those purchasing along village roads are a mix of city-dwellers, local farmers and entrepreneurs.

We may underline that, importantly, lands under speculation are not purchased for productive purposes¹⁸. In other words, farmers willing to buy land for agricultural purposes are not participating in the speculative “bubble” of the Htantabin land market. However, land purchased by speculators may be kept under agricultural purpose, then leased-out to local farmers while waiting of favourable conditions to transform the land (see IV1.3).

1.1 Farmers

The first beneficiaries from the land market are thus farmers who own land near the roads. Most of them sell land on an acre basis. Very few farmers are directly involved in the dividing of farmland into housing plots. The main reason is that Form 7 binds them to an agricultural use of the land, and most would not take the risk of their land being confiscated by the authorities. There are however some exceptions, as seen in Than Paya Khon and Sibirhar (see IV1.4 and IV2.3b).

Therefore, farmers are the primary beneficiaries, but are not primary speculators and they obtain the lowest prices (per surface) for the land. The differential between a land sold by acres and the same land subdivided into individual housing plots is between two and five times the price on the total surface.

Despite this huge difference, farmers are keen to sell land targeted by speculators, since the price obtained is enough to deeply transform their way of life, status and livelihoods (see Chapter V). Not all would-be-transactions are actually taking place, but every farmer in the area is dreaming of selling land, even if the decision-making is not always smooth within the family (see Box 10). As one female respondent put it: “We live peacefully, my husband does his job on computer and I, in my hammock... I think how much money we could get from our land”.

¹⁸ There are very few exceptions observed during this study. One of these is the purchase of a piece of land by a Japanese entrepreneur in Than Paya Khon who is growing organic rice then exported to Japan. However, according to information gathered the enterprise is not really successful and may be terminated in the coming year.

Box 10: A farmer who sold half his land in Than Paya Khon

The interviewed farmer tells us he heard that other farmers were selling off their land situated along Htantabin main road. He thought that if he could get 250 lakhs per acre, he would like to sell two acres from his total of seven acres. He informed the teashop at the village entrance of his intention, the place where information is shared. He also informed one successful land seller (farmer) to ask his broker about the current price of the land. The interviewee's farmland is a bit far from the main road, but along the road leading to the village.

In June 2014 (after intimidation by the Township Land Management Committee – see IV2.2b), he sold out his two acres at the price of 230 lakhs per acre – nearly his asking price. At once, another farmer sold out three acres to the same buyer. Those two acres and three acres are not contiguous, but situated at each side of the village road.

They made a paper contract (with seal tax) for both land in front of the village head. The village head acted as a witness for guaranteeing that those lands are clear from objections and inheritance sharing problems, etc. The administrator did not sign the contract.

The land buyer just paid around half of the all amount, and set a date for paying the remaining sum, but did not come back, so that the interviewed farmer kept his land. According to other informants from the Village Farmland Management Body (VFMB), the buyer intended to divide the acquired land and sell it as housing plots. Letters were sent by the Township Farmland Management Body (TFMB) to the seller and buyer and the concrete poles delimitating those plots were removed. This may be the reason why the buyer did not pay the remaining amount.

The decision to sell above two acres was not smooth between the interviewed farmer and his family members. He has 11 children. His wife and his elder son are in Malaysia but did not want to sell out as they hoped to get a higher price than 230 lakhs per acre. In 2002, he worked as tenant by renting 20 acres for summer paddy. But the yield was bad and he lost most of his investment. So he decided to send his eldest son to Malaysia who had to pay money for four years for the agent fee. So the farmer had to argue with his family members about taking the opportunity of actually making the sale, which may be a good choice since transactions were already slowing down. After selling land, the farmer had to redeem around 200 lakhs of debt. He said that "I was never free from indebtedness since forced procurement paddy time. I could redeem all debts with this money and now I can invest in my farmland with my own money and without any debt."

1.2 Residents

Residents can be divided into two main groups: local villagers owning housing land and outside settlers. Outside settlers either come from more isolated – as per access to the main roads – villages to get easier access to factory jobs, or from more urban or peri-urban Townships (notably Hlaing Tha Yar), looking for cheaper land to be acquired. Finally, a third group is emerging, made of landless residents. Those are mostly (but not only) villagers who lost land because of debts, generally motivated by unproductive loans (health notably). Given the land market affecting Htantabin, villagers having housing land – farmers and labourers alike – are now potentially rich (see Box 11).

Box 11: Successive sales of village land in Than Paya Khon

Village land prices significantly increased since last year, because of increased demand and a land market lubricated by active brokers. The Village Tract Administrator says that in August 2015 one village plot (20x60 feet) was sold at 62 lakhs. The same plot had been bought by an individual from Hlaing Tha Yar two years before for only 35 lakhs. The plot has been sold again in 2015 to a taxi driver, also from Hlaing Tha Yar.

Currently, village land can reach up to 200 lakhs for a 40x50/60 feet plot. Last year, it was more around 85-100 lakhs / plot.

This trend may be linked to the fact that speculators have been frightened by Htantabin Township Land Management Committee which warned by placards placed in each village tract of the Township (see IV2.2b) that those buying farmland in order to use it for other purposes (whether industrial or housing) would be punished. Consequently, speculators are now looking for village land or garden land which is less strictly monitored than paddy land in terms of land use change.

Yet, for poor households having sold their sole housing land, getting back access to a plot in the village becomes highly improbable, hence they end up squatting on public land. Few squatters can be found in Sibinthar village (approximately 10 households), or at the entrance of Than Paya Khon village. In Sibinthar, one group made up of former villagers have houses built on land belonging to the Department of Irrigation, along the irrigation canal. Another group is made of outsiders, some coming from Daung Gyi, who moved by the Sibinthar-Shwe Pyi Thar road in order to get closer to factories. Ironically, those living along the irrigation canal are regularly bothered not by officials but by farmers who have adjacent plots, since the price of farmland has risen so drastically due to speculation. Squatters have to argue with the farmers, claiming they are squatting on public not 'private' land.

1.3 Speculators and entrepreneurs

Of those seeking land, individuals are mostly outsiders, ranging from well-connected individuals (cronies, military officers, wealthy people) to city dwellers in search of land cheaper than in Townships closer to Yangon. As evoked earlier, more expensive and larger tracts of land are often bought by wealthy men. Among them are some entrepreneurs, although they rarely transform the land into productive purposes. As such, city-dwellers are those transforming land use (for instance, into housing), while speculators either bet on the added value that urbanization and developments may bring to their land, or wait for a setting secure enough to transform the land.

There is, for example, a military officer who is buying land in Daung Gyi and Hne-Byaw (15 minutes away from Daung Gyi by motor boat). He started buying land in these villages after he bought fishponds from a village administrator of Hne-Byaw village. The same officer bought over 50 acres of land in Hne Byaw village and almost 30 acres in Daung Gyi village. He gave around 12 lacks for one acre in Hne-Byaw village. Because of bank erosion, poor road transportation and lack of electricity,

land prices are not as good as in other studied villages. Two farmers in Daung Gyi sold their land at around eight lacks per acre which they hoped to get only around five lacks. All the lands bought by the military officer are now being leased-out to villagers at 10 baskets of rice/acre rate¹⁹. Those are not the original owners, although original farmers tried to cultivate the land. But given low yields – and the fact they already earned more than they could get from rice cultivation – original farmer did not argue much on letting the other villagers lease the land.

In Sabinthar, a Chin pastor bought eight acres at 160 lakhs per acre, supposedly to build an orphanage. Here again, the land is still under agricultural use, this time worked by its former owner. Still in Sabinthar, a rich farmer sold 10 acres in 2013 at 35 million MMK per acre. The buyer is a Burmese individual said to be involved in the jade business.

In Than Paya Khon village, one city dweller from Nawaday Housing Compound – a high standard housing compound situated in Hlaing Tha Yar – bought three acres of farmland. One high quality wood house was built and fenced. He bought the first acre before 2012, for the price of 70 lakhs. At a later time he bought two acres while in the midst of the land titling process, for the price of 100 lakhs/acre. He however did not apply for Form 7. According to some informants, the buyer paid 10 lakhs each to a DALMS staff and the village administrator, so he obtained Form 105. The research team was not in the capacity to check the form, but it may mention the acquired land as village extension land, postdated. Contrarily to some other farmers-speculators, the purchaser did not have to remove the concrete poles dividing the land into housing plots. Some outsiders and villagers alike already bought housing plots from his land, at an eight lakhs/plot rate.

When it comes to much larger tracts (some individuals are making inquiries about land that is up to 100 contiguous acres, such as lands between Than Paya Khon and Kyein Pike villages), there are actually very few transactions happening. Such surfaces are obviously aimed at industrial purposes. This is not because of lack of land availability in industrial zones. “It is estimated that 20% of total plots in industrial zones are being fully utilized for processing and manufacturing but 80% are squandered” (Aung Min and Kudo 2012 p. 56). The main reason is land prices, reaching up to 6.5 billion MMK per acre under the industrial land category. Hence, inquiring about farmland is a way to evade land zoning, a common strategy in peri-urban areas of Southeast Asia (Hall et al. 2011 p. 125). According to interviews, factories’ owners are inquiring for land especially through their villager-employees. But actual transactions are waiting the political turn that will likely follow the 2015 general elections.

1.4 Land brokers

This category of actors is probably the most complex – and interesting – as it involves a wide range of stakeholders – from villagers to outsiders and local authorities. Moreover, brokering covers a wide

¹⁹ More than one tenth of the production.

range of activities – from mere brokers to land purchasers. Land brokers are involved with both the supply and the demand side of the land market. As per our interviews, anybody can be a land broker in the complex setting of linking outside demand with local land supply, beginning with cycle taxi drivers who are often the first to engage city dwellers at the entrance of the village road. They then connect these land seekers with land sellers. As put by Bentick (2000 p. 82) regarding urbanization on Delhi's fringe, brokers "have access to the most detailed local information on the legal status, ownership, prices and names of landowners who want to sell land. They have jumped in to fill the gap left by the government in areas where the formal control of development is weak".

There is rarely one land broker involved in a transaction, but at least two sides. This is understandable, as local brokers know the supply better than anyone, while (mostly) outside brokers are able to channel the demand for land coming mainly from the city. To do better in this business, some locals – whether farmers or landless – from several different villages, even formed brokers' networks to overcome this segmentation. Take the case of one farmland-less individual who went to work in Kachin State for some months. While he did not come back a rich man (money-wise), he came back as a well-connected man, that is with an interesting portfolio of wealthy potential buyers. He started to buy land on behalf of a military officer, got himself some land, and connected with other local farmers-brokers to satisfy a larger demand. Soon he was rich money-wise as well.

This activity is potentially lucrative. Whether payment is made to the broker by both parties (purchaser and seller) or to only one of the parties depends on the situation: who is the local broker (a friend, a "professional broker", a local authority)?; how many brokers are involved?; and who is the buyer (an individual, a company, a speculator or an entrepreneur)?

It is often not clear for farmers selling land whether they are dealing with a land purchaser or simply a broker. Most often farmers may only see a broker on the purchaser's side. This is necessarily true if the end purchaser is a foreigner since the law restricts selling land to a foreigner. In this case, the foreign purchaser should use a Burmese nominee. In many cases, the broker on the purchaser's side may have gone through another local broker to identify a local supplier. In this case, the farmer needs to pay a commission to the local broker while the outside broker will receive money from the purchaser. Categories are often even more confused since brokers actually buy land for themselves and for others at the same time in order to acquire larger tracts of land.

Most interviews and observations indicate that farmers generally do not dare to be entrepreneurs, in the sense of turning their own farmland into housing plots. Hence brokers do it, partly because they benefit from connections (of higher-scale brokers) with the authorities (most often the Township DALMS, see IV.2.3), and partly because they understand the very weak power of control of the State apparatus.

As Firman (2000 p. 16, quoted in Hall et al. 2011 p. 121) puts it about the peri-urban market of Indonesia, it is “out of control”. Once acquired by speculators-land brokers, land aimed at being transformed into housing plots is divided into 20x60 (or 40x60) foot plots and tracts are cleared to provide access the different rows of plots. To get the measure of the unregulated dimension of this land market, it is frequent to see brokers’ stands by the road, displaying the distribution plan of plots, perfectly known – by buyers and authorities alike – as being farmland (Figure 4). To counterbalance the insecurity linked to the informal nature of such housing plots, brokers are trying to attract buyers by displaying “signs” of future development, such as electricity pylons “waiting to be connected” to the main electrical network, or by improving tracts into concrete roads. The fact of having a proper land sale stall on the road with agents present “24 hours” and their phone numbers displayed publicly is aimed at reassuring potential buyers. Reassuring the buyers is indeed a great part of the land broker’s job, given that, as we shall see in the next chapter, papers exchanged during land sales have no or little formalizing power over the transaction.

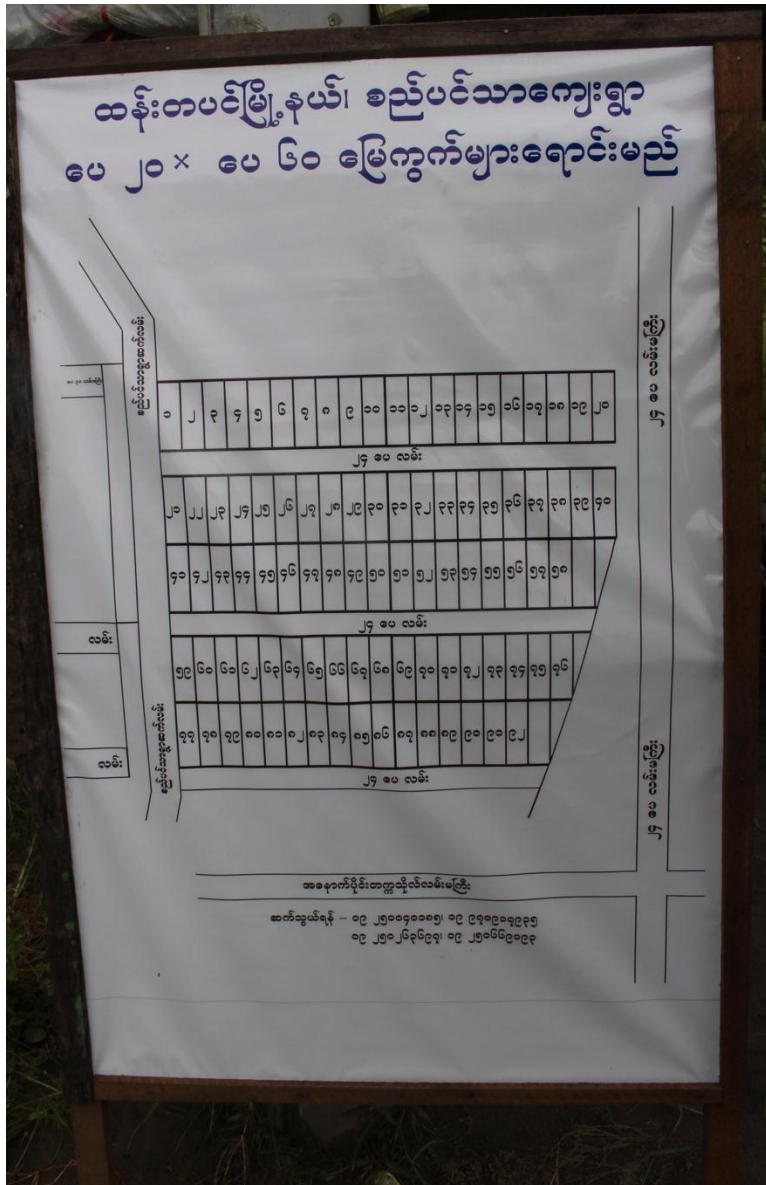


Figure 4: A plan of housing plots brought out from a farmland, in front of a land brokers' stand by the main road (Sibinthar)

2 Land transactions and role of authorities

2.1 Papers – and discourses – involved in transactions

We saw in chapter III.2.1 that the current shape of Htantabin land market takes its roots partly in the 2012 Farmland Law, legitimating transfers of land use rights (whether permanently or temporarily) between individuals. Nonetheless, restrictions on land use are reiterated by the law, constraining farmers to a cumbersome, often expensive and above all out-of-reach process through the Township, District and Central (Union level) Farmland Management Body (CFMB). Notwithstanding these restrictions, most farmers in lowland areas are now in possession of a land use title for their farmland, Form 7, that should be transferred to the purchaser of this land. However, two main

obstacles – different in nature – complicate the transaction. The first obstacle pertains to the fact that names of a Form 7 holder can be changed in the DALMS records (yet this is generally not free), but DALMS officers (as per our interviews) have for the moment no clue how to subdivide a Form 7 into several titles. Therefore, a transaction of, for example, four acres out of a 10 acre plot of land titled under one Form 7, poses an issue to the seller and the purchaser: should the seller give the Form 7 to the buyer, at the risk of having no more title for the remaining six acres still in his possession? What should do the buyer without any title on his land if the seller does not give him his Form 7?

The second obstacle is linked to the unregulated land market, whose general impetus, as has been already explained, is to transform agricultural land into another purpose, whether industrial or housing. This subsequently pertains to the absence of land use planning on the government side, and a 50-year-old cultural and political heritage of protecting agricultural land from being transformed into any other use – a responsibility vested in the hands of the MoAI, itself at the head of the CFMB.

To overcome these difficulties, strategies developed by the market stakeholders are diverse. For those – most often farmers cum local authorities or connected individuals – who foresaw the rise of the land market, one strategy has been to not register their agricultural land under Form 7 – yet this is not the majority of available farmlands. While this does not fully resolve the land use change issue, it lightens the weight of agricultural policies and resolves the titling issue. Because, as a matter of fact, official land use titles distributed at a forced march by the DALMS between 2012 and 2014, have a symbolic rather than official function in observed transactions. So that when farmland is divided into housing plots, the potential buyer is always welcomed with the same discourse from the broker: “we guarantee the security of your plot”. If the buyer asks the meaning, the answer is something close to: “we make sure that your plot is not sold twice to different persons, but we cannot guarantee that the land won’t be taken back by the authorities”. So here is one of the functions of the broker: guarantee a kind of security on the transaction in the context of a totally unregulated market, a security which is relative in regards to State policies. The buyer of a farmland-housing-plot nevertheless ends up with a photocopy of the Form 7 (if available) of the original land, so that all buyers of different plots have the same title photocopy in hand. One more level of security – still inside this unregulated framework – is the possibility to make a signed contract, sometimes with a photocopy of the seller’s ID attached to it, between the farmer holding Form 7 and the buyer of the plot.

Finally, real security for land speculators comes in formalization of their land use change. This is however restricted to an elite: most often local authorities and a few individuals. We thus examine below the role of authorities in the land market and in land use transformation, and the different strategies used by speculators.

2.2 The limited capacity of authorities to control land use

All transfers of rights and land use changes regarding agricultural land are monitored by a complex and multi-layered bureaucratic structure²⁰. There are to our knowledge no studies dealing with the “political” economy of the VFMB, yet examining more closely the different positions of the members helps explain the involvement of the authorities in the land market and the limited capacity of related institutions to regulate and control transactions, notably land use change. Indeed, any administrative process has to be launched by the VFMB, which should refer to the superior bodies depending on the specific case – i.e. whether there is a conflict between users, a transfer of land use rights, a land use change, or prosecution for not following the orders of the CFMB.

The main difference between the VFMB and higher authorities is that the chairman – that is the village tract administrator – is not directly appointed by the GAD, contrary to the Township or District Administrators. By contrast, the Village Tract Administrator is elected by the villagers from the different villages composing the tract²¹. Sitting with him, the GAD clerk and the village tract DALMS officer are nominated by their respective ministries. Therefore, the relationships between village tract administrators and villagers on the one hand, and GAD clerk and DALMS officers on the other are necessarily different. If he/she wanted to be elected again – after a five-year mandate – the Village Tract Administrator must juggle the “satisfaction” of his/her villagers and his duties as chairman of the VFMB and all other committees (such as the Village Tract Development and Management Committee).

a. Official process for land use change

The process of transforming a piece of farmland into another land use – that is obtaining form 105, for example under horticultural or village extension land, see IV2.3b and IV2.3c – has to be undertaken by the land holder with a recommendation from the VFMC, headed by the village administrator, and submitted to the Township DALMS. After examining the case the latter should transfer it to the DFMB, which is in charge of transferring it to the Region/State farmland management body – for all agricultural land except paddy – or to the Central (Nay Pyi Taw) level for a land use change concerning paddy land.

²⁰ At the apex, the Central Farmland Management Body is composed of the Union Minister for Ministry of Agriculture and Irrigation as a Chairman, Deputy Minister for Ministry of Agriculture and Irrigation as Vice Chairman, Director General for the Settlement and Land Records Department as Secretary and the relevant government department officials as members of the body. At each administrative level – Region/State, District, Township and Ward/Village – sit farmland management bodies. From District to village level, these bodies are chaired by officers from the GAD (see however the nuance concerning the Village Tract Administrator explained below) and have SLRD officers as secretaries. Members of the VFMB are the Village Tract Administrator (chairman), the Village Tract SLRD (secretary), the village clerk (GAD staff, member), a farmer representative (supposedly elected by farmers) and a village elder (*yei-mi-yei-pa*).

²¹ Villagers of each village of a village tract first elect 1 representative per 10 households. These representatives then proceed to the election of the village tract administrator.

We already saw that most lands are under paddy in Htantabin, so that a great number of transactions should go through this process, as evidence shows that much land is being transformed from paddy fields into housing plots. Besides being a lengthy and complicated process (going to the Nay Pyi Taw level), the likelihood for obtaining a positive answer for such land use is almost non-existent²². This has to do with the more than 50 years old policies of developing rice production (and exportations) wherever it is possible (see II.II2).

In practice, even if actual formalization of land use change is quite exceptional, land use change happens – it is simply not done according to the official process described above (see IV1.3).

b. Attempts from authorities to address unregulated land use change

Following the rise of a speculative land market, where farmland is obviously bought for other uses than its original purpose, Township authorities have tried to tackle this issue.

First, according to the by-laws of the Farmland Law 2012, in case of prosecution for not following the orders of the Central Farmland Management Committee (such as misuse of land), the VFMB must immediately put the case in court and inform its Township counterpart (TLMC). The decision made by the court should then be transferred to Township DALMS, which may take action with help of relevant authorities (police for example). Interviews with different members of the VFMB (GAD clerks, Village Administrators) however suggest that in case of misuse of farmland, three letters must be issued by the VFMB to its Township counterpart (TFMB). The process of issuing letters usually persuades the land user to slow the dividing and sell of housing plots, resulting in a wait-and-see situation, where the waiting-and-seeing is for a more suitable context (which is often the next Village Tract Administrator). However, our interviews with VFMB members suggest that if the case is put up to the Township court the decision often goes against the intent of the state prosecutors; that is it ends in the issuing of form 105 and the formalization of the land use change. Some clerks even suggested that it was simpler to go through court – in other words, to get sued – so as to obtain form 105 than to undertake the formal land use change process. This is for several reasons.

First, it very rarely happens that the VLMB sues a land user. The main rationale is that the Village Tract Administrator (who is chairman of VLMB) may have better interests in ignoring the land use change, a stance for which he is normally remunerated by the land user. As explained by higher authorities of the DALMS, the fact is that cases of misuse of farmland are detected by DALMS officers, who can barely do anything. The informant even gave the example of one case put to the Township court by an DALMS officer. The court – probably responding to the good “incentives” provided by the individual sued under this case – stated that the VLMB should be the pursuer, not the DALMS. Following this legal irregularity, the verdict ordered the DALMS to issue form 105 to the land user.

²² This may be different for the purpose of industrial use: in fact it much depends on the money the land user is able to pour into the system. This is however not totally inconsistent with the fact that to prevent pure speculation on land, such land use change and transactions should translate into development of the land.

Therefore, much depends on the relationship of the individual with the Village Tract Administrator in the first place. If that relationship is good, there is little threat to the way the individual manages his/her land. If the relationship is not good, the lawsuit may proceed, as in the case of one landless person turned land broker and speculator. The latter tried to turn a piece of recently acquired farmland into a gas station. However, his newly acquired status of wealthy person did not please members of the VFMB, so that they managed – under the pretext that the land was too close to the electric transformer of the village – to issue a warrant against him. In the same village, there are however many individuals who managed to acquire and turn farmland into other purpose, such as housing plots and barrack-rooms for migrants.

Intimidation may eventually be the most effective recourse from authorities. At the beginning of 2014, the TFMB posted at the entrance of each village a signboard declaring to all farmers that without proper authorizations no one is entitled to use the land as they want (notably people are barred from creating housing plots). It went on to add that should they violate this law, they would be pursued according to the Farmland Law 2012 and the Virgin, Fallow and Vacant Land 2012 (see Figure 5). This move indeed slowed transactions on farmland and pushed some speculators to find new strategies in order to get their land fitting into other categories (see IV2.3cand Box 14).



Figure 5: signboards warning farmers against misuse of farmland and virgin and fallow land.

2.3 Involvement of local authorities in Htantabin land market

The peri-urban land market displays a paradoxical – yet not at all uncommon in Southeast Asia (Hall et al. 2011) – situation where institutions have little power to regulate and enforce the laws, but where individuals belonging to these institutions have vast opportunity to benefit financially from the unregulated land market.

a. Facilitating land transactions

In this context, it is hardly surprising to learn that most village tract DALMS staffs act as land brokers. They are remunerated depending on the amount of acres purchased and the price of the land. They also get one lakh per acre for changing the name of the land user in Form 7, a sum they have to share with their superior officers in their department (normally the Township and District officers). If the land speculator-entrepreneur is generous enough with the different DALMS officers (from Village Tract to District), the latter may even issue form 105 (see IV1.3). We already explained that any land use change should be referred to the Region/State farmland management body or Central one (for paddy land), but on the ground these two higher bodies have little capacity to assess the changes that can be performed by lower level DALMS staffs. Cadastral maps are not centralized at these levels, so District DALMS officers have more or less a total freedom in operating land use change. Their main limitation pertains generally to the conspicuousness of their involvement (e.g. the transformation of a large tract of land bordering the Yangon-Pathayin highway may be too visible to not involve the Region farmland management body).

The degree of involvement in land transactions for the village tract administrators differs from one village to another. Before 2014/2015, some village administrators have been acknowledging land transaction deeds by their presence – and by receiving remuneration – yet rarely signing them. They provide the guarantee, more or less like the brokers (see IV1.4) that the land has not been sold twice or more to different persons and the land is free of any conflict or objection concerning the current holder. Following the posting of signboards in village tracts by the TFMB, Village Tract Administrators have been less involved in transactions – except for legal ones, e.g. farmland to farmland or village land sales. They are however almost powerless regarding illegal and unregulated transactions involving villagers' economic and social interests. This can nevertheless result in interesting strategies that tack between the Village Tract Administrator's direct interest and collective (villagers) ones (see IV2.3c).

Village clerks, as in the case of DALMS officers, are less bound to the villagers' interests, since they are nominated by the GAD and remain through the mandates of Village Tract Administrators. Not all clerks of the studied villages are involved in the land market, but they are commonly found among the land speculators, since the latter need enough connections, notably by being close to DALMS officers, to formalize land use change. However, it seems widespread that when Village Tract Administrators have some financial interest in land transactions, clerks are let aside. Several clerks told us of being informed of land transactions only once the name of the land user had being changed in the title.

To simplify, Village Tract Administrators are aware of all land transactions, which can be an opportunity of making money. Village clerks are not involved in third parties' land transactions but are often land purchasers and speculators.

b. From paddy land to village land: collective or individual interests?

There are according to our interviews actually few pieces of farmland-turned-housing whose land use change has been formalized. The main *modus operandi* is to submit farmland adjacent to villages (as in the cases of Than Paya Khon and Sandayaw) under village extension land for land use change. This provides, as we have seen, the right for housing. Such change is operated by submitting the identified area of farmland to the Township DALMS with a rationale of demographic growth requiring extension of the village boundaries. We saw that in practice, villages have seen their geographical expansion at the expense of surrounding farmland – in lowland Myanmar at least – without requiring any official land use change (except for a few exceptions). An important fact to remind is that land before 2010 had no or little value only, and there was no prospect of selling housing plots at high prices at that time. Moreover, it was not worth paying for the paperwork and the agents to undertake such a transformation. But since one village plot of 40x60 feet in Than Paya Khon or Sandayaw is now valued between 50 and 70 lakhs, there are good reasons, yet different depending on the entrepreneur's motives, to ask for official extension of the village land to Township DALMS. While some are turning farmland into village land for selling housing plots (see Box 12), in their own name and for their own interest, others seem to see a way to provide cheaper housing land for those villagers unable to afford a plot in the village (see Box 13).

Box 12: A Clerk entrepreneur

One clerk, living in a village he is not assigned under duty, owns 16 acres of land. He bought 11 acres in 1995 and another five acres in 1996. At that time, he paid 4,000 MMK/acre.

From a farm-landless family, he started his adult life as a clerk, a position he retains even now. His wife opened a grocery shop and they managed with these earnings to save money in order to buy land. At that time most farmers were disinterested in agriculture (willing to sell) because of the government policy of compulsory paddy procurement to the State. Under the 2012 land titling process, he deliberately excluded two acres from registration under Form 7. In 2015, he managed to transform with the help of his acquaintances in Township and District DALMS offices to transform these two acres into "village extension land", obtaining form 105. He is now selling housing plots on these two acres, at 20 lakhs per plot for a total of 30 plots, which is quite expensive given there are no services (electricity or roads). But according to him the guarantee that the plots are secured from being claimed back by the government is worth the price premium. At the time of the study however he had not sold any plots yet.

Box 13: Turning farmland into village land for the benefit of villagers

There are many houses situated on the way to Sandayaw from main Htantabin road. It was just farmland in the past, but in the wake of Htantabin's land market explosion this area became more expensive than inner parts in the village because of its proximity to Htantabin road. The Village administrator himself is living there. There are a few acres of land between that part and village's inner part. The Village administrator said that he has been applying to categorize this new housing area as a new village named Aye Chan Tha village since 2007. Though General Administration Department and some DALMS officers came and checked, no official permission has been granted so far. So, this extended part can be officially unofficial, even though officials know of its existence.

Besides the attempt to turn this area into a new village, the Village Tract Administrator is now applying for three acres of farmland near the monastery to be turned into village extension land for the good of some villagers who are not able to buy land in their own village, given the skyrocketing prices. The Administrator talked with a farmland holder and discussed how those three acres would become housing land: among those three acres, one acre should be sold out only to villagers, into 20x60 feet plots for the price of eight lakhs. Payments can be settled in installments. The remaining two acres can be handled freely by the original landholder. This idea was submitted to the Village Development and Management Committee and accepted. At the time of the study almost all of the around 25 plots in that one acre dedicated to housing villagers have been sold off.

c. In search of horticultural land: getting around land use change limitations

We have seen that horticultural land is less subjected to government restrictions than seasonal crop – and particularly paddy – land. Following the “intimidation” project by the TFMB (see IV2.2b), some speculators-entrepreneurs found out that horticultural land provided more security in the eyes of potential buyers than paddy land. Since that time, signboards in the front of houses or by the road started to proliferate with advertisements for “horticultural land for sale”, often with the same characteristics as other housing plots (20x60 feet wide) (see Figure 6). This also pushed some individuals to find ways to transform paddy into horticultural land, a less sensitive land use change as it maintains the land under the general farmland category (see Box 14).

Box 14: Turning paddy land into horticultural land

One interviewee from Sibinthar explained that he bought an acre of land under paddy in 2010 for 50 lakhs. After growing paddy for one year, he did not obtain satisfying yields and planted banana trees. He applied to transform paddy land into horticultural land, and was successful. One month before the interview, he sold the land for the very attractive price of 4,300 lakhs through a villager-land broker. The latter is involved in selling land by dividing into smaller plots. Because of the announcement saying paddy land cannot be sold for other than the intended use, the land-broker entrepreneur managed, with the help of DALMS officers, to combine his nearby four acres of paddy

land under the same title of the horticultural land, so now he is selling five acres registered as such into housing plots.



Figure 6: A sign by the road advertising for 20x60 feet plots under horticultural, “privately owned” (ko paing), land

V THOUGHTS ON THE URBANIZATION PROCESS AND PROSPECTS

1 A land market, for whom?

1.1 Farmers

Farmers having land by the roads are obviously the primary beneficiaries of the current land market in Htantabin. There are few risks for them of being troubled by the authorities since they received the right of selling their land – or more exactly their land use right – to other individuals²³. As long as they do not undertake the dividing of their land to sell as housing plots, they incur little risk. The other striking fact is that farmers who managed to sell land, for the majority of interviewed individuals, did not give up on-farm activities. Most farmers do not sell their entire holding but rather sell the most expensive plot(s), situated on the roadsides. The income generated from the land sales may be reinvested into the farm to buy farm equipment (such as a combined tresher-harvester) or

²³ The only restriction put by the law is forbidding to sell farmland to a foreigner.

for acquiring additional farmlands. Indeed, the most common use of money obtained through land sale is to buy cheaper land elsewhere, which is farther from the road. Some farmers even purchased land in other Townships, such as in Mawlamyine Kyun (Ayeyarwaddy Division), which are cheaper and more productive than those found in Htantabin. In those cases, the farmer puts his newly acquired land under rent to family members.

Apart from buying farmland and farm equipment, farmers also invest in better houses, or sometimes cars. We may note however that some farmers, after having sold their land, have no precise vision for the future and use their money for unproductive assets. We then cannot ignore that farmers “pushed” to sell their land, by the perspective of acquiring large sums of money at once, may be in trouble in the coming years. The saying “others are selling so why shouldn’t we?” is frequently heard among villagers.

Among non-farm activities undertaken with the money from land sales, housing for migrants (and students in the case of Sibinthar) in search of better access to the industrial zones, is particularly profitable. Others, as we have seen, are thinking of investing in fishponds, others undertook brick making – which are activities in close connection with the demand created by the city. Those entrepreneurs have a quite accurate sense of their possible integration in the course of urbanization.

1.2 Farm-landless households: opportunities or greater exclusion?

The land market creates punctual opportunities of earning money, mainly by transforming oneself into a land broker. However this is not offered to everyone, as the minimum conditions for being in the position of dealing land is either to be in contact with the supply or the demand (both being even better). Farmers are logically more aware of the available land for sale than farm-landless households. Among farm-landless households, cycle-taxi drivers have the greatest chance to be in contact with individuals looking for land to purchase.

However, we saw as well that the land market impacts all types of land, including village land. As farm-landless households are generally poorer than farming families, they also experience declining access to village land. This is striking in Than Paya Khon and Sandayaw in particular, where farm-landless households are found in the most populous parts of the village (Than Paya Khon) or in the backsides of the village – farming households having generally land by the road (as in the case of Sandayaw). Farm-landless households have currently increased difficulties of accessing village land given market prices. We saw however that in the case of Sandayaw, the Village Tract Administrator found a solution by securing land at a fixed price accessible only to villagers (see Box 13). This is not the case in Sibinthar where the researchers found out that some villagers were now renting rooms in the barracks usually rented out to migrant households or students. We also underlined that some households had to illegally occupy public land after having sold their village land. While access to factory employments raise greater incomes for farm-landless households, it is clear that such salaries are not enough to invest in village land. Newly married couples also face a hard time acquiring village land due to the skyrocketing prices.

While these examples of housing land exclusion are still marginal in the area, they clearly underline the urbanization process affecting the south of Htantabin Township. Indeed, renting houses or

squatting is extremely rare in a rural village setting where even the poorest labourers have access to housing land (Boutry *et al.* forthcoming).

1.3 Land brokers

Land brokers, whom we have seen are often a mix of brokers and speculators, are obviously among those benefiting from the land market. While the market provides opportunities for local people – as we have seen in the case of local brokers’ networks trying to maximize their leverage – the “big money” is in the hands of higher scale brokers, most often outsiders. It would require longer investigation in order to fully understand the role of land brokers. However everything indicates that they not only profit from speculation on land, but also “make” the land market. This is clear when farmers need to know the value of their land: they ask local brokers. Those local brokers, according to the interviews, in turn ask higher-scale brokers. One common strategy for land brokers to raise land prices is through undertaking local “developments”, such as improving roads, or connecting informal settlements to electricity. The latter task implies a minimum collaboration with the Township authorities.

2 Towards new forms of socio-economic differentiation?

This land market cum urbanization process leads us to foresee new forms of possible socio-economic differentiation in the studied villages. These differentiations may transform social relations in regards to land use, creating new disparities in the villages, and could possibly lead to greater exclusion.

2.1 Urbanization, land market and relation to land

As already underlined in this report, not all farmers can benefit from the land market. Only those with land situated close enough to the road may have the opportunity to sell at lucrative prices. This new reality totally changes relations between land and livelihoods. Before the rise of the land market, socio-economic differentiation among farmers was mainly based on the land quality, notably in terms of being low or high-land, more or less prone to flooding. Under the current circumstances, whether the land is high or low, the differentiation pertains to its proximity with communication axes. The fact is that since some are managing to sell their land at high prices, others are willing to sell, sometimes even at under the market value. The rationale there is that many farmers are afraid of having to give up their land at government compensation rates if included in Yangon Development plan. This situation could lead to landlessness if such farmers are not able to get enough to invest in new land.

On the other hand, as explained above, farmers managing to sell land are, for the majority, not abandoning farming. On the contrary, they are keen to invest in new land and farm assets, and probably new activities. However, the problem of labour shortages due to the massive employment of former daily labourers in factory jobs can lead to other issues. Hall *et al.* (2011 p. 131) recall that such conditions may prevent farmers from investing in more labour-intensive high-value crops.

Social differentiation may increase further since farmers who managed to sell also acquire social status by investing in the village’s development, such as transformers for providing electricity (the

case of Than Paya Khon and Sibinthar), improving village's roads, etc. On the other hand, such developments may profit the whole village at least by providing new livelihood opportunities.

2.2 A gendered urbanization... for the female youth only?

The on-going urbanization process is largely based on access to factory employment. Yet, these jobs are not accessible to everybody. For around two decades garment production has dominated the manufacturing sector and work in garments is mainly done by young women. Men are not necessarily banned from these employments, however factory managers generally prefer women, and in turn men often feel ashamed to have to work in mainly female environments. Although there are no official regulations stating gender or age for employing workers in factories, there are a number of evidences that women over 30 years old can hardly find a job in factories. And as per the interviews, it is common for a woman having a baby to quit her job, since there is no paid leave offered to pregnant women and that there is no possibility to bring their babies on their work site – in contrast to farm labour.

On the other side, agriculture mechanization, tends to loosen social (and economic) bonds between farmers and landless households. Farmers have difficulties to find labour, so they logically rely increasingly on machines. But for those excluded from the opportunities of industrial work, there is a hard time finding regular farm labour, which also translates into the impossibility to borrow for regular farmer-employers.

Will the urbanization process lead to the exclusion of poor men and poor households whose women are aged over 30 years old?

VI CONCLUSION AND RECOMMENDATIONS

1 Conclusion

The beginning of the urbanization process that can be observed in the south of Htantabin Township includes many positive aspects. Farm-landless households have more opportunities to diversify their sources of income, notably by accessing jobs in industrial zones. The salaries obtained from this employment are overall higher than those that can be obtained from farm labour over the year. What's more, the monthly salary basis provides more financial security than seasonal work. Indeed, farm-landless and farm families alike generally face financial difficulties by the end of the monsoon (before harvest), often leading to debts that must be reimbursed quickly. This indebtedness often compels farmers to sell their rice as soon as harvested – that is when prices are the lowest – and

pushes farm-landless households to undertake harmful coping strategies, such as pawning or selling assets (among which their housing land is probably the most valuable). Regular salaries obtained by individuals from both farm-landless and farm families are helping families cope with this situation and alleviating the burden of yearly debt cycles. At the village level, income diversification also generates new livelihood opportunities, such as cooking and/or sheltering factory employees, or opening small shops where factory workers can spend some of their money.

For some of the farmers who manage to sell their land, the urbanization process impacting on land prices also represents a great opportunity for windfall income. As explained previously, the price obtained from a single acre of land situated by main or even side roads can easily surpass lifetime incomes obtained from agriculture. While there are some farmers who end up spending the money obtained from land sales in unproductive assets (house, personal car, etc.), most of them either invest in cheaper – but more productive – land (in the village, the Township and even in other States or Regions), in housing for in-migrants and poorer households, or in off-farm activities such as car transportation for example.

Nonetheless, within these few lines about the positive impacts of urbanization, it is already easy to see possible shortcomings. The sky-rocketing prices of land affect all categories, and village housing land in the first place. Hence for the poorest who have to sell their house plot (most often due to indebtedness), for poor newly-wed couples and in-migrants, acquiring housing land in villages is beyond their reach. Besides, it is unlikely that land prices decrease in the short or mid-term given the context of the Yangon development plan. On the other hand, such an urbanization process may foster immigration to the area, as it has been the case since the 2000s in Hlaing Tha Yar, Shwe Pyi Thar or Dagon, these Townships receiving hundreds of thousands migrants per year. If such is the case, competition on housing land, whether obtained on village or farmland, will increase. And the above-mentioned Townships are already severely impacted by the issue of squatters, Hlaing Tha Yar leading the way with an official 16,000 persons – which may be at least 10 times more in reality – while Dagon Seikkan has the largest proportion of informal settlements at 7.6% of the total township population (YCDC 2012). Hence, the case of squatters appearing in the vicinity of some villages such as Sibirhar or Than Paya Khon, even if it is still a marginal phenomenon, should sound the alarm for different concerns: greater exclusion for local communities, unplanned settlement and associated vulnerabilities (lack of access to basic services such as water, health and education, lack of social cohesion), health-hygiene and environmental issues.

As seen in Hlaing Tha Yar and other peripheral Townships of Yangon, informal settlements emerging out of former farmlands are often transformed into formal ones (Boutry, forthcoming) in the course of urban development and growing demographical pressure. However, implementing proper waste management, drainage and access to fresh water is often harder to realize afterward than in the course of urban development. This is a phenomenon well illustrated by Hlaing Tha Yar Township where these issues are greatly affecting both formal and informal settlements.

The active role of land brokers cum speculators in developing basic infrastructures such as roads and electricity networks questions the role of the State. Private actors are taking the lead in investing in public infrastructure, which can be perceived as an opportunity, yet it questions the capacity of conducting proper land use planning processes, which seems to be driven mainly by the market until

now, that is private interests. This may raise some issues in the future regarding the appropriateness of such infrastructures' locations: for example the building of settlements in flood-prone areas.

2 Recommendations

2.1 Urbanization process and land governance

Without more control on the land market, it is likely that road developments (promised to go faster with the support of international bodies such as the World Bank) will continue to foster both demographical growth and processes of exclusion for the poorest.

In terms of land governance at least, non-formalized land use change and unplanned settlements are probably the hottest issues for the moment. However, the necessary institutions, that is the City Development Committee (CDC, whether from Yangon or Htantabin) and the Department of Human Settlements and Housing Development (DHSHD) are not yet involved in this area. Despite the fact that part of Htantabin Township will be included in the development of Yangon City, lands are either under the MoAI (agricultural land) or the Land Management Body chaired by MoAI and GAD (village land). Development work in Yangon, *including preparation of new towns*, administration of lands, construction, repair and demolition of formal and informal settlements are, however, responsibilities of the YCDC. The DHSHD is in charge of managing State owned land, but also developing low-cost housing projects. None of these bodies are involved in land governance regarding Htantabin's land market and settlements. It appears however that early involvement of these authorities would greatly help prepare the area to the already on-going urbanization. The question is probably less in terms of how to contain this urbanization, but more how to regulate and improve it. While the urbanization process studied here is still in its infancy, it may be attractive to accompany it with governance services before it is too late, or at least too costly. While governments often highlight the price of action, inaction may come at an even greater cost in the long term. The CDCs again are responsible to organize waste management services, access to freshwater, etc. Accompanying the urbanization from the beginning may help prevent issues such as poor access to drinking water and hygiene issues due to inappropriate waste disposal as can already be found in peripheral Townships of Yangon. It may also prevent future problems such as settlements located in flood prone areas, as widely seen in Hlaing Tha Yar Township for example.

The second dimension of land governance, linked to the above points, concerns the land market and its consequences in terms of exclusion of the poorest. In the current setting Township authorities are overwhelmed by the informal nature of land transactions, and as they are incapable of preventing land speculation and land use change (or unwilling to prevent it), they adopt a kind of wait-and-see attitude. Yet, rather than banning speculation, they may find greater interest as officials in regulating the land market and associated land use change. A first step in this direction could be identifying where tensions appear (linked to exclusion, unequal development and access to land) and experiment with local systems of regulation that include multiple stakeholders. A second step could include trying to involve local stakeholders in planning urban development (answering needs in services, infrastructures, diversity of livelihoods), and by regulating land transactions through imposing taxes and demanding valorisation of land from the purchasers.

2.2 Transition between rural and urban oriented livelihoods

In terms of facilitating the transition from rural to peri-urban livelihoods, it seems urgent to simplify the formalization of land use change at least for on-farm livelihoods. According to the law, paddy land users cannot dispose of the land as they want – even for cultivating new crops or undertaking animal husbandry. However, other studies in peri-urban areas – such as in Vietnam (Vo 2006) show that non-farm employment together with animal breeding are often two main and complementary conversion processes for farmers in areas subject to urbanization. Other peri-urban Townships of Yangon (Taik Gyi, Hmawbi, Hlegu) have seen a strong conversion of their paddy-land into horticultural land providing vegetables, ornament plants, etc., for the demand of Yangon markets. Some livelihood choices made by farmers able to sell part of their land indicate that the area studied in Htantabin may go in this direction too. However, without formalizing land use change those farmers are still at risk of seeing their lands grabbed.

On the other hand, bringing early awareness of livelihoods opportunities brought by urbanization for rural communities would help achieving benefits made possible by the transition while limiting threats to livelihoods security.

VII REFERENCES

- Aung Min and Kudo, K. (2012) "New Government's Initiatives for Industrial Development in Myanmar." In *Economic Reforms in Myanmar: Pathways and Prospects*, edited by Hank Lim and Yasuhiro Yamada, BRC Research Report No.10, Bangkok Research Center, IDE-JETRO, Bangkok, Thailand.
- Belton Ben, Aung Hein, Kyan Htoo, L. Seng Kham, Nischan Ulrike, Reardon Thomas and Boughton Duncan (2015) "A Quiet Revolution Emerging in the Fish-farming Value Chain in Myanmar: Implications for National Food Security", *Feed the Future - Food security policy project brief* (1), 5 p.
- Bentinck J.V. (2000) *Unruly urbanisation on Delhi's fringe, changing patterns of land use and livelihood*, Ph.D. Thesis, Rijksuniversiteit Groningen, 167 p.
- Bosson, Andrew (2007) *Forced migration/internal displacement in Burma with an emphasis on government- controlled areas*, Internal Displacement Monitoring Center (IDMC) – Norwegian Refugee Council, 58 p.
- Boutry M. (forthcoming) "Migrants seeking out and living with floods: A case study of Mingalar Kwat Thet settlement, Hlaing Tha Yar Township, Yangon, Myanmar" in Chantavanich S., Elmhirst M. and Middleton C. (eds) *Living with floods in a mobile Southeast Asia: A political ecology of vulnerability, migration and environmental change*, Earthscan.
- Boutry M. (in collaboration with Allaverdian C., Mellac. M., Huard S., Khin Pyae Sone, San Thein, Tin Myo Win) (forthcoming) "Land tenure in rural lowland Myanmar", *Understanding rural land issues to engage comprehensive policy dialogue in Myanmar*, GRET Studies.
- Chaw Chaw (2003) Rural women migrating to urban garment factories in Myanmar. In Mingsarn Kaosaard & J. Dore (Eds.), *Social challenges for the Mekong region* (pp. 203–224). Chiang Mai, Thailand: Social Research Institute, Chiang Mai University.
- Firman T. (2000) "Rural to urban land conversion in Indonesia during boom and bust periods", *Land Use Policy* 17 (1): 13-20.
- Fujita K. and Okamoto I. (2006) *Agricultural Policies and Development of Myanmar's Agricultural Sector: an overview*, Institute of Developing Economies, Discussion Papers (63), Kyoto University, 47 p.
- Gardener D. and Burnley J. (2015), *Made in Myanmar, Entrenched poverty or decent jobs for garment workers?*, Oxfam GB for Oxfam International, 28 p.
- GNLM (2015) "Pan Hlaing river conservation project will benefit 20,833 households", *The Global New Light of Myanmar*, 15th March 2015, p. 3.
- Hall D., Hirsch P. and Li T. M. (2011) *The Powers of exclusion, Land Dilemmas in Southeast Asia*, NUS Press, Singapore, 266 p.
- JICA (2012) *Data Collection Survey on agricultural mechanization (Myanmar)*, JICA, 167 p.

- JICA (2013) *The project for the strategic urban development plan of the Greater Yangon, Final Report 1, Part-I The current conditions*, Japan International Cooperation Agency, The Republic of Union of Myanmar, 408 p.
- Kudo, T. (2008) "The impact of U.S. sanctions on the Myanmar garment industry", *Asian Survey* vol. 48 no. 6, pp. 997-1017.
- Kyaw, M. (2001), "Textile and garment industry: emerging export industry", in Kudo, T., (ed.) *Industrial development in Myanmar: prospects and challenges*, pp. 143-173.
- Leckie S. and Simperingham E. (2009) *Housing land and property rights in Burma: the current legal framework*, HLP Institute and Displacement solutions, Geneva, 1245 p.
- Little D.C. and Edwards P. (2003) *Integrated livestock-fish farming systems*, Inland Water Resources and Aquaculture Service Animal Production Service, FAO, 22 p.
- Lubeigt, Guy (2008) "Industrial zones in Burma and Burmese labour in Thailand", in Skidmore, M. and Wilson, T. (ed) *Myanmar: The state, community and the environment*, ANU E Press, pp. 159-188.
- Meel (van) P., Leewis M., Tonneijck M., Leushuis M., et al. (2014) *Myanmar IWRM Strategic Study*, Consortium Royal Haskoning DHV, Arcadis, Rebel Group, UNESCO-IHE, Dutch Water Authorities, Tygron, 218 p.
- Moe Kyaw (U) (2013), Textile and Garment, presentation by the Federation of Chambers of Commerce and Industry, http://www.centroestero.org/FTP/FocusMyanmar_FederChambersCommerce_MYANMAR.pdf (consulted 30/04/2014).
- Mya Than (1984) "Burma's Agriculture since 1962 – From Stagnancy to Breakthrough", in Ngo Manh-Lan (ed.), *Unreal Growth: Critical Studies in Asian Development*, Hindustan Publishing Corporation (India), Delhi.
- Mya Thein (1997) "The Economics of Farm Size and Land Policy in the Transition to a Market Economy", *Sojourn: Journal of Social Issues in Southeast Asia* (12: 1), pp. 124- 134
- NLM (2011) "Construction Minister replies to question on construction of bridge between Tatthitkyun and Bawlekyun in Htantabin Township", *New Light of Myanmar*, 26th March 2011.
- Pingali P L (1995) Crop-livestock systems for tomorrow's Asia: from integration to specialization. In: International Workshop 27th on Crop-animal Interaction 1993, Khon Kaen, Thailand. Manila: IRR Discussion Paper Series, 481–499
- Reardon, T., Tschirley, D., Dolislager, M., Snyder, J., Hu, C., White, S. (2014) *Urbanization, Diet Change, and Transformation of Food Supply Chains in Asia*. Lansing: Michigan State University, Global Center for Food Systems Innovation.
- Soe Myint Lwin (1989) *Working People's Daily (Rangoon)*, 14 June 1989, p. 7.

- Than Than Nwe (1998) "Yangon: The Emergence of a New Spatial Order in Myanmar's Capital City", *Sojourn: Journal of Social Issues in Southeast Asia*, Vol. 13, No. 1, pp. 86- 113
- Toufique, K.A. and Belton, B. (2014) Is Aquaculture Pro-Poor? Empirical evidence of impacts on fish consumption from Bangladesh. *World Development*.
[dx.doi.org/10.1016/j.worlddev.2014.06.035](https://doi.org/10.1016/j.worlddev.2014.06.035)
- Tunderman, S. (2012) *Gendered employment in the Burmese garments industry – a gender critique of neoliberal development prescriptions for Myanmar*. Master Thesis, Roskilde University, <http://rudar.ruc.dk/handle/1800/8126> (consulted 12/04/2014)
- Vo, N. T. (2006) *Livelihoods of people living in a peri-urban area of Ho Chi Minh City: A case study: Hung Long commune, Binh Chanh district, Ho Chi Minh City, Vietnam* (Unpublished master thesis). Swedish University of Agricultural Sciences, Uppsala, Sweden.
- Young K. B. (1998). *An Economic Assessment of the Myanmar Rice Sector: Current Developments and Prospects*, Arkansas Agricultural Experiment Station, Research Bulletin (958), 87 p.
- Yuen, L. (2011) "Prospects for economic development in Burma using the neoclassical model", *Indian Journal of Economics & Business* vol. 10 no. 2, pp. 221-248.
- Za Yar Linn (2015) "Yangon's struggling industrial zones need support: interview", Myanmar Times, 26th November 2015, retrieved online: 29 march 2015, <http://www.mmtimes.com/index.php/business/17825-yangon-s-struggling-industrial-zones-need-support-interview.html>