

# A landscape of ocean and land-control grabbing in Northern Tanintharyi, Myanmar

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20 November, 2018

## Abstract

After a spout of optimism surrounding Myanmar's so-called democratic transition in the post-2010 period, more recent work by CSOs and academics have emphasized the rampant and violent processes of land and ocean grabbing that this transition is facilitating. Drawing on a case from Northern Tanintharyi in the Southeast of the country, this article attempts to historicize contemporary accounts of these grabbing processes. Developing a landscape-approach, it supports recent academic calls to move beyond the focus on a single resource or a single case and instead understand 'grabs' in relation to broader processes of agrarian-environmental transformations. Emphasis is placed on the 'control-grabbing' aspect of this ongoing transformation. The article shows how the control-grabbing of both ocean- and land-space facilitated the state's appropriation of rent from productive capital in the fisheries and offshore gas sector, while bolstering state sovereignty over historically contested spaces. For villagers on the ground, this has had widespread ramifications, differentiated along lines of class and gender. Explaining and describing this longer-term agrarian-environmental transformation of the landscape helps to ground existing accounts of the managed nature of Myanmar's current transition. In so doing, the article also questions the efficacy of prevailing policy proposals for how to solve the ensuing conflicts over and in the landscape.

## 1. Introduction

Since the 2007/8 financial crises, activists, academics, governments and international institutions have been discussing whether and how a new wave of land-grabbing has been taking place (Peluso & Lund 2011). Responding to what has been called the 'convergence of crises' (finance, food, climate and energy) capital accumulation strategies have increasingly focused on gaining control of the use and benefits of land and land-based resources (McMichael, 2012). In the process, a diverse array of actors has in different ways become implicated spanning "businesses and NGOs, conservationists and mining industries, or ecotourism companies and the military" (Fairhead *et al.*, 2012: 239). Furthermore, host-states that facilitate the grabs are at the core of these processes too (Wolford *et al.*, 2013). While there was a general lack of clarity in what 'land grabbing' actually meant in the first wave of literature interrogating these processes, later work after the 'making sense'-phase (Edelman *et al.* 2013) has clarified that "land grabbing is essentially 'control grabbing': grabbing the power to control land and other associated resources such as water in order to derive benefit from such control of resources" (Borras *et al.*, 2012: 850). In the context of increasing intersections and overlaps between different forms of resource grabs (land, water, green, ocean etc.) across time and space, it has furthermore been argued that there is a need to move beyond the focus on a single resource or a single localized case (Hunsberger *et al.*, 2017; Thaler *et al.* 2018).

The sophisticated analyses of contemporary agrarian and environmental transformations notwithstanding, this surge of work on 'grabbing', drawing on political economy and political ecology, rarely ventures to the shorelines – let alone beyond them – to understand how similar dynamics around coastal and marine resources are playing out. This despite the fact that institutions like the OECD have proclaimed that “[f]or many, the ocean is the new economic frontier” (OECD, 2016: 13) and that the ‘ocean economy’ and its associated emerging industries are now being framed as the solution to the same convergence of crises that initially set off the global land-based resource grab (Silver et al., 2015). Not to mention how fisher peoples’ movements and their allies increasingly deplore that a ‘global ocean grab’ is underway (WFFP *et al.*, 2014). A few notable exceptions are Bennett *et al.* (2015), Bavinck *et al.* (2017) and Foley & Mather (2018) all of which, drawing on the ‘grabbing’-frame, seek to propose an approach and a research agenda to interrogate these dynamics across ocean- and coastal space.

Bringing in a case from Southern Myanmar, the following paper aims to contribute to these debates conceptually and empirically. Bennett and colleagues’ (2012, 62) define ocean grabbing as “appropriation of use, control or access to ocean space”, which negatively affects prior resource users. They foreground “inappropriate governance processes” as the means through which ocean grabbing occurs and consequently argue that solutions to ocean grabbing include “developing codes of conduct and best practice documents” (Bennett et al. 2015: 62, 65). While the article heuristically follows their definition, it complements it by drawing on Borrás et al.’s (2012) elucidation of control in grabbing processes and argues that the pursuit of rent is a key driver in struggles over ocean-space (Campling & Colás 2018). Ocean-grabbing in Southern Myanmar is shown to have played out through the Myanmar military regime seeking control-grabs of ocean-space in order to extract rent from productive capital in the fisheries and off-shore gas sector. This pursuit of rent-extraction was an imperative for the military regime’s political and economic survival from 1988 onwards and was constituted by and constitutive of regional geopolitical shifts following the end of the cold war – particularly Thailand’s foreign policy of ‘turning battle-fields into market places’. Moreover, the successful extraction of rent from ocean-space was contingent on the military regime’s control of adjoined land-space – hence an ocean and land control-grab took place. Aside from the economic imperative, this control-grab dovetailed with the regime’s territorial aspirations to muscle out Ethnic Armed Organisations it had been at war with for decades. *Conceptually*, the case exemplifies the importance of historical and processual analysis that sees individual ‘grabs’ in a relational manner and enmeshed within broader political-economic struggles over the appropriation of rent. This conceptual framework and explanation of drivers behind ocean and land control-grabbing, in turn, complicates policy solutions that reduce the issue to a question of attaining ‘good governance’.

Although Southeast Asia has been a key focus in the ‘grabbing’ literature, as of yet Myanmar has not received much attention (Schoenberger *et al.* 2017, though see Borrás & Franco 2018). *Empirically*, the article contributes with a grounded analysis of ocean and land control-grabbing processes as they play out in two particular villages in the Northern part of Myanmar’s Tanintharyi division. Explaining the grabs in these villages, however, implicates an entire ‘landscape’, empirically requiring a unit of analysis not limited by focus on a village, single resource or clearly defined spatial boundary. The landscape in this paper therefore covers both land- and ocean-space in Northern Tanintharyi. Drawing on work by geographers interrogating how space is constitutive of and constituted by capitalism, the landscape is understood as the “material basis for, as well as a result of, economic and social activity and therefore a central site of struggle over the shape and structure of the political economy” (Mitchell, 2012: 44). Such an approach to the landscape, seeing it not as a thing, but as a process that is actively produced through struggle, requires tracing flows of capital, commodities and labour and implicates a wide range of agents across time and space associated with it.<sup>1</sup> In this case, it involves the Thai and Myanmar state, Ethnic Armed Organisations, local, Thai and other foreign capitalists as well as differentiated villagers. Moving beyond an ‘impact-model’ of ocean-grabbing, following Hart (2004), the article interrogates how these multiple forces come together under specific historical and social conditions in the production of a landscape in Northern Tanintharyi. In so doing it empirically moves from the scale of regional geopolitical struggles down to the scale of two particular villages in order to examine how villagers also take part in the production of a landscape “more aligned to their own interests, needs and desires” (Mitchell 2012, 169).

The article is structured as follows: the next section presents the methods used to interrogate the landscape. Section three provides some further clarity regarding the key categories deployed – rent and control – in relation to ocean-space before turning to an analysis of the political-economy of fisheries and offshore gas in Southern Myanmar historically and today. This is carried out at two different scales: the first interrogates struggles around territorial control – and hence appropriation of rent – between the state and Ethnic Armed Organisations (3.1 - 3.3). This is followed by zooming in on two villages that have been caught up in these dynamics and today stand to be locations for yet more potential ‘grabs’, detailing how people ‘on the ground’ struggle to partake in the production of the landscape (4). Based on this, the penultimate section (5) discusses prevalent policy approaches to maritime and coastal resources in Myanmar today and considers the limitations of these in light of the case presented. The last section (6) concludes and returns to the academic and political significance of a landscape-approach.

## 2. Methods

In my attempt to interrogate how this particular landscape was produced, I gathered data used in this paper during rounds of field-work in October-December 2016, October-December 2017 and January 2018. Sections three and five draw on – in addition to works referenced – interviews with international NGOs, donors, regional state officials and former members of Ethnic Armed Groups (n=20) held in Dawei (regional capital of Tanintharyi) and Yangon. For each of these interviews a guide tailored to the actor in question was made in order to gauge their views on the historical and contemporary political-economic dynamics in Tanintharyi. Section four draws on semi-structured interviews (n=60) at household-level conducted across three villages, of which interviews from two of the villages are drawn on directly in this paper (see figure 1). The villages were purposefully sampled for their different historical-geographical relation to the unfolding ocean and land control-grab. The selection-process was based on an initial 4-day scoping trip, where I did interviews with key informants (village administrators or ‘elders’, n=15) in a number of different villages across Yephyu Township in Northern Tanintharyi. Household-interviews conducted in the villages were based on a guide built up around Henry Bernstein’s four key questions of political economy concerning social relations of property and ownership, social divisions of labour, social division of the ‘fruits of labour’ (not purely limited to income) and social relations of consumption, reproduction and accumulation (Bernstein 2010). Selection of interviewees was purposive based on their relation to the means of production – that is, Bernstein’s first question. Before the interviews in each village began, a classification of the village was made with village administrators according to ‘who owns what’ – focusing on the relevant means of production in the particular village (i.e. owning boats in the fishing village, land in the others) leading to a division into groups of ‘rich’, ‘middle’ and ‘poor’. In the subsequent analysis of the interviews, in order to examine how differentiated villagers partake in the production of the landscape, particular attention was paid to class, gender and generational dynamics over time.

## 3. The political-economy of Myanmar’s Exclusive Economic Zone

The analytical lens drawn on in this paper follows up on work over the past two decades emphasizing that ocean- and land-space be interrogated in relation to each other amidst the dynamics of the world economy (see particularly Steinberg 2001, Campling & Havice 2014; Campling & Colás 2018). Following calls to in particular pay attention to struggles over rent and the role of the state (Harvey 2010), recent interventions highlight how regulation of ocean-space has become a means for the state to assume the role of modern landed property in order to extract ground-rent.

With the coming into force of the United Nations Convention on the Law of the Sea (UNCLOS) in 1994, coastal and island states formalized the extension of their sovereignty over the so-called Exclusive Economic Zones (EEZ) – 200 nautical miles from the shoreline. This amounted to the largest single enclosure in history in terms of sheer space and included all marine and seabed resources within the EEZs. Campling & Havice (2014) argue that through this control-grab the state takes the form of a landowning class as it from then on mediates capital’s access to resources within the EEZs. As such, they follow Capps (2016: 458) in arguing that the “essential yet contradictory social relation in the capitalist mode of production” of modern landed property is struggled over and can be performed by a whole host of different actors from individual land owners, to chieftancies to the state. One of the key prerequisites for

*modern* landed property under capitalism, as opposed to feudal systems, is the separation between 'ownership' and 'production'. This entails that modern landed property exclusively takes the role of 'owner' and therefore assumes an antagonistic class relation to productive capital from which it appropriates rent (Capps 2016). With the establishment of EEZs, coastal and island states precisely attained the juridical basis of modern landed property, formalizing their rights to extract a portion of surplus value in the form of rent from capital active in ocean-space. As a result, coastal and island states from then on "sit at the nexus of rent appropriation and other distributional struggles around surplus value, (perceived) 'national interest', geopolitics, resource management and industry regulation in EEZs" (Campling and Havice, 2014: 715).

However, as the following empirical analysis shows, this is not an uncontested process – particularly the question of appropriation of rent, which hinges not just on *de jure*, but also *de facto* territorial control. In Southern Myanmar, this was not the case in the early 1990s where the military regime was struggling to assert its territorial control so as to reconfigure rent relations – away from different Ethnic Armed Organisations – in order for itself to assume the role of modern landed property. This reconfiguring of rent relations was, in turn, constitutive of the state-mediated capitalist transition<sup>2</sup> taking place in the post-1988 period and constituted by new scales of capital accumulation facilitated by the shift in foreign policy of the Thai-state. As such, following Coronil (1997: 64-65), it shows the importance not just of capital and profits for the state, as is typical in Marxist approaches, but also of the landscape and rents accruing from it, when the state "as the sovereign authority over a national territory [...] plays the role of an abstract landlord".

### 3.1 Geopolitics and distributional struggles

With the closing of the Cold War a series of political and economic realignments took place in Southeast Asia. After Vietnamese troops withdrew from Kampuchea in 1989, the waning of Chinese support for the Thai communist party and the Burmese regime's abandonment of a 'Burmese Way to Socialism' (see below), all the perceived threats to the Thai ruling powers from communist insurgencies from the East, West and internally had one way or another been quelled. As a result, in 1989 the Thai Prime Minister announced that now Thai regional policy could be summed up in the approach of 'turning battlefields to marketplaces'. Cementing this shift, the Foreign Affairs Minister later in the year followed up with the point that now, "the business of diplomacy is business" (quoted in Um 1991: 246). In addition to the shifting geopolitical terrain, the Thai-economy had been booming since the early 1980s, which meant that by the end of the decade there had been significant expansion in most sectors with four years of double-digit growth in the period 1987-1990 (Phongpaichit & Baker 1998). In order to continue and expand the opportunities for growth, new political-economic relations with neighbouring states subsequently became pivotal (Um 1991). This especially concerned access to neighbouring state's natural resources following gradual depletion of Thai domestic resources and a gradual closing of the internal frontier through policy measures that undercut the supply base of a range of extractive industries – including timber and fisheries. Simultaneously, the Thai industrialization drive meant that it was expanding its search of energy sources beyond Thai-borders. These imperatives led the Thai-government to send a series of delegations to Burma from 1987 onwards in order to strengthen relations that until then had been frosty, at best (Um 1991).

The Thai-delegations started visiting Burma when the Burmese military regime was in dire straits. After some 25 years of sclerotic rule following a crude 'Burmese Way to Socialism', the economy was deteriorating rapidly and by December 1987, Burma had been granted status as a Least Developed Country by the UN. While this designation allowed for a rescheduling of its external debt payments, the regime remained desperate for foreign exchange and jump-starting growth of the economy. In a series of attempts to spur this on, the government in February 1987 announced that it would allow private companies to export rice, which had been a government monopoly since coming to power in 1962. This did not improve the economy in any significant way and the combination of economic stagnation, a demonetization scheme<sup>3</sup> in September 1987 and widespread oppression led to an eruption of protests across the country on the 8<sup>th</sup> August 1988. Not so easy to deter, however, a rebranding of the military regime – the State Law and Order Restoration Council (SLORC) – brutally put the demonstrations to an end and seized power in September 1988.

Upon doing so, SLORC was faced with both political and economic crises. Already on the precipice of bankruptcy, Western governments and financial institutions attempted to exert further pressure on the regime through enforcing sanctions on trade and investment. In reaction to this, the regime went further down the road of partial liberalization of the economy, while continuing brutal human rights abuses (Taylor 2001). This included an 'open door' approach welcoming foreign investment and trade, set off by the Foreign Investment Act of November 1988. The law explicitly had the aim of "[e]xploitation of abundant resources of the country with a view to catering to the needs of the nation in the first instance" along with "exporting whatever surplus available" (Union Government 1988: 1). Consequently, a series of policies facilitating large-scale extraction in a range of natural resource-based industries including fisheries, forestry, mining and agriculture were introduced (Than, 2007).

In contrast to Western governments, Myanmar's<sup>4</sup> neighbours, notably Thailand, approached it through "dialogue, investment, trade support and modest development assistance" (Taylor 2001: 12). In a culmination of these different developments – what MacLean calls SLORC's 'entrepreneurial turn' – the regime initiated a "rapid conversion of previously contested spaces into commodified ones where large-scale extraction could openly take place" (MacLean 2008: 142) – both in highland areas, targeting timber, gemstones and oil as well as in Myanmar's Exclusive Economic Zone targeting fish stocks and, later, offshore oil and gas (Myoe 2016). Aside from being a source of much-needed foreign exchange, these policies simultaneously consolidated the regime's power, functioning as a counter-insurgency strategy by undercutting the financial base of borderland Ethnic Armed Organisations (EAOs) that hitherto had been in control of these spaces (Smith 1991). The strategy ensured "an influx of foreign investment and trade deals in logging, fisheries and mining, with rents flowing to the regime rather than the rebels" (Jones 2014b: 792).

Where the Thai-government had tacitly supported the EAOs residing on its borders with Burma during the Cold War, the economic prospects of integrating the 'liberated areas' under EAO-control into formal and legal regional circuits of capital began outweighing prior primarily political considerations. As Kramer (2009: 10) sums it up, "the 'liberated areas' were no longer seen as a buffer zone [against communism] but as an obstacle to regional economic development". Simultaneously, this formalization allowed for an upward shift in the scale of capital accumulation – from the relatively small illegal border trade in the hands of the EAOs to the ushering in of new economic projects developed between the Thai government and SLORC with significant rents appropriated by SLORC.

### 3.2 State power and fisheries

SLORC's predecessor regime, the Burmese Socialist Programme Party, was the first in Southeast Asia to declare an EEZ in April 1977, a move that was part of regional power struggles over control of ocean-space (Butcher, 2004).<sup>5</sup> Since the mid-1960s, in the face of plummeting stocks in the Gulf of Thailand, the Thai fishing fleet had gradually expanded into the waters of neighbouring countries. In 1968, in response to the presence of Thai trawlers and purse seiners, the Burmese regime made its claim of territorial waters 12 nautical miles from the shore. In an attempt to uphold this territorial claim, in the period between 1968-1976, the Burmese regime arrested over 200 Thai fishing vessels for 'trespassing' in their waters (Butcher, 2004). Once UNCLOS-negotiations had concluded, there was a *de jure* shift in the power balance. On the one hand, this formally solidified the Burmese state's sovereignty over the Exclusive Economic Zone, but on the other hand the UNCLOS agreement simultaneously stipulated that states should give access to foreign fleets when there were 'surplus stocks' in their waters. And, as noted in a FAO-report from 1984, at that time Burma "is one of the few countries in Southeast Asia (if not actually the only one) in which potential yields do exist" (Pauly *et al.*, 1984: 101). However, no agreements were made and instead the cat-and-mouse between the Burmese navy and the Thai fishing vessels continued.

With SLORC the strategy shifted from asserting control of the EEZ through opposing Thai fishing to asserting control to facilitate Thai fishing and secure rent flows from the fleet of Thai vessels. On one of the visits of Thai-delegations mentioned above, in December 1988, SLORC made an agreement with Thailand's General Chavalit Yongchaiyudh to grant fishing rights to Thai trawlers. This was followed up with the Fishing Rights of Foreign Vessels Law instituted in 1989 and the following granting of permits to 241 Thai vessels (Myoe, 2016). The law and permits were especially aimed at opening up the Southern Andaman Sea off the coast of Mon and Tanintharyi. Guaranteeing the security

of the Thai fishing fleet, however, required the SLORC-regime to be in full territorial control of coastal areas. Most of these areas were by the regime characterized as 'brown' and 'black' areas, meaning currently not under its control and therefore "targets of concentrated military operation" (Ferguson, 2014: 3). Consequently, one of the main areas targeted for military expansion in the years following 1988 was the Southeast in order to "free the way for new fishery and timber businesses" (Smith, 1991: 422). The Karen National Union and the All Burma Student's Democratic Front (ABSDF) both had navy branches for the purpose of collecting rents from the Thai vessels – with ABSDF on occasion blowing up the vessels if their Thai owners refused to pay (Kramer, 1994). Having witnessed the rents flowing to the military regime from this source, KNU and ABSDF saw a key opportunity to finance their resistance campaigns, while contesting the military regime's territorial claims.<sup>6</sup> As a result, the Thai fishing fleet (to the frustration of vessel-owners) in many instances had to pay rents both to the military regime and the various armed groups.

With the insurgent groups' gradual loss of territory as a result of the military regime's campaigns against them, the military regime solidified its own position, assuming the role of modern landed property. The relation with Thai fishing capital remained turbulent, however, with SLORC periodically granting access and then reverting on its decision. This followed differences with the Thai government, e.g. in 1999 when Thai trawlers were periodically banned due to the regime's perception of a too lenient treatment of Burmese dissidents in Thailand. This practice has continued until today. The latest of these bans was in 2014, this time purportedly with the aim of limiting overfishing (ILO, 2015). Nonetheless, throughout the period Thai-owned vessels have been present either circumventing bans, by entering into deals with the navy, through joint-venture companies, or simply ignoring them (Butcher, 2004; Tezzo *et al.*, 2018).

In the meantime, Myanmar's domestic offshore fleet has developed considerably. Aside from the continued presence of the Thai-fleet (legally or illegally), the Burmese national offshore fleet has grown to now consist of over 2,700 vessels (MFP, 2016). According to a study by the ILO, in the period 2010-2015 the fishery sector was the fourth largest contributor to Myanmar's GDP and the fourth largest source of foreign exchange – with the export sector in 2016 amounting to USD 605 million (DoF, 2017). Very little public information on the ownership structure or profit rates is available, but it is widely referenced by practitioners in the industry how a select few 'cronies'<sup>7</sup> exert considerable control and are accumulating massively through a number of vertically integrated firms<sup>8</sup> (ILO, 2015).

### 3.3 Gas, militarization and money

Where fisheries resources were the focus of SLORC's initial interventions into ocean-space following 1988, it was the considerable offshore hydrocarbon resources that in large part secured the financial survival of the regime in the period following 1988. Between 1989 and 2010, the oil and gas sector secured most Foreign Direct Investment in Myanmar – the majority of this destined towards the offshore field off the coast of Tanintharyi in what would become the Yadana gas pipeline. It was developed in the early 1990s, when the state-owned Myanmar Oil and Gas Enterprise (MOGE) went into a partnership with Total Oil (France), Unocal (now Chevron, USA) and PTT Exploration and Production (PTTEP, Thailand). Like the dynamics around fisheries, the gas coming from the offshore field was to be routed to Thailand, which was "hungry for energy" (ERI, 2003: 23) due to its above noted economic boom. As dryly noted by a representative of the Thai-state: "All we want is more access to natural resources. If Burma has the potential, then dialogue will take place" (ERI, 1995: 8).

Upon landfall the pipeline would cut through contested areas on its way to Thailand that until then had not been under full control of the regime. A prerequisite for the potential massive influx of investment as well as payments for the gas (the agreement with Thailand for the import of gas stipulated USD 400 million annually), was thus to 'secure' the entire land area, that is ensure no hampering with the flow of gas (and hence, profits and rent). As a result, around 1990 the military descended from bases further North and heavy fighting ensued between the military and the Karen National Union as well as the New Mon State Party – the two main EAOs active in the area. Once 'secured' for the investment, which aside from quelling the ethnic insurgency also involved dispossessing villagers' of their land, the pipeline, a Total operation center and a road network was constructed using villagers as slave-labour (ERI 1995; 2003)<sup>9</sup>. In this manner, people were first cleared from the land, and then forced into remaking the landscape more amenable to the extractive project. Small-scale fisher peoples living in villages around where the pipeline had landfall

were similarly dispossessed of their fishing grounds, as they were prohibited from going within 200 meters of the pipeline during the construction and in periods of repair (ERI, 2003).

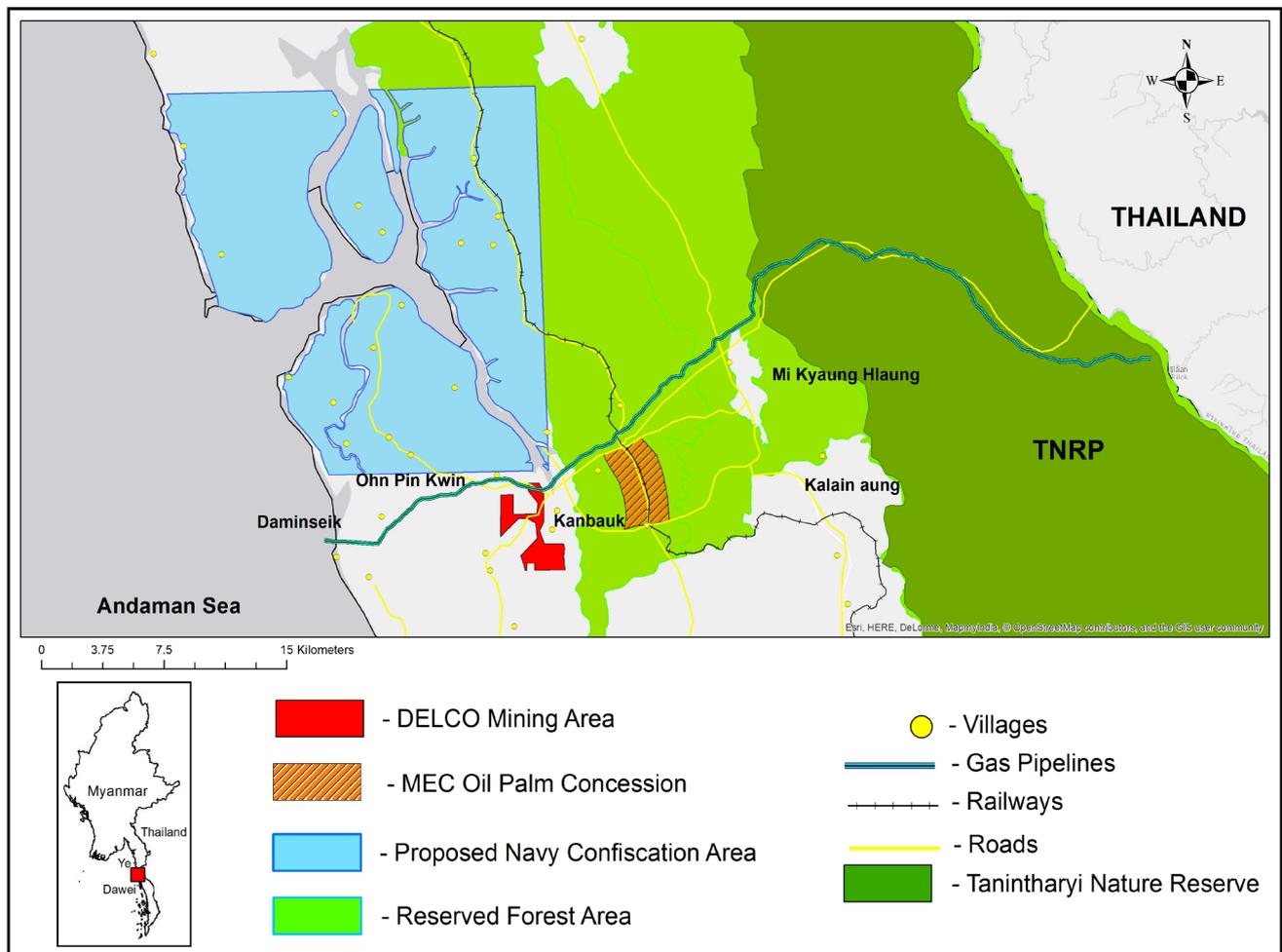
Rents gained from the export of natural gas from the Yadana and more recently adjoined Yetagun blocs, were crucial for the regime’s survival (MacLean, 2008; Turnell, 2010). Indeed, the pipeline related investments were the backbone of whatever growth rates SLORC and later the SPDC managed to mobilise from when the projects were launched (Turnell 2010). Since then, the two fields have been the main source of Myanmar’s gas exports and “together yield around USD two Billion annually” (Turnell, 2010: 29). In 2010, yet another bloc came online with another pipeline leading to Thailand. Like in the case of fisheries, the development of the gas-sector heavily favoured a handful of individuals. According to ERI (2009), through manipulation of exchange rates in the conversion from USD to Myanmar Kyats, USD 4.8 billion of SPDC’s USD 4.83 billion revenues from the Yadana project were never included in the national budget. Instead they were siphoned off by military generals into two Singaporean bank accounts. On a smaller scale, the owner of the first private company involved in the oil & gas industry, Myint & Associates, that was part of both the Yadana and Yetagun projects became one of the 10 richest people in Burma (Irrawaddy, 2008).

## 4. Intersections of control-grabbing in the Northern Tanintharyi landscape

These control-grabbing processes have significantly remade the entire Yephyu district in Northern Tanintharyi through which the three pipelines slice (see figure 1).

Figure 1:

Map of part of Yephyu district in Northern Tanintharyi through which the gas pipelines cut.



This section teases out how the impacts of control-grabbing in Myanmar's EEZ cumulatively intersect and overlap with on-land dynamics. The section does not go into detailed village histories but brings in vignettes from two of the villages in Yephyu, where lives and livelihoods have differentially been transformed. While presented separately the point is to show the intersections and spill-overs between ocean and land grabbing in these two villages in Northern Tanintharyi across geographical scales and time. Where the control-grab nicely fit into projects to secure accumulation of capital and appropriation of rent, it simultaneously has set off processes of commodification of land and labour and exacerbated tendencies of differentiation within and between villages.

#### **4.1 Encroachment of ocean-space and 'opening up'**

Daminseik is a small fishing village just to the north of where the three pipelines have landfall. Historically, these households' livelihoods have consisted mainly of fishing. Their fishing practice – emblematic of other villages in Northern Tanintharyi – is based on small-motorized boats with bagnets. Until some 20 years ago, the fishing practice consisted of using the entire inshore area of 10 nautical sea-miles that is by national law dedicated to small-scale fishers. For the first two months of the fishing season they would fish within the first 5 miles of the shore, for the next two move out up to 8 miles and then finally up to 9-10 miles before returning further inshore for the close of the season. When the rainy season came, fishing was no longer permitted (though for the most part this fishing practice was also simply not possible during the rainy season) leaving people in a difficult position for months at a time. Each boat would employ men at sea doing the fish-harvesting and a number of women sorting and processing (i.e. drying) the catch upon landing it. The catch would either be sold to regional merchants from Mon (who would come by boat) or transported to the regional capital of Kanbaw by foot (a day's walk). This historical production system has however been gradually undermined through a combination of three key factors relating to the post-1988 control-grab in Myanmar's EEZ: i) dwindling fish stocks, ii) reduction of physical ocean-space accessible to villagers and iii) a new hiring system initiated by boat-owners in response to i) and ii).

The pivotal shift for the village came with the building of the Yadana pipeline and the immediate displacement that this resulted in, leading some villagers to flee to refugee camps in Thailand (ERI, 2003). For the people who stayed, however, knock-on effects highlighted by villagers came in the period 1997-2001 (several years after the construction), where they report a dramatic fall in the fish stocks leading to another round of exodus from the village.

This period of a drop in stock was followed by a more regular intrusion of the offshore fleet into their areas from the early 2000s onwards, where – as noted above – a domestic fleet had begun to develop. As a result, in the period since then, the physical space available for their fishing practices have been gradually reduced. Today, the fishers can only venture 6 miles out from the shore or face their bagnets being destroyed by the offshore (larger-scale) vessels and their equipment. This has led to a drop in the fish landings – unanimously bemoaned by villagers. When especially egregious cases of this intrusion happen, e.g. when the large-scale vessels come very closely inshore, the village administrator complains to the Chief Minister at the regional level, but such complaints never lead to anything and the large-scale vessels often purportedly attempt to appease complaints by offering barrels of fuel for not speaking out. With the nature of villagers' fishing practice – a rotational system of placing nets on the bottom (fastened with rocks), venturing out twice per 24 hours to change the nets – the physical reduction of space available impacts massively on the catch. As one interviewee put it: "With lots of cows on a smaller pasture then how can you get enough for your stomach?"<sup>10</sup>

While the physical reduction of space and concurrent dwindling of fish resources impacted on the village in its entirety, a new hiring system led to differentiation of impacts along lines of class and gender. As part of the building of the Yadana-pipeline, it was necessary to build a road from Kanbaw to the landfall area in order to transport workers to and fro, which happened around 1996.<sup>11</sup> Until then the village had been isolated with a day's walk to Kanbaw. Once the road came, however, the village saw an increasing inflow of migrants that have settled permanently especially from Mon-state North of Tanintharyi, who heard of the village from Mon-traders that had then been travelling there by sea. This in-flow of migration coincided with the above-mentioned outflows of people, and boat-owners describe a breakdown of the trust and historical fishing practices in the village – what Scott (1976) might call the 'moral-economy'.

The in- and out-migration led to a shortage of skilled labourers and boat-owners consequently had to compete to get the best labourers. This was done by providing progressively higher 'advance-payments' in the opening of each season. However, with looser ties to the village, some labourers would take the advance-payment and simply leave. In an effort to discipline workers, boat-owners initiated a contract-system: men of all ages and childless women between the age of 16-35 would be formally employed through a seasonal contract-system with a fixed monthly wage. In order to receive the advance-money the labourer would have to pronounce four other villagers as 'witnesses', who would be liable to repay the advance-money, if the contracted labourer did not complete a season's work. For the young girls, child-bearing women or any woman over 35, however, the contract-system does not recognize their labour although girls and women in these ages still contribute to the post-harvest activities by taking part in the initial sorting of shrimp from other species caught. Instead of a monthly fixed salary like those under contract, they are remunerated according to how many shrimp they individually manage to collect from the catch. On a monthly basis, this at the very maximum would amount to half of the monthly salary that the contracted group of women get, which is, in turn, half of what men receive for going to sea.

This polarization between boat-owners and workers and reinforcing of existing differentiation of boat-owners and workers within the village has led to markedly different responses to the control-grab. The boat-owners, estimated to be about 10% of households in the village, are basically engaged in a gradual exit-strategy to leave fishery altogether. Coinciding with a small-holder rubber-boom in the early 2000s, boat-owners began to buy up small plots inland as a means to get out. As one boat-owner already owning a 25-acre 'rubber-garden' put it: "My future is to buy as much land as possible!"<sup>12</sup> For the workers, no such strategy is possible and this group of people is basically just concerned with surviving day by day with varying degrees of success. If the drop in fish-stocks continues, the question is if they will just have to follow the boat-owners in-land as wage-labour in their rubber-gardens. Both these strategies are, in turn, contingent on how the pipeline affected villages further inland.

## 4.2 *Commodification of land and labour*

The buying up of land by small-scale fishers from the early-2000s onwards comes in the heels of momentous ongoing transformations in the inland landscape – closely related to the offshore dynamics. Oh Pin Kwin (OPK) and the surrounding villages further inland from the shoreline were historically characterized as brown areas – meaning not fully under control of the military regime. This all changed, when the military arrived from Mon to facilitate the building of the Yadana pipeline. Through successive rounds of conscripting villagers' labour and taking over their land, the military started by setting up base camps to the West of Kanbauk – some of these close to OPK. Once this was done, they began progressively moving along the current route of the pipeline, in order to clear the way for Total – including a large area for Total's operation center.

Prior to the pipeline, while there were certainly inequalities, interviewees emphasized that there were more livelihood opportunities, most notably small-scale mining, shifting cultivation and some rice-cultivation. Across socio-economic groups in the village today (land-holders and landless alike), people speak of this period as land being plentiful (talk of forest 'virgin'-land for the taking) – some even spoke of land being given away for free, as it was not considered a sign of wealth in any material sense.

With the pipeline and an enclosure of the mining area by a local company, which happened simultaneously in the mid-1990s, a complete re-working of villagers' access to and control of resources unfolded. In contrast to the expropriations driven by the military, Total introduced compensation for expropriated land. However, where ownership of land until then had been based on a mix of property regimes (shifting ownership based on cultivation-practices, some private for rice-cultivation, some 'communal'), the process around compensation for appropriated land introduced the notion of clearly delineated individualized property rights. This was necessary to calculate who should be compensated how much for the land taken for the pipeline and Total's adjacent operation center (Lwin, 2018). On the one hand, this introduced a new scale of money that had until then not been present in the village. OPK was at this point still a relatively isolated village and the amounts of money that the compensation process set-off were unheard of (if, in hindsight, in the opinion of many of the interviewees far below what they should rightfully have been compensated).

Some of the people that managed to receive compensation wanted to buy new land. On the other hand, the enclosure of the mining area closed off an important source of livelihood for many. This led the majority to attempt to turn towards sedentary agriculture and rubber-production, enticed by the late 1990s and early 2000s boom in rubber prices (Lwin, 2018). Together these two factors meant an explosion in land-prices in the village in this period and a shift in the social perception of land. Until then, the main signifier of wealth had been gold, but, as the village administrator explained, “nowadays gold is nothing compared to land!”<sup>13</sup>

Today, 20 years down the line the initial grabbing of land by the military for their base camps and for the pipeline, villagers have been differentiated according to their land-holdings. A small group of relatively large land-holders were untouched by the pipeline and have subsequently managed to buy up land from others in the village. These make up the well-off, petty-capitalist part of the village. One of the largest of these landholders in OPK is in fact a former fish-trader from Daminseik village. His story is telling of the gradual differentiation of villagers and the intersections of ocean and land grabbing processes. He migrated to Daminseik from Mon state in 1986. In Mon, he “grew up in rubber gardens” where his former business consisted of illegally selling rubber to Malaysia and Singapore by boat. This was abruptly halted, though, when the military confiscated his boats. In reaction to this, he and his parents relocated to Daminseik. Upon arriving in Daminseik with money capital from his rubber-trading business, he started up as a small-scale merchant capitalist by trading in shrimp and ‘trash-fish’ destined for feed in the chicken farming industry. With money capital gradually accumulated in this trading position, he bought a small piece of land in 1994. In 2005 he left fisheries due to the dwindling landings and moved to OPK, where he transitioned into the role of merchant capitalist in rubber instead. In 2006, 2010 and 2016 he bought up most of his current land-holdings of over 100 acres – all of which produce rubber. In addition to his own production, he today sources from some 1000 acres of ‘rubber gardens’ in the area buying up from across sections of land-holders in the village (plot-sizes from 50 down to 2 acres). He was currently in the process of applying for land titles for his +100 acres of land.

A majority group of more or less landless villagers are forced to do ‘odd-jobs’ for their neighbors. This group consists for the most part of villagers that lost their land through the first round of dispossession by the military and Total or through one of the following two pipelines. Even where villagers managed to receive some form of compensation from the companies (which interviewees emphasized as a highly contested and unequal process), the money was often spent within a few years and itself fueled further strife within the village and individual families. In one family nine siblings were to inherit land from their parents. However, the most part of this was taken over by Total’s operation center. Consequently, the siblings ended up in a bitter struggle over who would receive the compensation. Two of the siblings forgave the money and instead divided the remaining land that Total had not taken between them. In the end, the seven remaining siblings settled in court, but the amount of money divided between them only just covered their court costs. Consequently, today, the one sibling interviewed was living in a shack with her family on the younger sister’s plot of land and next to her brick and concrete house. The only source of income for the family are the meager opportunities through small-scale mining in areas that are still occasionally accessible to villagers and whatever sporadic employment they can find in rubber-gardens and seasonally in the processing of beetlenuts. For the people with no land, estimated by the village administrator to be around half the village, they are today faced by a ‘squeeze’ through the combination of militarization and enclosure leading to a situation where, as one villager put it, “we are like fish in a fish grill, squeezed between mining, the military and the [gas] companies grabbing our land!”<sup>14</sup>

## 5. Marine Spatial Planning to the rescue?

“[Myanmar] is rapidly opening up to increased coastal and marine investments [...] Marine spatial planning assists with the identification and analysis of current and future conflicts through multi-sectoral stakeholder dialogue.” (Pei Ya, 2016: 17)

Northern Tanintharyi has thus been pummeled for several decades with processes of control-grabbing by the military regime leading to intersections of conflicts whereby villagers have become more and more ‘squeezed’ driven by struggles over production and distribution of surplus value from ocean-space. This ocean and land control-grab

was part of a larger reconfiguration of geography, economy and politics in Myanmar and Southeast Asia. Through this, the Myanmar military regime managed to successfully assume the role of modern landed property, with rents appropriated from Thai and international capitalist's profits flowing back to the regime – outmaneuvering Ethnic Armed Organizations in the process. Simultaneously, the booming Thai economy's 'hunger for gas' was lessened.

With Myanmar's subsequent much lauded 'opening up', especially following Aung Saan Su Kyi and her National League of Democracy's rise to power in 2016-elections, this reconfiguration continues. On 30<sup>th</sup> January 2018, the Myanmar government announced that part of its solution to the endemic shortage of electricity throughout the country was a massive bet on imported Liquefied Natural Gas and the building of four gas-fired plants along the country's coastline. The largest is to be located in Yephyu, which will tap into the 'brownfield' site and take advantage of existing fixed capital around the Yadana pipeline – not least in light of an expected plateauing of the Yadana gas field around 2021. Very little information has so far been shared, but amongst village administrators it is rumoured that it will involve the building of a port on one of the islands off the coast of the fishing village potentially meaning a further reduction in the physical space available for villagers' fishing practices. This is just one of a series of large-scale investment projects in coastal and marine space particularly in Tanintharyi, including a sprawling Special Economic Zone, burgeoning aquaculture and tourism as well as expansion of marine conservation areas as part of Myanmar's fulfilment of different climate change conventions (Borras et al. 2018).

With reference to potentially unfolding conflicts as a result of this 'opening up', the Department of Fisheries (DoF) and the Wildlife Conservation Society (WCS) launched a report on mobilizing Marine Spatial Planning (MSP) in the pursuit of what they call a 'sustainable Ocean Economy' (Pei Ya, 2016). As the opening quote suggests, through Marine Spatial planning (MSP), the idea is to identify, analyse and solve conflicts arising over and in marine and coastal space. This follows a recent global trend involving the spread of MSP as a tool that aims to balance extraction of marine resources with their conservation in the pursuit of 'win-win-win' outcomes on the economic, ecological and social fronts (Silver & Campbell 2018). The report identifies a range of 'primary threats' to the coastal and marine environment to be addressed through MSP: overfishing and destructive fishing; coastal development; watershed degradation; marine pollution from extractive industries and, finally, climate change. All of these are symptoms of a broader problem, namely that "Myanmar's marine space is currently still very much an interconnected 'commons' with few incentives for users to tackle shared environmental problems" (Pei Ya, 2016: 31). The way forward, it is explained, is by attaining consensus around sea-uses through a "brokerage process" by bringing together a range of 'stakeholders', "government, businesses, fishermen, nonprofit organizations, and coastal communities" in order to reach what are deemed "workable solutions" (Pei Ya, 2016: 21, 35). This idea of MSP as providing a silver-bullet towards workable solutions that mitigate or even avoid conflicts and achieve a balance between economic, social and ecological aims is certainly appealing. However, the analysis laid out in this article clearly belies the idea of any such silver-bullets.

Typically, multistakeholder processes are criticized for glossing over power imbalances between different actors in society (e.g. transnational corporations and 'communities') (McKeon 2017). However, as section 4 has shown even small-scale fishing communities are not homogeneous units. As a result of historical and social processes, they are internally differentiated, along lines of class, gender and generation – and, in many cases in Myanmar, also ethnicity. The question of representation, particularly since small-scale fishers in Myanmar currently lack representative organisations, therefore becomes crucially important. Who will be invited to take part in the supposed 'brokerage process' – boat-owners or workers? Men or women?

Furthermore, the landscape-approach has clarified that the ramifications of coastal and marine investments are not limited to 'coastal communities', as seems to be assumed in the MSP-report. They lead to important shifts in the circulation of capital (in the form of labour, commodities and money) through the landscape across scales. As seen in section 3, investments in ocean-space, are part and parcel of broader geopolitical and political-economic struggles. This much has already been established by others (see e.g. Campling & Havice 2014; Campling & Colás 2018), but as detailed in section 4, such struggles play out all the way down to village-scale resulting in restructuring of social relations within and between villages, well beyond the immediate coastline.

Finally, in the historical light of the gradual integration of ocean-space into world-capitalism through enclosures and reconfigurations of property-regimes geared to facilitating capital accumulation and rent appropriation, MSP as a form of governance seems less like a silver-bullet solution to conflicts and more like a next step in the enclosure. Indeed, MSP is very well positioned to solve what Silver & Campbell (2018: 5) call the 'property challenge' over ocean-space, i.e. the lack of private property, by providing a tool through which to "order and ration ocean space and resources, identify 'appropriate' uses/users, and grant them greater regulatory certainty and/or secure access." As such, MSP can easily be wielded to solidify the state's position as modern landed property. Particularly in Myanmar, where Gavin Bridge's (2008: 390) point that "natural resource mobilization has been an important element of continuity across fault lines of political upheaval" is especially pertinent, the only 'workable solutions' that seem likely are those that favour continued capital accumulation and rent appropriation at the further expense of coastal communities across the country. As noted by Aung San Suu Kyi at the recent 33rd ASEAN-summit in Singapore, Myanmar is "Southeast Asia's final frontier market ... we have land, we have [a] good young working population, we have unexplored resources" (quoted in Arshad, 2018).

## 6. Conclusion

Across the world coastal states are proactively promoting increased investments into coastal and marine spaces leading to what fisher peoples' movements call ocean grabbing. Bennett and colleagues (2015) have helpfully taken preliminary steps in more clearly defining the term and laying out a research agenda to be pursued. This article has attempted to contribute to this agenda with a case from Southern Myanmar. It argued for the importance of a landscape-approach, attuned to political-economic dynamics particularly around the appropriation of rent. The landscape-approach has as a premise that understanding any particular 'grab' requires an historical, processual and relational analysis that contextualises it within broader processes of coastal and agrarian transformations. The case exemplified the importance of conceptually foregrounding dynamics around control and rent: ocean grabbing played out through control-grabs of ocean-space by the Myanmar military regime motivated by the extraction of rent from productive capital in the fisheries and off-shore gas sector. As this restructuring of rent relations concerned the trajectory of Myanmar's political-economic transition, it was a contested process and implicated a wide range of actors spanning local, Thai and other foreign capitalists, the Myanmar military regime, EAOs and the Thai state, and down to villagers. In attempting to move beyond an 'impact model' of ocean grabbing, the article showed how dynamics across scales, from regional geopolitical struggles over territory to the 'squeeze' experienced by villagers were constitutive of and constituted by conjoined ocean and land control-grabbing. The article follows recent work that calls for a more complex understanding of dynamics within EEZs (and beyond, Campling & Colás (2018)) and spaces where land meets sea in particular. Current discussions around resolving ocean grabbing – from Marine Spatial Planning to codes of conduct – in pursuit of an elusive 'good governance' seem limited when grabbing is seen in context of these broader struggles over surplus under capitalist development implicating ocean and land-space and a diversity of actors across time. The point of explorations of ocean grabbing processes should not merely be to feed into existing policy processes aimed at mitigation, but to contribute critical analysis that can "connect previously scattered sectoral struggles" (Borras & Franco 2018: 13) by putting these in relation to each other. The approach taken in this article, delving into how ocean and land-control grabs have transformed the Northern Tanintharyi landscape is one such attempt.

## Acknowledgements

This article and the field-work that it draws on would not have been possible without the patience and work of Aung Lwin, who took time from his busy schedule to help me with 'fixing' and translation of interviews in Yephyu. Thanks to TNI's Myanmar in Focus and Agrarian & Environmental Justice programs for continuing intellectual, political and economic support without which the article and field-work also would not have been possible. The arguments in this article were spurred on by my affiliation with the project "MOSAIC: Climate change mitigation policies, land grabbing and conflicts in fragile states: understanding intersections, exploring transformations in Myanmar and Cambodia" (with funding from NWO and DFID) and the engagements with local activists in Dawei Development Association that this facilitated.

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## Endnotes

- 1 This approach is also inspired by Coronil's (1997) understanding and centering of 'land' in his analysis of the formation of the Venezuelan petro-state. I choose the word 'landscape' instead in order to emphasize that the analysis encompasses multiple resources.
- 2 For a lucid analysis of this state-mediated capitalist transition drawing on Marxist theories of the state, see Jones (2014a; 2014b). This article attempts to complement these accounts by Jones and Woods (2011) that focus particularly on timber with a focus on the role of ocean-space in this transition.
- 3 Involving the devaluing of 25, 35 and 75 kyat currency notes, which left more than 70% of the country's currency worthless (Bunte 2017).
- 4 As part of SLORC's rebranding, it changed the name of the country from Burma to Myanmar
- 5 UNCLOS-negotiations were not concluded until 1982 and, as noted, only came into force in 1994, but as part of third world independence projects many coastal states in the Global South had by then already declared their EEZ (see Campling and Havice, 2014)
- 6 Interview with former ABSDF-member, Yephyu district, 29.01.2018
- 7 Here defined following Jones (2014a: 151) as, "a state-linked oligarchic elite which enjoys considerable economic dominance and close relations with military and state officials". 'Cronies' is used as a vernacular term in Myanmar to refer to this group.
- 8 Interviews with industry observers, Yangon and Myeik, October-November 2016
- 9 Interviews in affected villages, November-December 2017
- 10 Interview with villager, Yephyu district, 04.11.2017
- 11 The road was paid for by Total, but this happened simultaneously with an expansion of the road-networks across other parts of the country in the late 1990s (Brown, 2013)
- 12 Interview with villager, Yephyu district, 02.11.2017
- 13 Interview, Yephyu district, 11.12.2017
- 14 Interview, Yephyu district, 27.11.2017. The point about the military referencing both the historical grabs related to the pipeline as well as the announced grab by the navy marked in blue on figure 1.